

# EMPLOYEE HANDBOOK



# Mattituck-Laurel LIBRARY

Approved by the Mattituck-Laurel Library Board of Trustees August 14, 2023

## Table of Contents

<b>1. General Employment Policies</b>	4
<b>2. Employment Classifications</b>	4
2.1. Professional	4
2.2. Support Staff	4
2.3. Hourly Employees	4
<b>3. Staff Structure</b>	4
<b>4. Orientation Period</b>	5
<b>5. Work Schedules</b>	5
5.1. Regular Hours	5
5.2. Extra Hours	6
5.3. Sunday Hours	6
5.4. Work At Home Policy	6
5.5. Meal Periods	6
<b>6. Dress Code</b>	7
<b>7. Personnel Folders</b>	7
<b>8. Performance Evaluations</b>	7
<b>9. Payroll</b>	8
<b>10. Time Off</b>	9
10.1. Paid Time Off	9
10.1.1. Holidays	9
10.1.2. Floating Holidays	9
10.1.3. Vacation Time	10
10.1.4. Sick Leave	11
10.1.5. Personal Days	15
10.1.6. Bereavement Leave	15
10.1.7. Jury Duty	15
10.1.8. Employee Voting Rights	16
10.2. NYS Paid Family Leave	16
<b>11. Insurance Benefits</b>	17
<b>12. Retirement Benefits</b>	19
<b>13. Continuing Education – Tuition Reimbursement</b>	19
<b>14. Employee Assistance Program – EAP</b>	20
<b>15. Job Separation</b>	20

<b>16.</b>	<b>Grievance Procedure .....</b>	<b>21</b>
<b>17.</b>	<b>Emergency Procedures .....</b>	<b>21</b>
<b>18.</b>	<b>Workplace Violence Prevention Policy .....</b>	<b>23</b>
<b>19.</b>	<b>Sexual Harassment Policy.....</b>	<b>24</b>
<b>20.</b>	<b>Whistleblower Policy .....</b>	<b>39</b>
<b>21.</b>	<b>Nursing Mothers in the Workplace Policy .....</b>	<b>41</b>
<b>22.</b>	<b>Miscellaneous .....</b>	<b>42</b>
<b>23.</b>	<b>Emergency Closings .....</b>	<b>43</b>
<b>24.</b>	<b>Disclaimer Regarding Certain Employee Benefits .....</b>	<b>44</b>
<b>25.</b>	<b>Volunteers .....</b>	<b>44</b>
	Appendix A: Code of Ethics and Conflict of Interest Policy .....	46
	Appendix B: Nepotism Policy.....	56
	Appendix C: Remote Work / Telecommuting Policy .....	57
	Appendix D: Tuition Reimbursement Request Form .....	59
	Mattituck-Laurel Library: A Brief History.....	60

## **1. General Employment Policies**

- 1.1. One of the most important assets of the library is its employees. You are expected, at all times, to perform your job in such a way that the best interests of the library and community are served. Personnel policies are outlined in the pages that follow.
- 1.2. The Mattituck-Laurel Library does not discriminate in employment opportunities or practices on the basis of race, color, religion, creed, citizenship, national origin, marital status, disability (including neurodiversity), genetic information, sex, ethnicity, age, sexual orientation, gender identity or expression, veteran status or any other legally protected basis, in accordance with applicable federal, state or local law.
- 1.3. The library operates according to a Conflict of Interest and Code of Ethics Policy for all employees, volunteers and trustees. Please see Appendix A for full text of this policy. All employees will be required to sign an acknowledgement form for this policy.
- 1.4. The library operates according to a Nepotism Policy. The policy seeks to establish a framework that can lead to a work environment free of any favoritism or personal partiality that would undermine the Library's intent to respect merit and accomplishment. It seeks to avoid special treatment or partiality provided to family members of board members and library employees. Please see Appendix B for a full text of this policy.
- 1.5. Applicants for employment may be interviewed by the Library Director or a designated representative. The final selection and placement of a new employee is made by the Director.
- 1.6. New employees will be required to fill out necessary personnel forms and will be informed of salary and benefits, and will receive a Personnel Manual.

## **2. Employment Classifications**

- 2.1. Professional
  - 2.1.1. Full-time librarians with a Master's Degree in Library Science and full-time professional specialists in such areas as programming or computer services who work a regularly scheduled 35 hour week.
  - 2.1.2. Part-time librarians with a Master's Degree in Library Science and part-time professional specialists in such areas as programming or computer services who work a regular schedule of at least 20 hours per week, but less than 35 hours.
- 2.2. Support Staff
  - 2.2.1. Full-time employees who work a regularly scheduled 35 hour week.
  - 2.2.2. Regular part-time employees who work a regular schedule of 20 hours per week but less than 35.
- 2.3. Hourly Employees
  - 2.3.1. Employees who work a weekly schedule of less than 20 hours.

## **3. Staff Structure**

- 3.1. The Library Director reports to the Board of Trustees and is in charge of library operations and services.
- 3.2. Library operations and services are divided into departments based primarily on function performed or services provided. Each department has a supervisor who reports to the Library Director.
- 3.3. In our library operations, several procedures exist to maintain control and communication.
  - 3.3.1. Within a Department

The supervisor is in charge of the department operations. Staff who work in a department report to its supervisor and are evaluated by that person.

### 3.3.2. Within the Library

Supervisors are as follows:

- Shauna Scholl Director
- Sara Colichio Reference / Adult Services
- Karen Letteriello Youth and Parenting Services
- Jacqueline Rodgers Circulation

When the library is open, the following chain of command indicates who is in charge for all building concerns. It is understood that within a department the Supervisor has set up a chain of command:

- Library Director: Shauna Scholl

[REDACTED]

- Chain of Command:

Sara Colichio

[REDACTED]

Jerry Matovcik

[REDACTED]

Karen Letteriello

[REDACTED]

Jacqueline Rodgers

[REDACTED]

- Professionals by seniority

If none of them can be reached, officers of the board are called. As of November 2022, they are:

Jim Underwood, President

[REDACTED]

Nick Timpone, Vice President

[REDACTED]

Katie O'Rourke, Secretary

[REDACTED]

Karenann Volinski, Treasurer

[REDACTED]

## 4. Orientation Period

- 4.1. The first (60) sixty days shall be an orientation period for all employees.
- 4.2. Within that period, either party may terminate employment without notice. Notwithstanding the foregoing, completion of the orientation period does not guarantee continued employment for any specified period and employees continue to be considered "at-will" employees.
- 4.3. Employees may not use any paid time off such as sick, vacation or personal time during orientation, although if applicable, benefit time can be accumulated.
- 4.4. Sick leave may be granted for legitimate reasons and may require medical documentation.
- 4.5. Such sick leave time may be paid retroactively at the end of the orientation period. If eligible, employees will be paid for holiday benefits during this period.

## 5. Work Schedules

### 5.1. Regular Hours

- 5.1.1. Work schedules include Saturdays and evening hours as required. Schedules will be arranged for fair and equal distribution of such hours, taking position and seniority into account.

- 5.1.2. The Director may change the hours of any employee when services or emergencies require, consistency of schedule is desirable and exceptions will be held to a minimum. Approved changes to the schedule must be recorded on the staff online calendar.
- 5.1.3. Employees are expected to be punctual and report to their work station at the designated times.
- 5.1.4. An employee who is unable to report for work at the scheduled starting time must inform the Director or their supervisor as soon as possible.
- 5.2. Extra Hours
- 5.2.1. Extra work hours must be approved in advance by ones supervisor.
- 5.2.2. Employees are eligible to earn compensatory time with prior approval by the employee's supervisor. Comp time must be used within four weeks of the date it is earned. Comp time is to not exceed an accumulation of 35 hours, within a two week period for extra hours worked.
- 5.2.3. Comp time does not accrue but must be used up by the end of the calendar year, with the exception of comp time earned in the last pay period of the year.
- 5.2.4. All employees must receive prior approval before working in excess of 40 hours a week.
- 5.3. Sunday Hours
- 5.3.1. Employees who work on Sundays will be paid 1 ½ times their regularly scheduled hourly rate of pay for every hour worked unless Sunday hours are part of the staff member's regular work week and was a condition agreed upon when the employee was hired.
- 5.3.2. Employees should not report to work on a Sunday without prior approval. Employees will occasionally be scheduled to work Sunday hours for services related to programming or public services, but never for employee tasks typically completed during the regular work week.
- 5.4. Work At Home Policy
- 5.4.1. Working at home is not permitted for library employees.
- 5.4.2. In special circumstances and at the discretion of the Director, exceptions may be made.
- 5.4.3. The conditions and details for each specific work-at-home instance will be decided by the Director and approved by the board of trustees, governed by the work at home policy in Appendix C.
- 5.5. Meal Periods
- 5.5.1. Break allowances apply to all employees as follows:
- 3 hour shift: 10 minute paid break
  - 3.5-4 hour shift: 15 minute paid break
  - 5 hour shift: 20 minute paid break
  - 6-7.5 hour shift: 45 minute paid break, plus two 15 minute paid breaks
  - 8 hour shift: 60 minute paid break, plus two 15 minute paid breaks
- 5.5.2. Unless otherwise approved by the Director or your supervisor, breaks must be evenly spaced throughout the day.
- 5.5.3. A break is a paid portion of the workday and may not be added to a meal period or used to compensate for lateness or early departure.
- 5.5.4. The scheduling of breaks is the responsibility of the department supervisors who will, in doing so, consider the operation of their department.

## **6. Dress Code**

6.1. Library staff attire is part of the library's image and conveys a level of expectation of service and professionalism. The library's dress code during onsite and offsite working hours is that which is commonly referred to as business casual.

### **6.1.1. General guidelines for all staff**

- Individual name tags must be worn and visible on the upper body at all times.
- Clothing should be clean and neat.
- Not permitted:
  - Flip-flops or dirty sneakers
  - Tank tops or clothing that exposes too much skin, e.g., around the mid-section
  - Athletic wear and sweatpants
  - Mini-skirts and short shorts
  - Clothing that displays slogans or advocacy statements
  - Leggings may be worn only with long tops, skirts, or dresses
  - Hats may not be worn except when required for recognized religious expression
  - Jeans with tears

6.1.2. Employees who are not dressed appropriately will be counseled on an individual basis. Any extenuating circumstances should be discussed with your department head and the Director, including any conflicts related to an employee's religious beliefs.

## **7. Personnel Folders**

7.1. A personnel folder is created for every employee and kept in the business office.

7.2. It is an employee's responsibility to keep their personnel folder up to date. Of particular importance is the contact information.

## **8. Performance Evaluations**

8.1. Each employee will receive a written annual Performance Evaluation conducted by their supervisor or Director during the last quarter of the year.

8.2. Throughout the year, an employee's performance will also be assessed and evaluated on an informal basis by the supervisor or Director.

8.3. A copy of each evaluation will be placed in the employee's personnel folder.

8.4. Employees whose job performance is not satisfactory may be placed on disciplinary probation without loss of benefits.

8.4.1. In the case of unsatisfactory job performance evidenced in an employee's evaluation(s), the employee will be given a written warning and placed on disciplinary probation or suspension.

- The length and terms of an employee's disciplinary probation or suspension will be set by the library Director.
- Employment will be terminated if the terms of the disciplinary probation or suspension have not been met or if improvement is not satisfactory within the time set by the Director.

8.4.2. Any of the following will subject an employee to disciplinary probation, suspension or immediate discharge without prior notice:

- Falsification of information on the employment application
- Use or possession of illegal drugs on the premises
- Use of alcohol on the premises
- Insubordination
- Theft of individual library property

#### 8.4.3. Drug and Alcohol Use

- It is the Library's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.
- While on Library premises and while conducting business-related activities off Library premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
- Violations of this drug and alcohol use provision may lead to disciplinary action, up to and including immediate termination of employment., Employees may be required, as a condition of continued employment to participate in a substance abuse rehabilitation or treatment program. Violations of this drug and alcohol use provision may be referred to law enforcement as appropriate.
- As a result of disciplinary probation due to a violation of this provision, an employee may be subject to mandatory counseling and/or drug testing.

## 9. Payroll

### 9.1. Salaries

- 9.1.1. Employees are paid according to their position, experience and performance, as evaluated by their supervisor and Director.
- 9.1.2. Salaries are recommended by the Director and approved by the board.

### 9.2. Time & Attendance

- 9.2.1. Employees are required to electronically log their time at work.
- 9.2.2. Upon arriving at the start of your work shift, you must punch in by logging into your Heartland Time account on a PC, smartphone or by the kiosk in the staff room. You cannot punch in earlier than 7 minutes before the start of your shift. At the end of your shift, you must punch out.
- 9.2.3. If a punch is missed you will be required to fill out a missed punch form and have it approved by your supervisor or the Director.

### 9.3. Pay Periods and Paychecks

- 9.3.1. Employees are paid weekly, the pay period starts on Monday and ends on Sunday.
- 9.3.2. Payroll is processed each Tuesday, direct deposit is effective each Thursday.
- 9.3.3. Unforeseen events may change the payday, library administration makes every effort to ensure that when the payroll processing day falls on a holiday that payroll will be processed in advance.

### 9.4. Expenses on Library Business

- 9.4.1. Employees will be paid for authorized expenses incurred while on library business.
  - Receive permission from supervisor or the Director before incurring an expense.



- Keep a receipt or some other proof of payment.
- Submit your receipts, along with Request for Reimbursement form to the library Director.
- A request for reimbursement shall be submitted within 14 days following the expenditure.

9.4.2. Employees will not be reimbursed for sales tax, the library is a tax exempt organization. See the Director for a tax exempt certificate prior to making a purchase for the library. Employees who use their own vehicle for library business will be reimbursed at the current IRS rate. The library does not reimburse employees for their commute to and from the workplace. Submit an Employee Mileage Reimbursement form to the Director for approval. A request for mileage reimbursement shall be submitted within 14 days following the expenditure.

9.4.3. Conference attendance requests must be made in advance to one's supervisor and ultimately approved by the Director who may request Board approval.

## **10. Time Off**

### **10.1. Paid Time Off**

#### **10.1.1. Holidays**

New Year's Day	Martin Luther King's Birthday
President's Day	Easter Sunday
Memorial Day	Juneteenth
Independence Day	Labor Day
Indigenous People's Day	Veteran's Day
Thanksgiving Eve (close at 1pm)	Thanksgiving
Christmas Eve	Christmas
New Year's Eve (close at 1pm)	

#### **10.1.2. Floating Holidays**

- Full time employees are eligible for a floating holiday if they are regularly scheduled to be off on the day the holiday falls.
- Part time employees do not qualify for floating holidays.
- Thanksgiving Eve and New Year's Eve are not considered floating holidays.
- A floating holiday can only be used after the holiday occurs.
- Holiday time must be used within four weeks of the date it is earned. Any exceptions must be approved by the Director.
- Holiday time does not accrue year to year and upon separation of employment, employees will not be paid for any unused holiday time.
- Newly hired employees are entitled to holiday hours during their period of orientation.
- Floating holiday hours will be equal the total number of hours an employee works in a regularly scheduled pay period divided by 5.
  - Employees that participate in a flex time schedule will receive holiday hours equal to the total number of hours an employee works in a regularly scheduled pay period divided by the amount of days the employee works.
- Employees should submit a holiday time request form to the Director who must approve all requests in advance.

- When employees submit requests for holiday time that coincide with request of vacation time, the Director will give precedence to vacation time requests.
- Prior to submitting the compensation request form to the Director, employees should check the staff online calendar for scheduling conflicts and if none are indicated, employees should enter their holiday time on the staff online calendar and then submit the request form to the Director. A maximum of two employees will be granted holiday time for the same day.

#### 10.1.3. Vacation Time

##### 10.1.3.1. Eligibility requirements:

- All employee categories are eligible for vacation time.
- The purpose of a vacation is to allow employees time to get away from the work environment to rest and relax. Vacations should be taken each year as earned.
- Employees will submit all requests for vacation time to their Supervisor. The Supervisor will issue final approval or denial of such requests. Notwithstanding the foregoing, in the event there is a scheduling conflict between two or more employees' requested vacation time, such requests will then go before the Director for final decision.
- Supervisors of each department will submit all requests for vacation time to the Director for his or her approval or denial.
- All requests for vacation time that exceeds a continuous two-week period must be approved by the Director and must be made at least one month in advance.
- All employees accrue vacation time from date hired but may not take vacation time until they have completed 60 days of continuous service.
- At least one vacation period should consist of (5) consecutive working days for regular full-time employees.
- All employees will have a regular agreed-upon weekly schedule of hours upon which their benefits will be based.
- Extra hours worked during the week will not earn extra benefits.
- Vacation time is calculated each January 1st.

##### 10.1.3.2. Full-Time and Part-Time Professional

10.1.3.2.1. Full-time professional staff receive 140 hours of vacation time per year. (Full-time professional staff hired at 40 hours a week receive 160 hours of vacation time per year).

10.1.3.2.2. Part-time professional staff receive 4 weeks' vacation based upon agreed upon work hours for the year.

##### 10.1.3.3. Full-Time and Part-Time Support Staff

10.1.3.3.1. Full-time and part-time support staff receive 3 weeks' vacation based upon agreed upon work hours for the year.

##### 10.1.3.4. Hourly

10.1.3.4.1. Date of hire through five years of continuous service employees receive one (1) hour for every fifty-two (52) hours worked from January 1<sup>st</sup> of each calendar year. The accumulated vacation time shall be taken in the next calendar year.

- 10.1.3.4.2. Start of year 6 through year 10 of continuous service receive two (2) hours for every fifty-two (52) hours worked from January 1<sup>st</sup> of each calendar year. The accumulated vacation time shall be taken in the next calendar year.
- 10.1.3.4.3. Over 10 years of continuous service receive two and a half (2.5) hours for every fifty-two (52) hours worked from January 1<sup>st</sup> of each calendar year. The accumulated vacation time shall be taken in the next calendar year.
- 10.1.3.5. Unused Vacation Time
- 10.1.3.5.1. Provided an employee has completed the 60 day orientation period, unused vacation time will be treated as follows...
- 10.1.3.5.2. At the end of a calendar year all employees are entitled to carry up to 25% of remaining vacation time to June 30 of the following calendar year.
- 10.1.3.5.3. After June 30 the remaining vacation time from the prior calendar year will be lost.
- 10.1.3.5.4. All employees will be paid for half (50%) of their unused vacation time at separation from employment. Any carried hours remaining from the previous calendar year are not to be included in this calculation.
- 10.1.3.5.5. Should the separation of employment occur mid-year, the current year's vacation time will be prorated accordingly.
- 10.1.4. Sick Leave
- 10.1.4.1. Employees are entitled to paid sick leave as follows:
- Full-time staff (professional and support): front-loaded at a rate of 12 days (84 hours) per year.
  - Part-time and hourly staff: employees will accrue time on an hours-worked basis at the rate of one hour per thirty hours worked, not to exceed forty (40) hours of sick leave time per year.
- 10.1.4.2. Sick leave time may be used as it has been accrued for the following purposes:
- Mental or physical illness, injury, or health condition of the employee or the employee's family member.
  - For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis of, or preventive care for, the employee or the employee's family member; or
  - Absence when an employee or employee's family member has been a victim of domestic violence, family offence, sexual offence, stalking or human trafficking and seeks or obtains services, including from a shelter; to meet with an attorney, law enforcement, or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding; to meet with the district attorney's office; to enroll children in a new school; any other action to ensure the health or safety of the employee or family member or to protect those who associate or work with the employee
- 10.1.4.3. When an employee uses leave for three (3) or more consecutive shifts, the Director may require submission of a doctor's note or other appropriate written verification in situations of where she determines in her sole and absolute discretion a pattern of absences or a prolonged absence.

- 10.1.4.4. For the purposes of this section, “family member” includes an employee’s child, spouse, domestic partner, parent, sibling, grandchild or grandparent, and the child or parent of an employee’s spouse or domestic partner.
- 10.1.4.5. Notification should be given to one’s supervisor or the Director in a live conversation (call or text) as soon as possible before scheduled time to report for work on the first day and each succeeding day of illness (unless advised by Director). Employees should continue calls or texts until a live conversation is held.
- 10.1.4.6. If an employee becomes ill at work, a supervisor should be notified before said employee leaves the building.
- 10.1.4.7. F/T employees with unused sick leave can accumulate to a maximum of 630 hours.
- 10.1.4.8. The staff members whose accrual balances have reached the maximum amount (630 hours) will not accrue sick leave until the employee uses sick leave to reduce the accrued total below the maximum. Once the total has been reduced below the maximum leave will be added on January 1<sup>st</sup> of the following calendar year.
- 10.1.4.9. This Sick Leave Policy runs concurrently with New York State Sick Leave, New York Paid Family Leave, and shall be construed so that it is consistent with all applicable laws.
- 10.1.4.10. Sick Leave Upon Separation of Employment
- 25% of the accumulated sick leave is paid at the regular, current wage, subject to a cap set by the Board, which shall be reviewed periodically by the personnel committee.
  - Should the separation of employment occur mid-year, the current year’s sick leave will be prorated accordingly.
- 10.1.4.11. Sick Leave Donation Program
- Employees who have accrued more than 105 hours of sick time may request to transfer sick days to another employee who has been authorized by the Director to receive the donation. The number of days donated shall not reduce the donating employee’s sick time balance to fewer than 105 hours. Employees who are on a leave of absence are not eligible to donate sick time.
  - Employees shall meet all of the following conditions in order to be eligible to receive donated time:
  - The receiving employee suffers from a catastrophic loss to her/his personal or real property, due to either a natural disaster or fire, that either has caused or will likely cause the Employee to be absent for at least 10 consecutive working days; and/or
  - The employee or member of her/his immediate family suffers from a medically certified illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to be absent for at least 10 days.
  - If deemed necessary by the Director, the need for sick leave shall be certified by an appropriate authority.
  - The employee has exhausted her/his accumulated sick time, vacation time, personal time, and any other time granted by the board.

- An employee shall not receive more than 105 hours in any 12-month period. A 12 month period is measured from the donation start date.
- Any sick time not used shall be returned on a proportionate/prorated basis to those employee(s) who donated time.
- The donation of sick time is voluntary. No employee shall be coerced, intimidated or financially persuaded into donating time. Names of employees who donate sick time are confidential.

**Sick Time Donation Form – Recipient**

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

**Amount of time requested:** \_\_\_\_\_ (in hours)

*Not to exceed 105 hours in a 12 month period*

Supporting Documentation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please list above & attach*

I have exhausted my:

- ☐ Sick  
☐ Vacation  
☐ Compensatory

I am not eligible for or have exhausted:

- ☐ Worker's Compensation  
☐ Paid Family Leave Act

**Employee Signature:** \_\_\_\_\_ **Date Submitted:** \_\_\_\_\_

Request Approved ☐ Request Denied ☐

**Director Signature:** \_\_\_\_\_ **Date Submitted:** \_\_\_\_\_

**Sick Time Donation Form – Donor**

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

**Amount of time requested to donate:** \_\_\_\_\_ (in hours)

**Name of Recipient:** \_\_\_\_\_ (who you are donating to)

☐ I confirm after donation of \_\_\_\_\_ hours, I have 105 hours remaining.

☐ I have not been coerced, intimidated or financially persuaded into donating time; I volunteered of my own accord.

**Employee Signature:** \_\_\_\_\_ **Date Submitted:** \_\_\_\_\_

Request Approved ☐ Request Denied ☐

**Director Signature:** \_\_\_\_\_ **Date Submitted:** \_\_\_\_\_

#### 10.1.5. Personal Days

##### 10.1.5.1. Employees are eligible for paid personal days as follows:

- Full-time employees receive four (4) paid personal days or 28 hours annually.
- Part-time employees receive one (1) personal day or 7 hours annually.
- Hourly employees are not entitled to receive personal days.

##### 10.1.5.2. Supervisor should be notified in advance.

##### 10.1.5.3. This time may not be used during an orientation period and does not accrue from year to year.

##### 10.1.5.4. Upon separation from employment, employees will not be paid for any unused personal time.

#### 10.1.6. Bereavement Leave

##### 10.1.6.1. The Director maintains the right to adjust bereavement leave allotment.

##### 10.1.6.2. In all cases, leave beyond allotted days may be deducted from accrued vacation time or may be made up at the discretion of the Director. Employees are eligible for leave with pay as follows:

- Immediate family, members of the household and close relatives.  
Defined as mother, father, sister, brother, husband, wife, son or daughter, grandmother, grandfather, mother-in-law, father-in-law, daughters-in-law, sons-in-law, and grandchildren, parents and children of domestic partners or other relationship at the discretion of the Director.
  - Full-Time – five (5) days
  - Part-Time – three (3) days
- Other Relatives  
Defined as uncle, aunt, sister-in-law, brother-in-law, niece or nephew or first cousin.
  - Full-Time – three (3) days
  - Part-Time – one (1) day
- Individuals not related by blood or marriage  
The Director may authorize an appropriate amount of bereavement leave, not to exceed five days, to an employee due to the death of an individual not related by blood or marriage when the relationship can be equated to one of the categories above or if the actual relationship between the individuals differed from their blood relationship. Examples of such exceptions are: an unrelated foster parent, a person raised by a distant cousin, or where two people have been together for some time although unmarried.

#### 10.1.7. Jury Duty

##### 10.1.7.1. Employees must notify their immediate supervisor upon receiving a jury summons or subpoena. Employees who are participating in jury duty or testifying as a subpoenaed witness in a judicial proceeding will receive up to 10 workdays off with full pay. Thereafter, employees may use accrued and unused paid time off to continue to be paid in full for a leave pursuant to this section. Employees will be required to reimburse the Library for any payment(s) issued by the court to the employee for jury services,

provided that the employee receives payment from the Library for all or a portion of the day. The employee must provide court issued copy of their juror's proof of service.

#### 10.1.8. Employee Voting Rights

10.1.8.1. In accordance with New York State Election Law, section 3-110, for time allowed employees to vote:

- New York State employees are eligible for up to two hours of paid time off to vote if they do not have "sufficient time to vote." An employee is deemed to have "sufficient time to vote" if an employee has four consecutive hours to vote either from the opening of the polls to the beginning of their work shift, or four consecutive hours between the end of a working shift and the closing of the polls.
- The employee shall be allowed time off for voting only at the beginning or end of their working shift, as the employer may designate, unless otherwise mutually agreed.
- If the employee requires working time off to vote the employee shall notify their employer not less than two working days before the day of the election that they require time off to vote in with the provisions of this section.
- Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on election day.

This policy will continue to follow New York State Election Law and future amendments.

#### 10.2. NYS Paid Family Leave

10.2.1. Effective September 2017, all employees are enrolled in the New York State Paid Family Leave program (PFL).

10.2.2. Paid Family Leave coverage is funded by employee payroll contributions.

10.2.3. It provides wage replacement and job protection to employees who need time away from their jobs to provide care for a family member with a severe health condition; bond with a newly born, adopted or fostered child; or assist loved ones when a family member is deployed abroad on active military duty.

10.2.4. Coverage for PFL is available to employees beginning January 1, 2018.

10.2.5. Employees with a regular work schedule of 20 or more hours per week are eligible after 26 weeks of employment.

10.2.6. Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked.

10.2.7. In limited circumstances, employees whose regular work schedules are temporary or seasonal may opt out of PFL.

10.2.8. Employees should provide the Director with a 30 day notice of intent to use PFL which must be approved by the Director and Board of Trustees.

10.2.9. Employees are entitled to be reinstated to their same or comparable job upon return from PFL.



- 10.2.10. Employees are entitled to have their group health benefits maintained, but they must continue to pay their portion during the leave.
- 10.2.11. There are provisions in the NYS Paid Family Leave Law regarding how Paid Family Leave Benefits coordinate with other benefits such as NYS Disability, Workers' Compensation, the benefits under the Family and Medical Leave Act and paid time off benefits offered by the Library. Employees who think they are eligible for one of these types of benefits in addition to PFL should contact the Director for more information.
- 10.2.12. Additional requirements under PFL which the library will follow can be found at: <https://www.ny.gov/programs/new-york-state-paid-family-leave>
- 10.2.13. The maximum employee contribution in 2018 shall be 0.126% of an employee's weekly wage, up to the annualized New York State Average Weekly Wage.
- 10.2.14. You will be provided up to 12 weeks of leave at 67 percent of your weekly pay (capped at 67 percent of statewide average pay).

## **11. Insurance Benefits**

### **11.1. Health Insurance**

- 11.1.1. All employees who work 30 or more hours a week are eligible to participate in the health insurance policy offered by the library upon completion of their orientation period which is sixty (60) days.
- 11.1.2. Full-time staff members who do not participate in the Library's health insurance plan will receive an annual payment of \$1,500 the first pay period of December each year. If, any time, staff members elect to participate in the Library's health insurance plan, the annual payment will be terminated but a prorated amount will be paid to the employee.
- 11.1.3. The library participates in the New York State Health Insurance Program (NYSHIP), New York State Empire Plan – "Core Plus Enhancement".
- 11.1.4. The library pays 55% of the cost for health insurance for individual coverage and 45% of the cost for health insurance for family coverage.
- 11.1.5. Full time employees who are on a leave of absence, authorized by the Board of Trustees, may continue their insurance coverage but the employee must bear the full cost of the insurance. Payment of the cost of the premium must be received by the library prior to the time it must be sent to the NYSHIP program or coverage will be automatically dropped. Should this occur, reinstatement cannot take place until the employee returns to work on a full-time basis.
- 11.1.6. Coverage for employees enrolled in the NYSHIP program will cease on the last day of the month in which they leave eligible status.
- 11.1.7. The library is a member of the Peconic Bay Business Association and as such can offer membership to part-time employees who desire health insurance coverage. If you are a part-timer and have questions about this benefit speak with the library Director.

### **11.2. Health Insurance for Retirees**

- 11.2.1. To be eligible for health insurance after retirement, employees must have worked full-time at the library for a minimum of fifteen (15) years.
- 11.2.2. Employees hired after July 8, 2002 must have worked full-time for a minimum of twenty (20) years.
- 11.2.3. Employees must meet the eligibility requirements of the current health insurer to be insured at retirement.

- 11.2.4. Employees' contributions to the health insurance will remain the same percentage of premium as was being paid at the time of retirement, (i.e. if the employee is paying 55% of the premium, they will continue to pay 55% of the cost regardless of any increase in premium).
- 11.2.5. Retirement is defined as termination of employment when an employee is at least 55 years old. An employee who is dismissed from the library, for any reason, is ineligible for this health insurance benefit.
- 11.3. COBRA Benefits Continuation
  - 11.3.1. Under COBRA, staff members and their qualified beneficiaries will have the opportunity to continue their health insurance coverage under the library's health plan when a "qualifying event" occurs that would normally result in the loss of eligibility.
  - 11.3.2. Common qualifying events can include: resignation, eligibility for Medicare, termination of employment, death of a staff member, reduction in a staff members hours or a leave of absence, a staff members divorce or legal separation, and a dependent child no longer meeting eligibility requirements.
  - 11.3.3. Under COBRA, the staff member or beneficiary who chooses continuation coverage must pay the full cost of coverage at the library's group rates plus an administration fee.
  - 11.3.4. The library will provide the opportunity for election of continued coverage upon separation of employment.
- 11.4. Disability Insurance
  - 11.4.1. Follows the New York State Disability Benefits Law.
  - 11.4.2. Covers all employees who meet the eligibility requirements under the New York State Disability Benefits Law.
  - 11.4.3. Full premium is paid by the library.
  - 11.4.4. Provides for partial reimbursement for loss of wages due to non-work related accidents and illnesses which includes maternity leave.
  - 11.4.5. The first seven (7) calendar days of disability are a waiting period for which no benefits are paid. Benefits begin on the 8th day for a maximum of 26 weeks in a twelve (12) month period, minus any days taken for Paid Family Leave.
  - 11.4.6. Disability Leave and Paid Family Leave cannot be taken at the same time. If an employee takes Paid Family Leave and disability leave, the combined leave may not exceed 26 weeks in a 52 week period.
  - 11.4.7. Employees using disability benefits for pregnancy or maternity leave are entitled to four weeks prior to their due date and six weeks after giving birth and eight weeks if the employee underwent a caesarian section.
  - 11.4.8. Benefit equals  $\frac{1}{2}$  average weekly salary subject to minimum and maximum amount allowable under law.
  - 11.4.9. Benefits will be paid directly to the employee unless employee chooses to use paid sick time while out of work. In this case, benefits will be paid directly to the library and paid sick hours will be returned to the employee. The number of paid sick hours returned to the employee will be calculated using the total benefit amount paid directly to the library and the employee's hourly wage.
- 11.5. Workers' Compensation Insurance
  - 11.5.1. Follows New York State Workers' Compensation Law.
  - 11.5.2. Covers all library employees.
  - 11.5.3. Full premium is paid by the library.

- 11.5.4. Provides for payment of medical expenses and partial reimbursement for loss of wages due to work-related accidents or illnesses.
- 11.5.5. An employee must notify their supervisor or Director immediately when a work-related accident, injury, etc., occurs. The correct forms must be completed as soon as possible.
- 11.5.6. No benefits are paid for a period of seven (7) days. Benefits begin on the 8th day.
- 11.5.7. Benefit payments are equal to 2/3 of average weekly salary subject to the minimum and maximum amount allowable under the law.
- 11.5.8. Benefits are paid directly to the employee
- 11.6. Voluntary Supplemental Insurance Products
  - 11.6.1. All employees who work 20 or more hours a week are eligible to enroll upon completion of their 60 day orientation period during the open enrollment period (March).
  - 11.6.2. Full premium is paid by the employee.
  - 11.6.3. The premium will be deducted from the employee's weekly paycheck.
  - 11.6.4. As of January 2023, the only supplemental insurance product that is offered is AFLAC.
  - 11.6.5. If an employee leaves employment their policy will be cancelled by the library and they will be responsible for any premium payment made by the library that was not deducted from their paycheck.
  - 11.6.6. Employees will be responsible for notifying the Director or bookkeeper of any changes to their policy.

## **12. Retirement Benefits**

- 12.1. Employees who meet the following requirements are eligible to join the TIAA Retirement Plan that operates under Section 403(b) of the Internal Revenue Code.
  - 1 (one) year of service has been completed at the library.
  - Employee works 1,000 hours/year (average of 20 hours/week).
- 12.2. The library pays 8% of employee's gross income into the plan with each pay period.
- 12.3. Employees who previously completed one or more years of employment with the library and who return to employment at any point and who meet all other retirement plan eligibility requirements may participate in the retirement plan at the conclusion of the 60-day orientation period stemming from their re-employment.
- 12.4. The library also participates in a tax-deferred annuity plan.
  - All library employees are eligible to participate in the TDA plan.
  - Employees may elect to enter into this salary reduction agreement with the library.
  - A portion of the employee's pay is applied on a before-tax basis in to an annuity contract owned by the employee. These amounts, together with any earnings on these amounts are not subject to federal income tax until they are paid to the employee (or beneficiary) in the form of benefits.

## **13. Continuing Education – Tuition Reimbursement**

- 13.1. The Mattituck-Laurel Library supports continuing education for its employees by making available tuition reimbursement funding. The Library will reimburse tuition costs for graduate and undergraduate courses but will give priority to reimbursing tuition costs for staff pursuing a Master's Degree in Library Science.
- 13.2. The Director must approve eligibility in advance. Employees seeking tuition reimbursement should submit a Tuition Reimbursement Request Form to the Director before the first day of class.

- 13.3. All full-time employees are eligible for Tuition Reimbursement. Part-time employees must work a minimum of 20 hours per week to be eligible.
- 13.4. Full time staff will be reimbursed at a rate of 40% of tuition costs with a maximum of \$2,000 per calendar year; part-timers will be reimbursed at a rate of 25% of tuition costs with a maximum of \$1,000 per calendar year.
- 13.5. Tuition reimbursement will be disbursed upon proof of satisfactory completion of each semester's coursework. Reimbursable costs shall include the cost of tuition only. Reimbursable costs shall not include lab fees, required books, and other required course materials, tools and supplies that may aid the employee in the course, but which are not specifically required (e.g. computer hardware, software, calculators, instructional tapes), parking fees or any other expenses. An employee will not be eligible for reimbursement of tuition and required fees that are paid by state or federal education grants or scholarships.
- 13.6. Tuition reimbursement request form found in Appendix D.

#### **14. Employee Assistance Program – EAP**

- 14.1. All employees are covered by the BOCES Employee Assistance Program, a crisis intervention, counseling and referral service.
- 14.2. The phone number for EAP is [REDACTED]

#### **15. Job Separation**

- 15.1. Resignation and/or Retirement
  - 15.1.1. Full time and part time professional employees shall give at least one month's notice before resigning. Other full-time and part-time staff shall give at least two weeks' notice.
- 15.2. Discharge, Termination and Suspension

Any of the following will subject an employee to suspension or immediate discharge without prior warning.

  - Falsification of employment application.
  - Illegal use or possession of alcohol or drugs on the premises.
  - Insubordination.
  - Theft of individual or library property.
  - Unsatisfactory attendance or tardiness.
  - Failure to report to work without notice.
  - In case of unsatisfactory job performance, employee will be given written warning and their job will be terminated if improvement is not satisfactory within the time set by the Director.

Notwithstanding any of the foregoing, employees are considered at-will employees and the library retains the sole and absolute discretion to terminate any employee at any time for any reason or no reason.

Requests for paid time off during the resignation period will be considered by the library Director on a case by case basis.

- 15.3. Paid Time Off Upon Separation of Employment
  - 15.3.1. Vacation Pay
    - 15.3.1.1. Provided an employee has completed the 60 day orientation period, unused vacation time will be treated as follows...

- 15.3.1.1.1. At the end of a calendar year all employees are entitled to carry up to 25% of remaining vacation time to June 30 of the following calendar year.
- 15.3.1.1.2. After June 30 the remaining vacation time from the prior calendar year will be lost.
- 15.3.1.2. All employees will be paid for half (50%) of their unused vacation time at separation from employment. Any carried hours remaining from the previous calendar year are not to be included in this calculation.
- 15.3.1.3. Should the separation of employment occur mid-year, the current year's vacation time will be prorated accordingly.
- 15.3.2. Sick Leave
  - 15.3.2.1. Sick Leave Upon Separation of Employment
    - 15.3.2.1.1. 25% of the accumulated sick leave is paid at the regular, current wage, subject to a cap set by the Board, which shall be reviewed periodically by the personnel committee.
    - 15.3.2.1.2. Should the separation of employment occur mid-year, the current year's sick leave will be prorated accordingly.
- 15.3.3. Personal Time
  - 15.3.3.1. Upon separation of employment, employees will not be paid for any unused personal time.
- 15.3.4. Holiday Time
  - 15.3.4.1. Upon separation of employment, employees will not be paid for any unused holiday time.

## **16. Grievance Procedure**

Employees who have a grievance concerning any person or aspect of employment should resolve it informally if possible. If it is not possible, the following procedure should be followed:

- 16.1. Dispute or problem should be taken to immediate supervisor. If problem cannot be resolved...
- 16.2. Dispute or problem should be taken by employee to Director. If problem cannot be resolved...
- 16.3. Dispute or problem should be taken by the Director to the personnel committee with an oral presentation by the person(s) concerned, and the Director present.
- 16.4. The Personnel Committee will rule on the dispute or recommend that it go to the Board.
- 16.5. If the Personnel Committee's ruling does not satisfy the complainant, the grievance will go to Board level within 30 days.
- 16.6. At a Board meeting, an oral or written presentation will be given with all persons concerned having the right to be present, including the Director. A ruling must be made within five (5) days by the board in consultation with the Director. The decision of the Board is final.

## **17. Emergency Procedures**

### **17.1. Chain of Command**

- 17.1.1. In an emergency situation, the Director should be notified first, or as soon as possible. In the absence of the Director, the following chain of command should be followed in an emergency or situation that requires administrative action which cannot wait till the Director returns.

- Library Director: Shauna Scholl



- Chain of Command:  
Sara Colichio  
Jerry Matovcik  
Karen Letteriello  
Jacqueline Rodgers
- Professionals by seniority



If none of them can be reached, officers of the board are called. As of November 2022, they are:

Jim Underwood, President  
Nick Timpone, Vice President  
Katie O'Rourke, Secretary  
Karenann Volinski, Treasurer



#### 17.1.2. Injury to Patron or Employee

- Send someone to notify nearest public desk of location and type of injury and ask them to notify supervisor on duty.
- Delegate one person to stay with injured person. Don't leave injured person unattended.
- Supervisor on duty or person at circulation desk should contact Southold Town Police for an ambulance, if necessary. Supervisor on duty is the person in charge of the building or the one who can be contacted by phone within the chain of command listed above. Start at the top of the list and continue to call until you have reached at least one person within the chain of command and had a live conversation.
- Give Southold Town Police location and type of injury. Fill out an incident report form immediately. (Forms are located on the common drive)

#### 17.1.3. Fire Emergencies

- The Director or supervisor in charge, when immediately available, shall be responsible for calling 911 to report all fires or other emergencies. If finding the Director or supervisor will cause a delay in reporting a fire emergency, the building is protected by fire alarm system. If it has not already activated, immediately proceed to the nearest pull station located next to an exit door and pull it, begin evacuation procedures and brief the Director or supervisor as to the situation as soon as possible.

#### 17.1.4. Evacuation Procedure

- Calmly evacuate the building using the nearest emergency exit.
- DO NOT walk through the building.
- DO NOT use the elevator.
- If you are safely able to do so, please assist with the evacuation of the building as follows:
  - Main Floor: The staff normally assigned to the main floor shall be responsible for checking that the Director's office, circulation area, restrooms, reference/computer area, the teen room, quiet study area, business office and staff room are clear.

- Children's Room: The staff normally assigned to the youth and parenting department shall be responsible for checking that the children's room and tween room are clear.
- Lower Level: Designate two (2) staff members to check that the gallery, restroom, conference room, meeting room, craft room and kitchen are clear.
- Close all doors to empty rooms behind you.

#### 17.1.5. Assembly Point

- When the building is evacuated, staff and patrons should meet/gather at the assembly location, the primary assembly location is the church parking lot on the East side of the Library, the secondary location is Roy Reeve Insurance Agency to the West.
- The Director or supervisor in charge shall meet the arriving Fire Department, Police and or Ambulance personnel at the parking lots main entrance.
- Director or supervisor in charge will do a head count.
- Report any missing persons to the first arriving emergency personnel.
- One person will be posted at the entrance to prevent anyone from entering the building until fire personnel arrive.
- DO NOT leave the premises without permission from the Director or the supervisor in charge.
- Under no circumstances shall anyone re-enter the building, until authorized by the Fire Department.

#### 17.1.6. Emergency Evacuation Drills

- Emergency evacuation drills shall be held on a quarterly (every 3 months) basis. Drills shall include the participation of all employees.

**TREAT EVERY ALARM AS IF IT WERE REAL!      EVERYONE MUST EVACUATE THE BUILDING!**

### **18. Workplace Violence Prevention Policy**

- 18.1. Mattituck-Laurel Library is committed to preventing workplace violence and to maintaining a safe work environment for employees and patrons. To enhance the safety of employees and patrons, Mattituck-Laurel Library has adopted a Workplace Violence Prevention policy that supports zero tolerance of violence in the workplace. This policy articulates guidelines to deal with intimidation, harassment or other threats of actual (or perceived) violence that may occur on-site or off-site during work related activities.
- 18.2. All employees are covered under this policy.
- 18.3. All employees, patrons, vendors, and other associates should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, 'horseplay' or other conduct that may be dangerous to others.
- 18.4. Conduct that threatens, intimidates or coerces another employee, patron, vendor or other associate will not be tolerated. Mattituck-Laurel Library resources may not be used to threaten, stalk or harass anyone at the workplace or outside of the workplace. Mattituck-Laurel treats threats coming from an abusive personal relationship as it does other forms of violence.
- 18.5. Prohibited conduct includes, but is not limited to:
  - 18.5.1. Physically injuring another person.
  - 18.5.2. Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.

- 18.5.3. Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- 18.5.4. Possessing, brandishing, or using a firearm on Library property or while performing Library business except as permitted by state law.
- 18.5.5. Violating a restraining order, order of protection, injunction against harassment, or other court order.
- 18.6. Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to the Director or designated person in charge. An incident report should be filled out by all witnesses to a threat of violence or act of violence. Details should be as specific as possible.
- 18.7. The Director, or appropriate designee, will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Anyone found to be responsible for threats of/or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.
- 18.8. Employees are encouraged to bring their disputes to the attention of the Director or other designee before the situation escalates. Employees will not be disciplined for raising such concerns. If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

## **19. Sexual Harassment Policy**

- 19.1. The Mattituck-Laurel Library is committed to maintaining a workplace free from sexual harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (actual or perceived), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but Mattituck-Laurel Library recognizes that discrimination can be related to or affected by other identities beyond gender.
- 19.2. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees are required to work in a manner that prevents sexual harassment in the workplace. The Sexual Harassment Prevention Policy is one component of the Mattituck-Laurel Library's commitment to a discrimination-free work environment. Sexual harassment and discrimination are against the law<sup>1</sup> and all employees have a legal right to a workplace free from sexual harassment. Employees are urged to report sexual harassment by filing a complaint internally with Mattituck-Laurel Library. Employees can also file a complaint with a government agency or in court under federal, state, or local anti-discrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit [File A Complaint | Division of Human Rights \(ny.gov\)](#). To file a complaint with the United States Equal Employment Opportunity Commission,

---

<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence.



please visit [Filing A Charge of Discrimination | U.S. Equal Employment Opportunity Commission \(eeoc.gov\)](https://www.eeoc.gov/filing-charge).

- 19.3. The Sexual Harassment Prevention Policy was developed based on established procedures and expectations found on the State of New York's website: <https://www.ny.gov/combating-sexual-harassment-workplace/employers>.
- 19.4. The Sexual Harassment Prevention Policy, along with the Sexual Harassment Complaint Form and Sexual Harassment Procedure for Receiving Complaints can be accessed at any time on the staff webpage. This policy will be re-distributed on an annual basis and all new employees will receive the policy during the on-boarding process. All regular vendors of Mattituck-Laurel Library, especially those contracted to offer a specific service (cleaning, etc.), will also receive the policy.
  - 19.4.1. Mattituck-Laurel Library's policy applies to all its personnel, including employees, applicants for employment, paid and unpaid interns, contractors and persons conducting business (non-employees<sup>2</sup>), regardless of immigration status. In the remainder of this document, the term "personnel" refers to this collective group.
  - 19.4.2. Sexual harassment will not be tolerated. Any personnel or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination). In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
  - 19.4.3. Retaliation Prohibition: No person covered by this policy shall be subject to adverse action because personnel or covered individual reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment complaint. No one should fear reporting sexual harassment if they believe it has occurred. Mattituck-Laurel Library will not tolerate such retaliation against anyone who reasonably believes that they have witnessed or experienced such behavior; they are protected from retaliation. Any personnel of Mattituck-Laurel Library who retaliates against anyone involved in a sexual harassment or discrimination investigation will be subjected to disciplinary action, up to and including termination. All personnel and covered individuals working in the workplace who believe they have been subject to such retaliation should inform their supervisor, manager, or the Library Director. All personnel and covered individuals who believe they have been subject to such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
  - 19.4.4. Discrimination of any kind, including sexual harassment is offensive, is a violation of Library policies, is unlawful, and may subject Mattituck-Laurel Library to liability for harm experienced by targets of sexual harassment. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Personnel of every level who engage in sexual

---

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with Mattituck-Laurel Library. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of Mattituck-Laurel Library.

harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct. Mattituck-Laurel Library will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment or discrimination, or otherwise knows of possible sexual harassment occurring. Mattituck-Laurel Library will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment or discrimination is found to have occurred. In addition to any required discipline, Mattituck-Laurel Library will also take steps to ensure a safe work environment for the employee(s) who experienced discrimination or harassment. All personnel, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

19.4.5. All personnel are encouraged to report any harassment or behaviors that violate this policy. Mattituck-Laurel Library has provided all personnel with a complaint form for them to report harassment and discrimination and file complaints. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

19.4.6. Managers and supervisors are **required** to report within 24 hours any complaint they receive, or any harassment that they observe or become aware of, to the Library Director. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

19.4.7. What is "Sexual Harassment"?

19.4.7.1. Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and transgender status.

19.4.7.2. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or

Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment. Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises

above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Mattituck-Laurel Library's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence, which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

#### 19.4.8. Examples of Sexual Harassment

19.4.8.1. The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:

- Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
  - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
  - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
  - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
  - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex or gender, sexual orientation, gender identity, and the status of being transgender, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, or name-calling;
  - Intentional misuse of an individual's preferred pronouns; or

- Creating different expectations for individuals based on their perceived identities:
  - Dress codes that place more emphasis on women's attire;
  - Leaving parents/caregivers out of meetings.

#### 19.4.9. Who can be a target of Sexual Harassment?

19.4.9.1. Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. State and federal law protects personnel, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker, or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or

Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

#### 19.4.10. Where can sexual Harassment Occur?

19.4.10.1. Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while personnel are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by personnel can constitute unlawful workplace harassment, even if it occurs away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

#### 19.4.11. Retaliation

19.4.11.1. Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

#### 19.4.12. Reporting Sexual Harassment

19.4.12.1. **Preventing sexual harassment is everyone’s responsibility.** Mattituck-Laurel Library cannot prevent or remedy sexual harassment unless it knows about it. Any personnel who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to their manager, supervisor, or the Library Director. If the supervisor is the subject of the complaint, communicate with the Library Director. Anyone who witnesses or becomes aware of potential instances of sexual harassment should also report such behavior to a supervisor or manager.

The Library will promptly investigate all complaints of sexual harassment, formal or informal, verbal or written. A form for submission of a written complaint is attached to this Policy, and all personnel are encouraged to use this complaint form. Personnel who are reporting sexual harassment on behalf of others should use the complaint form and note that it is on another individual's behalf.

Employees receiving complaints of sexual harassment must either direct the complainant to the Library Director. Supervisory and managerial personnel are required to report complaints of sexual harassment to the Library Director and will be subject to discipline for failing to report suspected or reported sexual harassment, knowingly allowing sexual harassment to continue, or engaging in any retaliation.

Personnel and covered individuals who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

#### 19.4.13. Supervisory Responsibilities

19.4.13.1. Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Library Director and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

#### 19.4.14. Bystander Intervention

19.4.14.1. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not satisfactory; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

#### 19.4.15. Complaint and Investigation of Sexual Harassment

- 19.4.15.1. All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately, and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any personnel may be required to cooperate as needed in an investigation of suspected sexual harassment. Mattituck-Laurel Library will take disciplinary action against anyone engaging in retaliation against personnel who file complaints, support another's complaint, or participate in an investigation regarding a violation of this policy.

Mattituck-Laurel Library recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations should be done in accordance with the following steps. Upon receipt of a complaint, the Library Director:

- Will conduct an immediate review of the allegations, assess the scope of the investigation, and take any interim actions (e.g., instructing the respondent to



refrain from communications with the complainant), as appropriate. If the complaint is verbal, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.

- If documents, emails, or phone records are relevant to the investigation, take steps to obtain and preserve them. The Commissioners will consider and implement appropriate document request, review, and preservation measures, including for electronic communications.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

#### 19.4.16. Legal Protections and External Remedies

- 19.4.16.1. Sexual harassment Sexual harassment is not only prohibited by the Mattituck-Laurel Library but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Mattituck-Laurel Library, personnel may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

#### 19.4.17. State Human Rights Law (HRL)

- 19.4.17.1. The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of

immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within three years of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Mattituck-Laurel Library does not extend your time to file with DHR or in court. The three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment or discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov). You may also file a complaint on the NYSDHR's toll-free, confidential hotline at 1-800-HARASS-3 (1-800-427-2773) Monday through Friday, 9:00 AM to 5:00 PM. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

#### **The United States Equal Employment Opportunity Commission:**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

19.4.18. Contact the Local Police Department

- 19.4.18.1. If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Personnel should report the incident to their supervisor immediately in order for the Mattituck-Laurel Library to be able to address the issue in accordance with Library policy. However, personnel can contact the local police department at any time in the process should they feel the need to do so.

***Local Protections***

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

**Conclusion**

The policy outlined above is aimed at providing employees at the Mattituck-Laurel Library and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

## SEXUAL HARASSMENT & DISCRIMINATION COMPLAINT FORM

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment and/or discrimination. A person will not be retaliated against for filing a complaint.

If you believe that you have been subjected to sexual harassment or discrimination, you are encouraged to complete this form and submit it to your immediate supervisor. If your supervisor is the subject of the complaint, submit the form to the supervisor who is next in line. If you are more comfortable reporting verbally or in another manner, your employer will complete this form and provide you with a copy.

For additional resources, visit: [ny.gov/programs/combating-sexual-harassment-workplace](http://ny.gov/programs/combating-sexual-harassment-workplace).

### COMPLAINANT INFORMATION

---

Name:.

Title:.

Work Phone:

Work Email:

Preferred Communication Method: ☐ Email ☐ Phone ☐ In Person

### SUPERVISORY INFORMATION

---

Supervisor's Name:

Title:

Work Phone:

Work Email:

### COMPLAINT INFORMATION

---

1. Your complaint of Sexual Harassment is made about:

Name:

Title:

Work Phone:

Work Email:

Relationship to you: ☐ Supervisor ☐ Subordinate ☐ Co-Worker ☐ Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment/discrimination occurred:

4. Is the sexual harassment/discrimination continuing? ☐ Yes ☐ No

5. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

*The last question is optional but may help the investigation.*

6. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

7. If you have retained legal counsel and would like us to work with them, please provide their contact information.

I request that Mattituck-Laurel Library investigate this complaint of sexual harassment in a timely and, to the extent feasible, confidential manner and advise me of the results of the investigation.

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

## **INSTRUCTIONS FOR EMPLOYERS**

---

If you receive a complaint about alleged sexual harassment, follow the procedures listed in the Sexual Harassment Prevention Policy. Below is a general summary of the process.

An investigation involves:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible.

The investigation should be kept confidential to the extent possible.

Document the findings of the investigation and basis for your decision, along with any corrective actions taken, and notify the employee and the individual(s) against whom the complaint was made. This may be done via email.

## **20. Whistleblower Policy**

- 20.1. The purpose of this policy is to encourage library trustees, officers, employees and volunteers to report instances of suspected illegal or improper conduct such as theft, fraud, and mismanagement of library resources, violations of library policies and regulations, as well as to inform library trustees, officers, employees and volunteers of the protections afforded them under the "whistle-blower law" which prohibits a public employer from retaliating against a trustee, officer, employee or volunteer who discloses to the library information concerning a violation of law, rule or regulation, which creates a substantial and specific danger to the public health or safety, or which the employee reasonably believes to be true and reasonably believes constitutes an improper action by a library officer or employee.
- 20.2. No trustee, officer, employee or volunteer of the library who, based upon a reasonable belief, reports any actions or suspected actions taken by or with the Library Board of Trustees, officers or staff that is illegal, fraudulent or in violation of any substantial policy of the library shall suffer intimidation, harassment discrimination or other retaliation or, in the case of employees, adverse employment consequences.
- 20.3. The Board of Trustees expects the library's trustees, officers, employees and volunteers to fulfill the public's trust and to conduct themselves responsibly in accordance with library policies and regulations, as well as applicable state and federal laws and regulations.
- 20.4. For purposes of this policy, the term "wrongful conduct" shall be defined to include:
- Illegal conduct, including theft of library money, property, or resources;
  - Misuse of authority for personal gain or other non-library purpose;
  - Fraud;
  - Conduct which is of substantial and specific danger to the public health or safety;
- 20.5. Violations of applicable federal and state laws and regulations; and/or serious violations of library policies, regulations, and/or procedures. Wrongful conduct does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignment, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, or reprimands, unless such action meets the definition of wrongful conduct as defined above.
- 20.6. The Library shall not take any retaliatory personnel action against an employee because such employee does any of the following:
- Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Library that is in violation of law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety, or which constitutes health care fraud;
  - Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such violation of a law, rule or regulation by the Library; or
  - Objects to, or refuses to participate in any such activity, policy or practice in violation of a law, rule or regulation.
- 20.7. Disclosure and Investigation
- 20.7.1. Trustees, officers, employees and volunteers who have knowledge of wrongful conduct or have reasonable cause to believe that wrongful conduct has occurred shall report such circumstances to the Library Director. The Library Director, upon receiving a report of alleged wrongful conduct, shall take immediate steps to conduct an investigation with or without designees. If the Library Director is the subject matter of the reported conduct, the President

of the Board of Trustees shall immediately conduct an investigation, with or without designees.

20.7.2. The library Director shall maintain a written record of the allegations, conduct an investigation to ensure that the appropriate authorities investigate the disclosure, and provide the Board of Trustees with a report.

20.7.3. Except as otherwise provided in either state and/or federal law, the Director or board president conducting the investigation, or their designees, shall reasonably attempt to protect the identity of the person making the disclosure in a confidential manner, and will make reasonable efforts to maintain the confidentiality of the person reporting the conduct, provided that doing so will not interfere with the investigation of the specific allegations and circumstances.

#### 20.8. Complaints of Reprisal

20.8.1. The provisions of Section 715-B Not-for-Profit Corporation Law prohibit public employers from engaging in retaliatory personnel action against an employee, officer or volunteer who discloses to a governmental body information concerning either a violation of law, rule or regulation, which creates a substantial and specific danger to the public health or safety, or which the employee reasonably believes to be true and reasonably believes constitutes an improper governmental action. However, if an employee discloses information which he or she has reasonable cause to believe is false or which is prohibited or protected from disclosure by law, the employee is not protected by these provisions of law.

20.8.2. An employee who has been subject to an adverse employment action based on his or her prior disclosure of alleged or actual wrongful conduct may contest the action by filing a written complaint of reprisal with the library Director. The library Director (or board president, if the allegations involve actions of the library Director), or his/her designee, will review the complaint expeditiously to determine:

- Whether the complainant made a disclosure of alleged wrongful conduct before an adverse employment action was taken;
- Whether the responding party could reasonably have been construed to have had knowledge of the disclosure and the identity of the disclosing employee;
- Whether the complainant has in fact suffered an adverse employment action after having made the disclosure; and
- Whether the complainant alleges that adverse employment action occurred as a result of the disclosure.

20.8.3. If the library Director (or board president) or designee determines that all of the above elements are present, he or she shall appoint a review officer or panel to investigate the claim and make recommendations to the Board. At the time of appointment, the designee shall inform the complainant and the respondent, in writing, of:

- The intent to proceed with an investigation;
- The specific allegations to be investigated;
- The appointment of the review officer or panel; and
- The opportunity of each party to support or respond, in writing, to the allegation.

20.8.4. Once the review officer or panel has conducted a review and considers the investigation to be complete, the officer or panel will notify the designee of its completion. From the date of that notice, the review officer or panel has thirty (30) days to report his/her (their) findings and make any recommendations he/she (they) deems appropriate to the designee. The



designee, in consultation with the library Director and/or board president shall issue a letter of findings to both the complainant and the respondent.

- 20.9. Nothing in this policy is intended to interfere with legitimate employment decisions. Moreover, the protections afforded under the "whistleblower law" is not applicable under circumstances where the library had or has independent grounds for disciplinary actions and proceedings against an employee.
- 20.10. The library Director shall establish regulations necessary to implement this policy.
- 20.11. This policy and accompanying regulations shall be published and posted in employee lounges and distributed to all Trustees, officers and employees.
- 20.12. The library Director and others responsible for the implementation of this policy shall meet with the Board annually to evaluate the effectiveness of this policy and to recommend appropriate modifications to this policy and regulations thereunder.

Ref: Labor Law §740; Not-For-Profit Corporation Law §715-B.

## **21. Nursing Mothers in the Workplace Policy**

- 21.1. Section "206-c" of the Labor Law requires all employers to provide time to allow nursing employees to express breast milk.
- 21.2. To avail oneself of accommodations set forth in this policy, employees must submit a request to the Director for a room or location. Requests should, when possible, be provided prior to the employee's return to work to allow the Library to designate a location and schedule to accommodate the needs of multiple employees when needed. The Library must respond to a request within a reasonable time, not to exceed five (5) business days.
- 21.3. The Library will provide employees with at least 20 minutes unpaid break time once every three hours to express milk for their infant child(ren) for up to three years following the child's birth. Employees may utilize their paid break time or meal time as well. A break may be postponed for no more than thirty (30) minutes if there is no coverage for the employee at the time.
- 21.4. The Library will designate a room or other location to be made available to nursing employees. The room may not be used for any other purpose while it is being utilized by nursing mothers. If the designated room or other location is not solely used by nursing employees, the room or location will be made available to nursing employees when needed. All employees will be given notice as to when such rooms or other locations will be designated for use by nursing employees. The room or location should have a door equipped with a functional lock. If a door with a functional lock is not available, as a last resort the Library will utilize a sign indicating the room is in use and not accessible to other employees or the public.
- 21.5. If the Library is unable to provide a dedicated room or other location, we may provide the use of a vacant office or other available room on a temporary basis so long as the room is not accessible to the public or other employees while the nursing employee is using the room for expression purposes.
- 21.6. The Library must designate a room or other location, other than a restroom or toilet stall, to be made available to employees who make such a request. The room will be (i) in close proximity to the work area; (ii) well lit; (iii) shielded from view; and (iv) free from intrusion from other persons in the workplace or the public. The room or other location will contain a chair, working surface, nearby access to cleaning running water, and an electrical outlet so long as the workplace is supplied with electricity. Expressed milk can be stored in the Library refrigerators provided it is

sealed. Milk should not be stored overnight. The Library is not responsible for the safekeeping of any milk stored in Library refrigerators.

- 21.7. The Library may not discharge, discriminate, threaten, penalize, or in any other manner discriminate or retaliate against any employee because such employee has exercised their rights afforded under this section. This policy will be provided to all employees annually, upon hire, and to employees returning to work after the birth of a child.

Ref: Labor Law §206-c; Guidelines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Work Place (LS702) (ny.gov)

## **22. Miscellaneous**

### **22.1. Work Area**

- 22.1.1. Your work location is to be kept clean, safe and orderly. Employees are expected to respect the workspace of their co-workers as well as those areas of the library used by the entire staff.

### **22.2. Personal Appearance**

- 22.2.1. All employees are expected to dress appropriately for the job they are performing, and to maintain high standards of personal neatness. Casual office attire is most appropriate.

### **22.3. Phone Calls**

- 22.3.1. Library telephones are for the purpose of handling library business calls. Personal phone calls should be received and made only when necessary, may not interfere with job performance and should be kept to a minimum. Outgoing personal long distance calls must be reported to the finance office and paid for.
- 22.3.2. Cell phone calls, which are inherently personal in nature should be made or received only when necessary, should not interfere with library operations and be kept to a minimum. Staff cell phone ringers should be set to vibrate.
- 22.3.3. When making calls in the staff room, employees need to be mindful of not disrupting other employees' use of the room.
- 22.3.4. While at work, employees are expected to exercise discretion in using personal cell phones for text messaging or other personal business. Excessive personal device use, especially on public desks is not appropriate.

### **22.4. Parking**

- 22.4.1. Employees are permitted to park anywhere in the parking lot but the first 11 stalls on the West side of the lot.

### **22.5. Email & Internet Use**

- 22.5.1. All employees will be provided with a library email address for official library business. Employees are expected to check their library email throughout their shift as it is the primary method of communication.
- 22.5.2. The library's email program and internet access are for the purpose of library business. Personal email and internet searching may be done when employees are on break time.
- 22.5.3. Employees should not have any expectation of privacy in any communications on the library's email or internet systems. The library reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system at any time and without notice.

### **22.6. Staff Meetings**

- 22.6.1. Staff meetings are scheduled every two months and run approximately 45 minutes to one hour. Staff are encouraged to attend all meetings, should make every attempt to attend and will receive compensatory time for time not in their regular schedule. Employees who miss a meeting must contact their supervisor to go over items on the meeting's agenda.
- 22.6.2. Supervisor meetings are scheduled once a month, generally the Tuesday following a Board meeting. Supervisors need to make every attempt to attend the meetings. If attendance is not possible, it is recommended that a staff member be appointed to attend in the supervisor's place.
- 22.7. Advertising & Recruitment
  - 22.7.1. All employment opportunities are listed on the Library's website and listed through the Suffolk Cooperative Library System's employment forum and/or advertised through the various state and local library listservs. In addition, the Library seeks out qualified applicants through a variety of recruiting sources include community organizations and educational institutions. Fee-based advertisements for positions may also be placed in local newspapers and online services.

### **23. Emergency Closings**

- 23.1. The determination to close for all or part of a given day is made by the Board President in consultation with the Director. The entire staff will be notified by the Director if the library will be closed, or a delayed opening is preferred. All employees will be notified via a group text message from the Director. If in doubt, the Director may be contacted by any employee.
- 23.2. In the event that it becomes necessary to close the library during operating hours, a final determination will be made by the Board President or a trustee acting on her/his behalf after consultation with the Director or a library supervisor. Employees who have not yet reported to work will be contacted by their respective supervisors.
- 23.3. Library closing or delayed opening is announced on the following radio stations and websites  
WLNG 92.1, WLIW 88.3, WEHM 96.7 & 92.9, WBEA 101.7, WBAZ 102.5, WALK 97.5,  
www.news12.com or www.walkradio.com
- 23.4. The library phone message is changed within approximately one half hour of a decision to close. If in doubt, call the library and listen for the phone message.
- 23.5. Eligible employees will be compensated for regularly scheduled time during emergency closing due to inclement weather. If the day is one that the eligible employee is normally off, they will not be compensated.
- 23.6. On the day the library experiences an emergency closing due to inclement weather and an employee is not in due to having taken paid time off (vacation, sick, personal, etc.), the library closing is not relevant and staff may not be compensated using the emergency closing instead of the already scheduled paid time off.
- 23.7. If the library is open but employee does not come to work, then paid time off (personal, sick, vacation, etc.) may be taken for that day.
- 23.8. Should the library alter their regular operating hours due to inclement weather, staff who reported to work will be compensated for their regular schedule of hours for that day or days.
- 23.9. Should the library alter their regular operating hours due to inclement weather but employee does not report to work at all, then paid time off (vacation, personal, sick, compensatory etc.) may be taken for the employee's regular schedule of hours for the entire day.
- 23.10. This Emergency Closing policy shall not apply to emergency closings for reasons other than inclement weather. For all other closings, the Library reserves the right to determine whether to

require employees to work remotely and whether employees will be paid with or without use of paid leave time.

#### **24. Disclaimer Regarding Certain Employee Benefits**

It must be noted by those employees desiring to receive benefits under this policy manual that these benefits are offered to designated employees for the time being at the discretion of the Board of Trustees and may be withdrawn at any time. The Board's primary function is the fiduciary responsibility to all the taxpayers of the Mattituck-Laurel Library District and it thus must reserve the right to make whatever adjustments in the library personnel and policies deemed necessary to preserve the financial health of the institution.

#### **25. Volunteers**

Mattituck-Laurel Library believes volunteers are a vital part of any successful public library. Volunteers aid the Library in making the best use of its fiscal resources and contribute to excellent working relationships with community groups and organizations. Volunteer opportunities offer citizens a way to contribute to the community and learn more about the Library, while helping the library expand and enrich its services. The Library and its volunteers work together to achieve the goals and mission of the Library.

##### **25.1. Purpose**

25.1.1. The purpose of this policy is to provide overall guidance and direction to staff and volunteers engaged in activities in the Library. These policies are for internal management guidance only, and do not constitute, either implicitly or explicitly, a contractual or personnel agreement. The Library reserves the right to change any part of this policy and all other Library policies at any time and to expect after notification, adherence to the changed policy. Changes or exceptions from this policy may be granted by the Library Director. Changes must be obtained in advance, in writing, and approved by the Library Director. Issues not covered by this policy shall be resolved by the Library Director and, if needed the Board of Trustees.

##### **25.2. Definition of "Volunteer"**

25.2.1. A volunteer is anyone who without compensation or expectation of compensation performs a task at the direction of a Library supervisor or on behalf of the Library. A volunteer must apply and be interviewed.

25.2.2. The Library accepts the service of volunteers with the understanding that such service is at the sole discretion of the Library. Volunteers understand that the Library may at any time, for any reason terminate the volunteer's relationship with the Library.

##### **25.3. Who Can Volunteer**

25.3.1. Volunteers shall be recruited without regard to any individual's age, race, creed, color, national origin, religion, marital status, sexual orientation, gender, physical appearance, socioeconomic level, or any other legally protected characteristic.

25.3.2. Volunteers under the age of 18 must have parental consent, and may not work without direct supervision by a staff member or an adult volunteer. The Library will only accept volunteers 13 and older.

25.3.3. Any person interested in volunteering at the Library must fill out an application form. Each application will be reviewed by the department head. Candidates will be accepted based on their qualifications in relation to the needs of the library at any given time. Acceptance of an application is at the Library's discretion.

25.3.4. No volunteer will be eligible for medical, health, accident, or worker's compensation benefits.

#### 25.4. Supervision

25.4.1. Each volunteer will be assigned to an on-site supervisor, and is required to follow work procedures established by the staff member. The supervisor is responsible for the day-to-day management and guidance of a volunteer's work, and will be available for assistance. Volunteers should feel free to ask any questions of this person or report any problems or concerns about their assignment. Volunteers are expected to perform their duties to the best of their ability, and be loyal to the mission, values, goals, and policies of the library. All volunteers should keep their supervisor informed of their projects and work status, and of any change to their schedule.

25.4.2. While volunteers serve the needs of every Library department, they will not be used to replace the work done by paid Library staff. They are also not allowed to perform activities that could reveal confidential patron information.

#### 25.5. Behavior

25.5.1. Volunteers are expected to conduct themselves in accordance with, and adhere to all established policies and procedures of the Library, including, but not limited to, policies regarding work schedule, attendance, conduct, performance, safety procedures, proper attire, etc. Volunteers can be released from their duties at any time at the discretion of the Library.

#### 25.6. Volunteer Training

25.6.1. All volunteers will receive a general orientation on the purpose of the Library, the program they will be working with and a tour of the Library.

25.6.2. Volunteers will receive -on-the-job training to provide them with the information and skills reasonably necessary to perform their assignment. Staff members with responsibility for delivery of services should have an active role in the training of the volunteers.

25.6.3. Each volunteer accepted to a position with the Library will have a clearly identified supervisor. This supervisor shall be responsible for the day-to-day guidance of the work of the volunteer and shall be reasonably available to the volunteer for consultation and assistance.

25.6.4. Volunteers are expected to perform their duties on a regular scheduled and timely basis. If volunteers expect to be absent they should notify their immediate supervisor in advance so the alternative arrangements may be made.

#### 25.7. Volunteer Recognition

25.7.1. The Volunteer Supervisor and staff directly involved with the volunteers may design a program of recognition for the volunteers.

## Appendix A: Code of Ethics and Conflict of Interest Policy

### **Code of Ethics and Conflict of Interest Policy**

Trustee, Officer, and Employee:

The Library Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library Board of Trustees, library staff and volunteers. Actions based on an ethical code of conduct promote public confidence and the attainment of library goals. The Board of Trustees also recognizes its discretion under the provisions of the Nonprofit Revitalization Act (Not-for-Profit Corporation Law Section 715-A), to adopt a code of ethics setting forth the standards of conduct required of all library trustees, officers, employees and volunteers.

The Library Board of Trustees is also committed to avoiding any situation in which the existence of simultaneous, conflicting interests of any library trustee, officer or employee may call into question the integrity of the management or operation of the library, The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest.

The Library is also committed to avoiding any circumstance in which the existence of conflicting interests of any Library Trustee, officer or employee may call into question the integrity of the management or operation of the Library. The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest.

#### **Article I**

##### **Preamble**

The Library Board of Trustees is also committed to avoiding any situations in which the existence of simultaneous, conflicting interests of any Board Member, Board Employee or staff member may call into question the integrity of the management or operation of the Library. The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest. This policy is intended to supplement but not replace any applicable state and federal laws governing Conflicts of Interest applicable to the Library.

#### **Article II**

##### **Definitions**

Section 2.1. Interested Person. An Interested Person is any Trustee, officer, employee or member of a committee with powers delegated by the Board of Trustees, who (1) has a direct or indirect Financial Interest, as defined below, and/or (2) is a Related Party, as defined below.

Section 2.2. Disinterested Trustee. A Disinterested Trustee is any Trustee who is not an Interested Person.

Section 2.3. Relative. A Relative of an individual means his or her spouse or domestic partner, ancestors, brothers and sisters (whether whole or half-blood), children (whether natural or adopted), grandchildren, great-grandchildren, and spouses of brothers, sisters, children, grandchildren and great-grandchildren.

Section 2.4. Financial Interest. A person has a Financial Interest if the person has, directly or indirectly, through business, investment, or a Relative:

An ownership or investment interest in any entity with which the Library has a transaction or arrangement;

A compensation arrangement with the Library or with any entity or individual with which the Library has a transaction or arrangement; or

A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Library is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

Section 2.5. Substantial Financial Interest. A Financial Interest in a Related Party transaction is a "Substantial Financial Interest" if, in the discretion of the Board after giving due consideration to the material facts and circumstances of the Financial Interest as presented, the Board determines that such Financial Interest is substantial.

Section 2.6. Related Party. A Related Party includes: any Trustee, officer or Key Employee of the Library or any Affiliate of the Library; any Relative of any Trustee, officer or Key Employee of the Library or any Affiliate of the Library; or any entity in which any individual described in clauses (A) and (B) of this section has a thirty-five percent or greater ownership or beneficial interest or, in the case of a partnership or professional corporation, a direct or indirect ownership interest in excess of five percent.

Section 2.7. Key Employee. A Key Employee is any person who is in a position to exercise substantial influence over the affairs of the Library.

Section 2.8. Affiliate of the Library. An Affiliate of the Library means any entity controlled by, in control of, or under common control with the Library.

Section 2.9. Related Party Transaction. A Related Party Transaction means any transaction, agreement or any other arrangement in which a Related Party has a Financial Interest and in which the Library or any Affiliate of the Library is a participant.

Section 2.10. Conflict of Interest. A Conflict of Interest exists if an outside interest or activity influences or appears to influence the ability of an individual to exercise objectivity or impair the individual's ability to perform his or her responsibility in the best interests of the Library.

## **Article III**

### **Disclosure**

Section 3.1. Initial Disclosure. Prior to the initial election of any Trustee, officer, or member of a committee with powers delegated by the Board or hiring of any Key Employee, the prospective Trustee, officer, committee member, or Key Employee shall complete, sign and submit to the President of the Board of Trustees a written Disclosure Statement, attached as Appendix A, identifying, to the best of his or her knowledge, the following information:

- a) any entity of which such prospective Trustee, officer, committee member, or Key Employee is an officer, Trustee, member, owner (either as a sole proprietor or a partner), or employee and with which the Library has a relationship; and
- b) any transaction in which the Library is a participant and in which the prospective Trustee, officer, committee member, or Key Employee might have a Financial Interest that may give rise to a Conflict of Interest or Related Party Transaction.

Section 3.2 Annual Disclosure. Each Trustee officer, member of a committee with powers delegated by the Board of Trustees, and Key Employee shall annually submit to the President of the Board of Trustees the written Disclosure Statement, attached as Appendix A, in which such person:

- a) identifies, to the best of his or her knowledge, the information specified in Paragraphs (A) and (B) of Section 3.1 of this Article;
- b) affirms that he or she has received a copy of the Conflict-of-Interest Policy, read and understands the policy, agrees to comply with the policy, and understands the Library is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 3.3 Continuing Duty to Disclose. In connection with any actual or possible Conflict of Interest or Related Party Transaction which may arise in the ordinary course of the year and within Board or committee meetings, an Interested Person must disclose the existence of the Financial Interest and be given the opportunity to disclose all material facts to the Board of Trustees. Such disclosure may be made in a written statement or orally at a meeting of the Board, provided that such oral disclosure must be documented in the minutes of the meeting at which such disclosure is made.

## **Article IV**

### **General Procedures**

Section 4.1. General Prohibitions.

- a) An Interested Person is precluded from being present at or participating in any Board or committee deliberation or vote related to the transaction or arrangement giving rise to a Conflict of Interest or Related Party Transaction. Notwithstanding the foregoing, the Board of Trustees may request that an Interested Person present information to the Board prior to the commencement of deliberations or voting relating thereto.
- b) An Interested Person shall not directly or indirectly attempt to influence improperly the deliberation or voting on the transaction or arrangement giving rise to the conflict.



#### Section 4.2. Determining Whether a Conflict of Interest or Related Party Transaction Exists

- a) After the Interested Person's disclosure of the existence of and all material facts relating to his or her Financial Interest as required under Article III, and after any discussion among the remaining members of the Board of Trustees and the Interested Person regarding the facts and circumstances of the Financial Interest, the Board of Trustees shall make the determinations required by Paragraph (B) and (C) of this Section 4.2, provided the Interested Person leaves the meeting while the remaining members of the Board of Trustees discusses the information disclosed.
- b) Upon discussion, the remaining Board members shall decide and document in the meeting minutes if the transaction or arrangement constitutes a Related Party Transaction as defined in Article II, Section 2.9. If so, then the Board of Trustees must also determine and document in the meeting minutes whether the Related Party has a Substantial Financial Interest, as defined in Article II, Section 2.5, in the proposed Related Party Transaction. Regardless of whether or not the Financial Interest is a Substantial Financial Interest, a Related Party Transaction is subject to the procedures set forth in Article V.
- c) If the transaction or arrangement does not constitute a Related Party Transaction as defined in Article II, Section 2.9, then the remaining Board members in their discretion shall decide if a Conflict of Interest, as defined in Article II, Section 2.10, exists nonetheless, after giving due consideration to the material facts and circumstances presented. If the Board determines that the transaction or arrangement involves a Conflict of Interest, then such transaction or arrangement is subject to the procedures set forth in Article V.
- d) No trustee, officer or employee of the Library shall hire, supervise, evaluate, promote, review or discipline any employee who is a member of his/her family. In the event that marriage, promotion, or reorganization results in a situation not in compliance with this policy, reassignment or transfer will be effected in accordance with the applicable provisions of any collective bargaining agreement to correct the situation.
- e) Private Employment: No trustee, officer or employee of the Library shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
- f) Future Employment: No trustee, officer or employee of the Library shall, after the termination of service or employment with the Library Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former Library officer or employee of any claim, account, demand or suit against the Library on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.
- g) Use of Library Property: No library trustee, officer or employee shall use or permit the use

of property, owned or leased to the Library, for anything other than official purposes or for activities not otherwise officially approved by the Library Board of Trustees.

- h) Duty to Disqualify: It is incumbent upon any library trustee, officer or employee, whether paid or unpaid, to disqualify himself or herself immediately whenever the appearance of a conflict of interest exists.
- i) Duty to Report Conflicts of Interest: In the event that any library trustee, officer or employee knows of or perceives a direct or indirect conflict of interest, he or she shall report it to the Library Board of Trustees.
- j) Duty to Report Violations of this Policy: Any library trustee, officer or employee or any member of the public noting or suspecting a violation of this policy shall report the matter to the Library Board of Trustees.
- k) Prohibition Against Improperly Attempting to Influence: No trustee, officer or employee of the Library with a conflict of interest shall attempt to influence improperly the deliberations and voting by the Board of Trustees on the matter giving rise to the conflict of interest. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict.

## **ARTICLE V**

### **Procedures for Addressing Conflicts of Interest & Related Party Transactions**

#### **Section 5.1. Consideration of Alternatives**

- a) If the transaction or arrangement is a Related Party Transaction in which the Related Party has a Substantial Financial Interest, then consideration of alternatives in accordance with this section is mandatory. For all other Conflicts of Interest, consideration of alternatives is within the discretion of the Board of Trustees.
- b) After disclosure and discussions with the Interested Person, the Board of Trustees may appoint a Disinterested Trustee or committee of Disinterested Trustees to investigate alternatives to the proposed transaction or arrangement. Alternatives must be presented to the Board of Trustees and must be documented in the minutes of the meeting at which the determination is made.
- c) If alternatives are investigated and presented to the Board, then after exercising due diligence and giving due consideration for any such alternative transactions presented, the Board of Trustees shall determine whether the Library can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a Conflict of Interest or Related Party Transaction.

#### **Section 5.2. Board Decision**

- a. If alternatives are considered, whether mandatory or discretionary, and if the Board of Trustees determines that a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a Conflict of Interest or Related Party Transaction, the Board of Trustees shall determine by a majority vote of the Board whether the transaction or arrangement is in the Library's best interest, for the Library's

- own benefit, and whether it is fair and reasonable.
- b. In conformity with the above determination, the Board of Trustees shall make its decision as to whether to enter into the transaction or arrangement.
- c. If the transaction or arrangement involves a Related Party Transaction in which the Related Party has a Substantial Financial Interest, then a majority of the Board members present at the meeting is required to approve such transaction.

Section 5.3. Documentation Required. In connection with all actual or possible Conflicts of Interest and Related Party Transactions, the Board of Trustees shall document in the minutes of the meeting at which such determinations are made the following:

- a) The names of the persons who disclosed or otherwise were found to have a Financial Interest in connection with an actual or possible Conflict of Interest or Related Party Transaction, the nature of the Financial Interest, any action taken to determine whether a Conflict of Interest or Related Party Transaction was present, and the Board's decision as to whether a Conflict of Interest, Related Party Transaction or Substantial Financial Interest in a Related Party Transaction in fact existed.
- b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussions at the meeting regarding the proposed transaction or arrangement, including the alternatives to the proposed transaction or arrangement considered, if any.
- c) The determination as to whether the transaction or arrangement is fair, reasonable and in the Library's best interest.
- d) The determination as to whether to enter into the transaction or arrangement which gives rise to the Conflict of Interest or Related Party Transaction. If the Board of Trustees approves a Related Party Transaction in which the Related Party has a Substantial Financial Interest, then the minutes must also include the basis for such approval.
- e) A record of any votes taken in connection with the proceedings.

## **ARTICLE VI**

### **Oversight & Reviews**

Section 6.1. Violation of the Conflict of Interest Policy

- a. If the Board of Trustees has reasonable cause to believe a Trustee, officer or Key Employee has failed to disclose an actual or possible Conflict of Interest or Related Party Transaction, it shall inform such person of the basis for such belief and afford such person an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the response of the Trustee, officer or Key Employee and after making further investigation as warranted by the circumstances, the Board of Trustees determines that the Trustee, officer or Key Employee has failed to disclose an actual or possible Conflict of Interest or Related Party Transaction, it may take appropriate disciplinary and corrective action, up to and including dismissal or termination.

#### Section 6.2. Periodic Reviews

To ensure the Library operates in a manner consistent with its educational and/or charitable purposes, the Board shall conduct periodic reviews. The periodic reviews shall, at a minimum, include the following subjects:

- a) Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b) Whether partnerships, joint ventures, and arrangements with management organizations conform to the Library's written policies, are properly recorded reflect reasonable investment or payments for goods and services, further educational and/or charitable purposes and do not result in impermissible or excessive benefit.

#### Section 6.3. Use of Outside Experts

When conducting the periodic reviews as provided for in Article VI, Section 6.3, the Library may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of Trustees of its responsibility for ensuring periodic reviews are conducted.

### **Article VII** **Miscellaneous**

#### Section 7.1 Gifts

No Board Member, Board Employee or staff member shall directly or indirectly solicit, accept or receive any money or gifts, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality, object or promise, or any other form, under circumstances in which it could reasonably be inferred that the money or gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part. However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members.

#### Section 7.2 Confidential Information

No Board Member, Board Employee or staff member shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in an executive session.

#### Section 7.3 Communication

The Open Meetings Law is intended to provide the public with the right to observe the performance of public officials in their deliberations. That intent cannot be realized if members of a public body conduct public business by vote, email or phone.

There is nothing in the Open Meetings Law that would preclude members of a public body from conferring individually, by email or telephone. However, a series of communications between individual members of telephone calls among the members which results in a collective decision, a meeting held by means of a telephone conference or a vote taken by email would be inconsistent with the Law. Voting and action by a

public body may only occur at a meeting during which a quorum has physically convened.

Allowable uses of email include:

- Communication from the Library Director and/or Business Manager to the President of the Board to Trustees/Committee Members to set up and confirm committee meetings and then to reconfirm the date;
- Periodic updates between Board and/or Committee meetings from the Library Director and/or Business Manager to the President of the Board to Trustees/Committee Members;
- Background information for committee meetings/discussions from the Library Director and/or Business Manager to the President of the Board to Trustees/Committee Members;
- Follow-up emails from the Library Director and/or Business Manager to the Board of Trustees about outstanding issues.

Email between Trustees to discuss outstanding issues is not appropriate.

#### *Distribution of the Library Officer and Employee Code of Ethics and Conflict of Interest Policy*

The Library Director shall cause a copy of this Code of Ethics and Conflict of Interest Policy to be distributed to every Trustee, officer and employee of the Library. Each Trustee, officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Board shall ensure that a copy of this Policy shall be kept posted in the Library in a place conspicuous to the Library's Trustees, officers and employees.

#### *Penalties*

In addition to any penalty contained in any other provision of law, a Library Trustee, officer or employee of the Library who shall knowingly and intentionally violate any of the provisions of this Code of Ethics and Conflict of Interest Policy may be subject to disciplinary action up to and including dismissal, in the manner provided by law.

**Conflict of Interest Policy Acknowledgement** The standard of behavior at the Library is that all Trustees, officers and employees, whether paid or unpaid, scrupulously avoid any conflict of interest between the interests of the Library and their personal, professional, business interests. This includes avoiding actual conflicts of interest as well as potential or perceived conflicts of interest. All employees, Trustees, and/or officers will receive a Conflict of Interest Policy Acknowledgment in accordance with hiring and continued employment.

### Conflict of Interest Policy Acknowledgement

The undersigned, being a Trustee, officer, and/or Key Employee of the Library, hereby acknowledges and confirms the following:

The standard of behavior at the Mattituck-Laurel Library is that all trustees and employees, whether paid or unpaid, scrupulously avoid any conflict of interest between the interests of the Mattituck-Laurel Library on the one hand, and their personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as potential and perceived conflicts of interest.

I understand that the purposes of this policy are to protect the integrity of the Mattituck-Laurel Library decision-making process, to enable Library constituents to have confidence in the Library's integrity, and to protect the integrity and reputation of all Library officers and employees both paid and unpaid.

Upon or before election, hiring or appointment, and annually thereafter, I will make a full, written disclosure of any and all interests, relationships, related party transactions, and holdings that do create or could potentially create a conflict of interest. This written disclosure will be kept on file and I will update it as appropriate.

During the course of meetings or activities, I will disclose any interests in a transaction or decision where I (including my business and any other nonprofit affiliation), my family and/or my significant other, related parties, employer, or close associates will receive a benefit or gain. After disclosure, I understand that I will be asked to leave the room for the discussion and will not be permitted to vote on the question.

I understand that this policy is meant to be a supplement to good judgment, and I will respect its spirit as well as its wording.

**(1) Personal Interests & Relationships.** I am an officer, director, Trustee, member, owner (either as a sole proprietor or a partner), or an employee of the following entities with which the Library has a relationship: *[If none, please write "None." If such interests exist, please specify the capacity in which you hold such an interest (for example, employee, director, or owner). If an owner, please specify your percentage ownership].*

---

---

---

---

---

---

---

---

**(2) Interests & Relationships of Relatives.** A Relative (spouse or domestic partner, ancestors, brothers and sisters (whether whole or half blood), children (whether natural or adopted), grandchildren, great-grandchildren, and spouses of brothers, sisters, children, grandchildren and great-grandchildren) of mine is an officer, director, Trustee, member, owner (either as a sole proprietor or a partner), or an employee of the following entities with which the Library has a relationship: *[If none, please write "None." If such interests exist, please specify the Relative (for example, sibling or spouse) and the Relative's position (for example, employee, director, or owner). If an owner, please specify the percentage ownership].*

---

---

---

---

---

---

---

---

**(3) Transactions.** The Library is a participant in the following transactions in which I or my Relative may have a Financial Interest that may give rise to a Conflict of Interest or Related Party Transaction, as defined in the Conflict of Interest Policy. *[If none, please write "None." If such transaction(s) exists, please specify the transaction and the potential financial interest involved and whether you or a Relative has such an interest for any such transaction(s). Please specify the Relative and their position, if applicable.]*

---

---

---

---

---

---

---

---

I certify that the above statements are true and correct to the best of my knowledge.

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

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

Signature: \_\_\_\_\_

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

**(Please sign, date and return this page to the Director)**

## Appendix B: Nepotism Policy

**This policy seeks to establish a framework that can lead to a work environment free of any favoritism or personal partiality that would undermine the Library's intent to respect merit and accomplishment.**

It seeks to avoid special treatment or partiality provided to family members<sup>3</sup> of board members and library employees.

Members of the Board and their family members shall be **excluded** from consideration for employment by the Mattituck-Laurel Library; i.e. employees shall **not** hold a position with the Mattituck-Laurel Library while they or their "family members" serve on the library Board.

### EMPLOYMENT OF FAMILY MEMBERS

The employment of family members in the same Library Department may cause serious conflicts of interest between work-related and family-related obligations; issues pertaining to favoritism or the appearance of favoritism; and employee morale. In addition to claims of partiality in treatment at work, personal conflicts arising from outside the work environment can be transferred to daily working relationships and adversely affect the workplace.

Family members will **not** be hired within the same Library department, where there is the potential for creating an adverse effect on supervision, safety, security, morale or create potential conflicts of interest.

Family members of persons currently employed by the Mattituck-Laurel Library shall **not** be hired, promoted or transferred to a regular full-time or regular part-time position where:

- One family member would have the authority to interview, appoint, remove, recommend salary increases or promotions, discipline or evaluate the performance of the other;
- One family member would be responsible for supervising the work of the other; or
- Other circumstances exist that place the family members in a situation of actual or a potential conflict of interest.

Family members of Mattituck-Laurel Library employees **may** be considered for employment when filling an open position. Family members of employees of the Mattituck-Laurel Library **may** be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the library. Library employees will not be promoted or transferred into such a reporting relationship.

If the Family member's relationship is established after employment, the individuals concerned shall decide (within 30 calendar days) – in conjunction with the Mattituck-Laurel Library Director – as to whom is to be transferred. In other cases where a conflict or the potential for conflict arises, even if absent a supervisory relationship, the parties may be separated by reassignment.

---

<sup>2</sup> **"Family members"** include the following: spouses, parents, children, siblings, in-laws, step relationships or domestic partners (as defined in the NYS Public Health Law).



## Appendix C: Remote Work / Telecommuting Policy

In the event of an emergency or public health crisis, the Mattituck-Laurel Library may allow or require employees to work remotely for extended periods of time to ensure business continuity along with preserving the health and safety of staff and their families. The Library Director makes all decisions about work from home situations and will communicate any requirements and stipulations with employees.

Employees must complete the Remote Work Agreement in order to work remotely. This signed agreement will remain in the employee's personnel file.

### Requirements for remote work environment and equipment

- All employees will establish an appropriate work environment within their home for work purposes. The Library will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting. Nor will the Library be responsible for repairs or modifications to the home office space.
- Equipment needs for each employee will be determined on a case-by-case basis with the Library Director. Equipment supplied by the Library is to be used for business purposes only.
- Access to secure, reliable internet at home.
- Consistent with the organization's expectations of information security for employees working at the office, working from home employees will be expected to ensure the protection of proprietary company and patron information that they access from their home office.
- Employees should not assume any specified period of time for emergency work from home arrangements, and the Library may require employees to return to regular, in-office work at any time.

### Expectations for employees

1. Adhere to all Library policies and procedures and any applicable laws and regulations including legally required rest breaks and meals.
2. Ensure service to patrons and coworkers is not adversely affected.
3. Ensure their schedule does not create inequity in work distribution, limit time off for other members, or in any way adversely affect the Library's programs, services, and operations.
4. Maintain high standards of productivity and performance.
5. Make reasonable precautions necessary to secure Library equipment.
6. Attend all virtual work meetings where possible.

### Communications

Employees agree to be available for communication with the Library during approved remote work. Agreed upon modes of communication are as follows:

- Zoom or other teleconferencing software for video Library events and business meetings
- Telephone calls
- Work email

This Remote Work Agreement (the Agreement) is made and entered into by and between \_\_\_\_\_, and the Mattituck-Laurel Library. This Agreement shall be effective beginning on \_\_\_\_\_, until discontinued.

### EMPLOYEE INFORMATION

JOB TITLE / LOCATION: \_\_\_\_\_ REPORTS TO: \_\_\_\_\_

The Employee named above is hereby authorized to perform work for the Mattituck-Laurel Library at the residence or off-site office located at: \_\_\_\_\_, in accordance with the terms and conditions of this Agreement and the Mattituck-Laurel Library Remote Work Policy. The Employee's work schedule while working remotely will be:

---

---

---

---

The Employee agrees and understands that authorization to perform Mattituck-Laurel Library job duties at their residence or off-site office is a privilege, is not an entitlement, and that such authorization may be granted or revoked at any time at the sole discretion of the Employee's Supervisor or the Director. The Employee understands that this Remote Work Agreement, and its associated provisions and arrangements, are not a basis for changing the Employee's salary or benefits. All pay, leave, and travel entitlements are based on the Employee's primary business location.

To be completed by authorizing Manager or Supervisor:

☐ Approved                      ☐ Not approved

Rationale for not approving/Conditions of approval:

---

---

---

---

MANAGER/SUPERVISOR: \_\_\_\_\_ Date \_\_\_\_\_

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

## Appendix D: Tuition Reimbursement Request Form

This form and supporting documents should be given to the Director for final approval prior to the first day of class.

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

Department: \_\_\_\_\_

Job Title: \_\_\_\_\_

Name of School: \_\_\_\_\_

Proposed Course is: ☐ Undergraduate course credit ☐ Graduate course credit

Course Title: \_\_\_\_\_

Credit Hours: \_\_\_\_\_

Course Begins: \_\_\_\_\_

Course Ends: \_\_\_\_\_

Tuition Cost: \_\_\_\_\_

Are courses for a credit leading to a degree? ☐ Yes ☐ No

Name of Diploma/Degree: \_\_\_\_\_

Major Field of Study: \_\_\_\_\_

Attach supporting documentation addressing the following questions and any other comments:

- How does the proposed course of study relate to your job assignment/position duties?
- If the course meets during your normal work hours, how will your work schedule be adapted?
- How will the course-provided knowledge/techniques improve your performance and be useful to the Library?

I have read and understand the Tuition Reimbursement Policy and agree to the terms of the policy.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Mattituck-Laurel Library: A Brief History

How did the Mattituck-Laurel Library grow from having 450 books to having around 60,000 books, CD's, DVD's, magazines, newspapers and books on CD? How did the Library grow from the cramped space at its first location, the Octagon Building, to the 14,000 square foot facility that it now calls home?

The answer to these questions is the same. It took diligence, perseverance and dedication of countless volunteers, trustees, Friends of the Library and benefactors who helped shape and mold the Mattituck-Laurel Library into what it is today - a life- enhancing center of information, culture, educational enrichment and recreation for the communities of Mattituck and Laurel.

They were dedicated to the principle that a strong, active public Library is the best reflection of a community and that all people, regardless of their social standing should have an equal opportunity to further themselves and grow as individuals and as responsible citizens.

Elmer D. Tuthill founded the Mattituck-Laurel Library in 1903 when the original book collection was housed in the Octagon Building on the Main Road. In 1905, the Library moved to Library Hall on Pike Street, an outstanding edifice that was given as a gift to the village of Mattituck by Frank M. Lupton. A fire in 1939 created a need for a new Library site and eventually the old elementary school property of the Main Road was purchased. The original brick building was constructed in 1961 and an addition in 1980 was made possible in large part by the generosity of Mattituck resident, Katie Dexter. Residents voted overwhelmingly to approve the construction of another addition to the Library in 1998. Completed in the year 2000, the project created a total of 14,000 sq. feet including a new children's room and lower-level meeting rooms and art gallery. 2021 brought the completion of a new outdoor greenspace for three season programing and a brand new, enlarged parking lot.

Results of the efforts of many trustees and volunteers can be enjoyed today in the new facility, which offers a welcoming, accessible and comfortable environment, incorporating the latest information technologies in the provision of Library services.

Hours: Monday – Friday from 9:00 a.m. to 7:00 p.m., Saturday from 10 a.m. to 4 p.m., and Sundays (September – June) 1 p.m. to 4 p.m. For information, call 631-298-4134 or fax 631-298-4764 or visit our website at [www.mattiitucklaurellibrary.org](http://www.mattiitucklaurellibrary.org).

Dear Employee:

This *Employee Handbook* has been designed to serve as a quick reference for many issues relating to your employment with the Mattituck-Laurel Library. It is important for you to be familiar with the information in this Handbook. Please review it carefully. Your supervisor can provide assistance relating to your employment.

Please indicate below that you have received the Library's policies on *Sexual Harassment*, *Conflict of Interest*, *Whistleblower Protection* and *Code of Ethics*.

Your signature below will indicate that you have received the *Employee Handbook* and intend to review it. This page will be kept in your file.

- ☐ I acknowledge that I have received the Library's policy on *Sexual Harassment*.
- ☐ I acknowledge that I have received the Library's *Conflict of Interest Policy*.
- ☐ I acknowledge that I have received the Library's *Whistleblower Protection Policy*.
- ☐ I acknowledge that I have received the Library's *Code of Ethics*.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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