

# MOHAWK VALLEY LIBRARY SYSTEM

## **PERSONNEL MANUAL**

Approved September 19, 2013  
Revised October 17, 2013  
Revised March 20, 2014  
Revised June 16, 2016

## HISTORY OF THE MOHAWK VALLEY LIBRARY SYSTEM

The Mohawk Valley Library System held its organizational meeting in November 1959 and received approval of its application for a charter from the New York State Board of Regents in May 1960. Included in the first plan was full library service to Schoenectady County, to all of Schoharie County, and to those portions of Montgomery County not served by a chartered library. After the election of officers at the first meeting in January 1960, plans immediately began for the establishment of bookmobile service to the unserved areas of Schoharie and Montgomery counties. The first bookmobile was delivered on December 31, 1960. The System began operating January 2, 1960 in temporary quarters in an old electrical plant on Campbell Avenue. In 1966, the System moved to its own building at 858 Duanesburg Road.

The original member libraries were: the Cobleskill Public Library, Middleburgh Library, Mary Beatrice Cushing Memorial Library (Schoharie), and the Sharon Springs Free Library in Schoharie County; the Fort Hunter Free Library in Montgomery County; and the Schoenectady County Public Library. Subsequently, these were joined by the Gloversville Free Library and the Johnstown Public Library in Fulton County; the Amsterdam Free Library, the Canajoharie Library and Art Gallery, the Frothingham Free Library in Fonda, the Fort Plain Free Library, and the Margaret Reaney Memorial Library in St. Johnsville -- all in Montgomery County. The system charter was revised to include full library service to all areas of the four counties: Fulton, Montgomery, Schoenectady and Schoharie. In 1986, the Northville Public Library became the fourteenth member of the system.

Member libraries are chartered by the New York State Board of Regents and are governed by local boards of trustees. Libraries in the Mohawk Valley Library System are governed and receive funding through differing structures. The Community Library (Cobleskill), Gloversville Public Library, and Northville Public Library are school district libraries, chartered to serve the residents of the school district and funded through a voter-approved budget. The Schoenectady County Public Library is the only 'true' county library system in New York State, created by Schoenectady County and funded through that municipality. The Johnstown Public Library and the Margaret Reaney Memorial Library are municipally chartered; Johnstown receives the bulk of its funding from the City of Johnstown; St. Johnsville is primarily funded through a funding initiative on the school district ballot. The remaining libraries are free association libraries, non-profit agencies which receive funding contractually from the municipality served and/or through voter approved initiatives on the municipal or school district ballot.

Technology has dramatically changed the landscape of library services and services depending upon technology have grown to provide resources no longer dependent upon public library size. In partnership with the Southern Adirondack Library System, the System operates an integrated library system utilized by all member libraries and available to the public via the Internet.

MVLS operates under a state approved Plan of Service which is developed and reviewed by the Board of Trustees and the member libraries. Services are evaluated, revised, expanded or eliminated based upon library need and use, budget, and current trends in public libraries. MVLS exists to support public libraries in meeting the demands of their local communities.

a. **Purpose of the Organization**

The purpose of the Mohawk Valley Library System is to coordinate, strengthen, and stimulate public library and information services in Fulton, Montgomery, Schenectady, and Schoharie Counties. This is accomplished through a variety of support services to the public libraries in the four counties including continuing education, consulting services, outreach programs, and in partnership with the Southern Adirondack Library System, automation services and support.

The system exists to serve the member libraries and services and programs are directed toward strengthening local public library services.

b. **Financial Support**

The Mohawk Valley Library System receives primary funding from the State of New York, based on a formula approved by the legislature. The system also writes and implements grant projects to meet the needs of the member libraries and to seed innovation in our region.

c. **The Central Library**

The Schenectady County Public Library is the Central Library for the system. An annual application for state Central Library Development Aid provides detail on the services that the library provides as central library. Central Book Aid funds the purchase of adult non-fiction materials supplementing resources owned by member libraries. These materials are housed and available from the Central Library.

The Central Library provides quality reference and informational services to the member libraries and residents of the MVLS region. It extends its full range services to all residents of Fulton, Montgomery, Schoharie counties on the same basis that they are provided to the residents of Schenectady County.

## **ORGANIZATIONAL STRUCTURE**

The Board of Trustees, created in accordance with the charter, consists of thirteen members, three from each of the member counties and one representing the MVLS Directors' Council. The first trustees were members of the boards of trustees of the chartering libraries, but subsequent trustees have also been elected from the public at large. Elections are held at the annual meeting of the System in the spring of each year and voted on by member libraries. Terms of office are five years. No member may serve more than two full consecutive terms.

Committees of the board include: the Executive, Audit & Finance, Building & Equipment, Library Services/Planning and Development, Personnel, Awards. By virtue of its partnership agreement, the President of the Board or a designee serves as a member of the Joint Automation Council, a joint committee of MVLS and the Southern Adirondack Library System. Membership on system committees is extended to representatives of member libraries as well as MVLS trustees.

The Director of the System is appointed by the Board of Trustees, is responsible and accountable to the board, and is charged with system administration. The Director is also responsible for the appointment and evaluation of personnel.

The Assistant Director is appointed by the Director with approval of the Board of Trustees, is responsible to the Director, and acts for the Director when the Director is unavailable.

The MVLS Plan of Service, Bylaws, Board of Trustee minutes, and other information are available on the MVLS website: [www.mvls.info](http://www.mvls.info).

## **I. PROVISIONS RELATING TO ALL EMPLOYEES**

### **A. APPLICATION AND APPOINTMENT**

#### **1. Selection**

- a. Positions are established and abolished by the Board.
- b. Appointments to the staff are made by the Director.

#### **2. Requirements for Employment**

- a. The Mohawk Valley Library System is an equal opportunity employer. MVLS will not discriminate against any employee or applicant for employment on the basis of race, religion, color, national origin, age, sex, disability, marital status, sexual orientation, military status, predisposing genetic conditions, familial status or domestic violence victim status.
- b. Appointments and staff promotions will be made on the basis of qualifications, including educational background, appropriate experience, aptitude for the position, and satisfactory employment references.
- c. Written examinations to test the qualifications of an applicant, and/or personal interviews, may be required before a final appointment is made.
- d. Professional librarians are required to have or be eligible for a New York State public librarian's professional certificate upon appointment and must obtain the certificate within a reasonable time thereafter.
- e. MVLS expects that all information furnished with an application for employment will be accurate. Misrepresentations or falsification of employment data may result in disqualification of the individual for consideration for employment, or, if hired, termination of employment.

#### **3. Probationary Period**

Each employee shall be required to serve a probationary period, as set forth in the applicable Memorandum of Agreement or in Part III of this Manual.

#### **4. Promotion**

Employees are eligible for promotion at the discretion of the Director upon the recommendation of the immediate supervisor.

#### **5. Working Papers**

Employees and volunteers under the age of 18 must obtain working papers before commencing employment.

## **B. TEMPORARY POSITIONS**

1. A temporary employee is one appointed, for a period not to exceed one year, to fill the position of a permanent employee on a leave of absence, or to perform a special project not requiring permanent employees. A temporary employee does not receive a probationary appointment, and cannot become a permanent employee as the result of the temporary appointment. A temporary employee may also be known as a term or an itinerant employee. Substitutes will be treated as temporary employees in accordance with the applicable language below.
2. A temporary employee who works more than 50% of the normal workweek for a period of more than 6 months accrues benefits, other than seniority or permanent status, in the same manner as a full-time employee.
3. A temporary employee who works less than 50% of the normal workweek or for a period of less than 6 months, accrues no benefits, except the following, if otherwise eligible:
  - a. Retirement
  - b. Social Security
  - c. Disability and unemployment coverage

## **C. STAFF DEVELOPMENT AND TRAINING**

### **1. Introduction of new employees**

#### **a. Orientation**

All MVLS employees are provided access to an online version of the MOHAWK VALLEY LIBRARY SYSTEM DIRECTORY. Additional information about the system, its members, and services are available on our website at [www.mvls.info](http://www.mvls.info). Staff is strongly encouraged to subscribe to or check the MVLS Blog regularly.

All employees are provided with a copy of the MOHAWK VALLEY LIBRARY SYSTEM PERSONNEL MANUAL containing System personnel policies. It is the responsibility of each employee to become thoroughly familiar with these policies.

#### **b. Job Descriptions**

A job description is included with postings for positions at MVLS and is available to each new employee. Employees are expected to familiarize themselves with their individual job descriptions and to be responsible for knowledge of the duties and requirements of the job.

c. Training

Responsibility for the training of each new employee lies with the immediate supervisor.

d. Building Entry and Security

Each employee may be issued a key to the Service Center and a personal security code permitting entry into the building while the security system is on. New employees will be trained in activating and de-activating the system. See also: Section F 8 Daily Closing of the System Building, page 16.

**2. Performance Evaluation**

- a. A performance evaluation provides a record of the employee's progress in the job and the opportunity to discuss his or her development. It lays the foundation for constructive action, if necessary, to correct, encourage or otherwise influence the improvement of an employee's performance on a regular basis.
- b. Employees' progress may be rated periodically on printed forms to provide a means of comparison with their on-going development.
- c. A new employee's first evaluation, based upon the position job description, will occur during the first three months of service. A second evaluation will occur prior to the end of the probationary period.

**3. Staff Meetings**

All employees are expected to attend staff meetings when requested. Work time is allowed for attendance at such meetings. Employees enter such time on their time sheet as time worked.

**4. Civic, Educational, and Professional Organizations**

Employees are encouraged to become members of civic, educational, and professional organizations and may participate in the work of such organizations during work hours at the discretion of the Director. Before accepting any responsibility requiring use of work time, employees must consult the Director and obtain written approval. The Director may appoint employees to attend meetings that may be of value to the individual and the Employer.

**D. SCHEDULES**

**1. Hours**

a. Full-time Employees

The normal workday for full-time employees begins at 8:30 and ends at 4:30. The Director may authorize an employee to work a different workday, as appropriate. The workweek is 35 hours; one hour is allowed for meal periods daily. A 15 minute break is allowed for every consecutive 3 1/2 hours worked. (Two breaks in the normal work day)

**b. Part-time employees**

Part-time employees work scheduled hours unless otherwise requested by the Director. Part-time employees receive one 15 minute break for every consecutive 3 hours worked.

**c. Time Sheets**

- (i) All employees are required to complete a Time and Attendance Record, signing it and returning it to their supervisor at the end of each payroll period. This should reflect hours worked and benefit time used by the employee during the payroll period. These forms are reviewed and signed by the Administrative Assistant and the Director or designee.
- (ii) Leave must be requested from the Director either electronically or by written forms.
- (iii) To provide appropriate planning for the System, vacation leave time is requested in January of each year or when the employee's plans are made.
- (iv) Timesheets will reflect time spent at the service center or providing system services at other locations unless the employee has prior written approval for conference or meeting attendance, or to work from home.

**2. Lateness**

**a. Policy**

Employees are expected to report to work on time, including return from breaks and lunch. If late, employees may make up lost time, preferably on the same day.

**b. Method of Reporting**

When employees know they will be unavoidably late, notification to the MVLS Service Center should be made at the start of the work period.

**3. Lunch**

Lunch hours are usually scheduled between 12:00 noon and 2:00 p.m. Employees should cooperate in the scheduling of breaks and lunch periods, to ensure adequate coverage of the Service Center.



## **E. SALARY AND BENEFITS**

### **1. Salary Range**

The salary range includes a base rate for each position. Increases to that rate are a part of collective bargaining negotiations or other agreements. In addition, the employee may become eligible for the 10 year, 15 year, 20 year, and 25 year and 30 year increments. The specifics of these increases are covered in the collective bargaining agreement.

- a.** In order to be eligible for a 10-year increment, the employee must have completed 10 years of service with the Employer. The increment will be paid starting January 1, of the first year of service following the 10th year anniversary, provided the employee has completed at least one year of service at the five-year increment of the salary schedule for the position held at that time. In the event the employee has not completed at least one year of service at the five-year increment of that schedule, the increment will be paid starting January 1 of the first year of service following completion of one year of service at the five-year increment of that schedule.
- b.** In order to be eligible for a 15-year increment, the employee must have completed 15 years of service with the Employer. The increment will be paid starting January 1 of the first year of service following the 15th year anniversary, provided the employee has completed at least one year of service at the 10-year increment step of the salary schedule for the position held at that time. In the event the employee has not completed at least one year of service at the 10-year increment step of that schedule, the increment will be paid starting January 1 of the first year of service following completion of one year of service at the 10-year increment step of that schedule.
- c.** In order to be eligible for a 20-year increment, the employee must have completed 20 years of service with the Employer. The increment will be paid starting January 1 of the first year of service following the 20<sup>th</sup> year anniversary, provided the employee has completed at least one year of service at the 15-year increment step of the salary schedule for the position held at that time. In the event the employee has not completed at least one year of service at the 15-year increment step of the schedule, the increment will be paid starting January 1 of the first year of service following completion of one year of service at the 15-year increment step of that schedule.
- d.** In order to be eligible for a 25-year increment, the employee must have completed 25 years of service with the Employer. The increment will be paid starting January 1 of the first year of service following the 25<sup>th</sup> year anniversary, provided the employee has completed at least one year of service at the 20-year increment step of the salary schedule for the position held at that time. In the event the employee has not completed at least one year of service at the 20-year increment step of the schedule, the increment will be paid starting January 1 of the first year of service following completion of one year of service at the 20-year increment step of that schedule.

## **2. Payment**

- a.** The pay period is calculated on a 5 day work week of 35 hours for 52 weeks.
- b.** Employees are paid on the 15th and on the last day of each month.
  - (i) Checks are released only to the person to whom they are made out, unless prior arrangements have been made with the Director or the Administrative Assistant.
  - (ii) During vacation periods, checks may be mailed to the employee's home. These arrangements are made with the Director or the Administrative Assistant.
  - (iii) Direct deposit of payroll checks into a designated account is available to all Employees.
  - (iv) Employees may receive vacation pay in advance by notifying the Director or the Administrative Assistant at least two weeks prior to their scheduled vacation.
- c.** All full-time employees are paid for the current pay period and are ordinarily paid 1/24<sup>th</sup> of their annual salary each pay period. Part-time employees are paid for hours worked during the previous pay period.
- d.** Automatic deductions will be made for the following:
  - Federal and New York State withholding taxes
  - FICA (Social Security) taxes
  - New York State Employees' Retirement System contributions for employees enrolling after July 1, 1976
  - The employee's share of health insurance premiums
- e.** At the employee's request, deduction will be made for the following:
  - Savings bonds
  - United Way contributions
  - Schenectady County Employees' Federal Credit Union
  - TIAA Cref contributions
  - NYS Deferred Contribution Plan
  - Payment for other workplace-sponsored insurance or other benefit program.
  - Union dues as authorized pursuant to any applicable Memorandum of Agreement

- f. At the onset of employment, an employee has the option of enrolling in the MVLS "**Premium Conversion Plan**". The employee contribution towards health insurance may be used by the employee to reduce his/her liability to the Federal and State Government by reducing taxable earnings.

Employees may elect to change their participation at the beginning of the plan year based on the conditions cited in the election form. Further information may be obtained from the Administrative Assistant.

### 3. **Holidays**

- a. All full-time employees are granted 13 paid holidays per year, as stipulated in the union agreement. Part-time employees who work at least 17.5 hours in a typical week are granted paid holidays on a pro-rated basis.
- b. Time required for observance of a religious holiday which is not an Employer paid holiday must be requested as personal or vacation leave.
- c. When a holiday occurs during the period of an employee's vacation, it is not considered a paid vacation day.

### 4. **Vacation Leave**

- a. Vacation leave is earned at a rate of 11.67 hours per month for full-time employees (currently 20 days per year). After 10 years of service, one day per year of additional vacation will be accrued to a maximum of 25 days. Part-time employees who work at least 17.5 hours in a typical week are granted paid vacation time on a pro-rated basis.
- b. No more than the equivalent of one year's accruals may be accumulated except by permission of the Director.
- c. No vacation time may be taken during the probationary period. Probationary time is credited toward vacation leave only after the probationary period has been successfully completed.
- d. Vacation leave may not be taken in advance, but only as earned and accumulated.
- e. Vacation leave may not be taken in blocks of less than 1 hour.
- f. Requests for vacation leave shall be processed as follows:
  - (i) Vacation leave requests should be sent to the Director as soon as it is feasible in order to establish a long range vacation schedule for the year. Anticipated extended vacation leave should be noted at this time. Written approval is returned to the employee.
  - (ii) Other vacation leave requests or changes may be submitted for approval during the year, two weeks in advance, if possible.
  - (iii) All vacation leave requests must have approval of the immediate supervisor before submission to the Director.

## **5. Sick Leave**

- a. When employees are unable to work because of individual or family illness, the employee or designee should notify MVLS by calling the Service Center at the beginning of the scheduled work time.
- b. Full-time employees accrue sick leave at a rate of 7.58 hours per month (currently 13 days per year). Part-time employees who work at least 17.5 hours in a typical week are granted sick leave on a pro-rated basis.
- c. Sick leave may be used for illness, disability, or medical appointments. Up to five (5) days annually may be used for the illness or disability of the employee's spouse, children, parents, grandparents or siblings. Sick leave which is unused but earned may be accumulated up to a total of 185 days.
- d. Questions on the amount of sick leave accrued should be addressed to the Administrative Assistant. Up to 185 days of accrued unused sick leave may be applied as service credit upon retirement, in accordance with the provisions of Section 41 subdivision j of the Retirement and Social Security Law.
- e. Sick leave may be used for lateness due to inclement weather in lieu of personal leave.
- f. Unused sick leave is cancelled upon resignation or termination of services, except in the case of retirement.
- g. A doctor's certificate, stating that the employee is able to return to work, may be required before an employee returns from an extended sick leave period. The statement must indicate when the employee will be able to return; what restrictions, if any, there are on the employee's work schedule or activities; and how long such restrictions are expected to endure.
- h. A sick employee may use leave with pay according to the following order of priorities: unused sick leave, and the staff member's choice between unused vacation or personal leave. Following the exhaustion of all sick, personal and vacation leave allowances, an employee may be eligible for up to 6 months of extended leave at partial pay. The decision whether to petition the Board for such extended leave is in the sole discretion of the Director; the Director may include the length of the employee's service among the factors considered in determining whether or not to submit the petition.
- i. A sick employee may also request donation of leave time through the MVLS Voluntary Leave Donation Program (Appendix A).

## **6. Personal Leave**

- a. Personal leave is allowed for the transaction of personal business that must be attended to during the normal working day. The minimum block of time to be allocated to Personal Leave is ½ hour.
- b. Paid Personal Leave is granted on the basis of 35 hours per year for full-time employees. Part-time employees who work at least 17.5 hours in a typical

week are granted paid personal leave on a pro-rated basis. Unused accumulations of personal leave shall be added to sick leave accumulations on January 1 of each year.

- c. Personal leave requests must be submitted for approval to the immediate supervisor at least twenty-four hours in advance, whenever possible.
- d. A request for personal leave shall be submitted electronically to the Director or supervisor.

## 7. **Other Types of Leave**

### a. **Bereavement Leave**

Up to (5) days paid leave for absence due to death of the employee's spouse, child, parent, stepparent, or sibling, or the death of any person who is an actual member of the employee's house-hold, and up to (3) days paid leave for absence due to death of a child-in-law, parent-in-law, sibling-in-law, grandparent or grandchild. Part-time employees who work at least 17.5 hours in a typical week are granted leave on a pro-rated basis.

### b. **Paid Leaves**

#### (i) **Jury Duty**

To meet an obligation of a citizen by serving in juries, all employees will be granted time off with pay to serve as a juror. Compensation received by the employee for such services as a juror, except parking and mileage fees, will be paid by the employee granted time off to the Employer soon after the compensation is received by the employee.

If released from jury service two hours or more before the end of the work day, the employee must promptly return to work. In order to be credited with Jury Duty Leave, the employee must present documentation from the Court that the employee served each day for which leave is requested. Where jury duty creates a hardship, the Employer may ask to have the employee excused from jury duty.

#### (ii) **Conference and Workshop Attendance**

Leave may be granted for attendance at meetings designed to develop abilities and train employees. An employee may request leave for this purpose from the Director.

The Employer may pay the expenses of an employee incurred by attending conferences and workshops at the Employer's request, within the limitations imposed by its current annual budget allotment.

The Director will select the employees who will be authorized to attend conferences and workshops and determine the expenses to be paid by the Employer.

Employees authorized to attend conferences shall receive a per diem allowance of \$50 per day.

**c. Unpaid Leaves**

No unpaid leave of absence, except Military Leave, shall be granted to an employee who has been in the Employer's service less than six (6) months.

The employer may, at its discretion, grant an unpaid leave of absence for a period not to exceed one year. All requests must be made in writing to the Director. Unpaid leave may include childrearing leave or leave requested pursuant to the Family Medical Leave Act. Employees will not accrue seniority or any additional leave while on an unpaid leave. Specific procedures concerning Leave Without Pay are covered in the union agreement.

**8. Health Insurance**

- a.** The Employer shall provide health insurance to its employees through a mutually agreed on plan which may be changed from time to time by mutual agreement. The amount of the premiums paid by the employer is set by the union agreement. The participating employee's share of the premiums shall be taken by the employer out of the employee's pre-tax salary, so long as the practice is permitted by the Internal Revenue Service.
- b.** All staff members appointed after January 1, 2013, who regularly work at least 25 hours per week, and whose anticipated period of employment is at least 6 months will be eligible to apply for coverage. Eligibility for employees hired before January 1, 2013 is stipulated in the union agreement.
- c.** Employees hired on or before December 31, 2012, with 20 or more years of service shall continue to be eligible to receive health insurance benefits on retirement and shall share any increases in premiums with the Employer in the same manner as do members of the bargaining unit.
- d.** Coverage while on leave without pay may continue if the employee files the appropriate application and assumes payment of each monthly premium to the employer in advance. Coverage for terminated employees is dictated by COBRA, the Affordable Care Act or other applicable law.
- e.** Detailed information on specific benefits is available from the Administrative Assistant and the health insurance booklets, website or other information provided by the plan.
- f. Medicare**
  - (i) An employee, retiree, or employee's/retiree's spouse, reaching age sixty-five (65) must elect Medicare as the primary insurer, and the Employer's insurance plan will then become secondary payer.
  - (ii) There will be annual reimbursement of Medicare payments in December for eligible active and retired employees and their eligible dependents. Eligible retirees are those who have completed at least ten years of service and who retired from the System. Medicare payments will not be reimbursable if the employee is already being reimbursed by another entity.

## **9. Retirement and Social Security**

### **a. Retirement**

- (i) All employees are automatically enrolled in the New York State Employees' Retirement System. All employees with previous enrollment in the retirement system must apply for membership.
- (ii) For information concerning retirement benefits contact:  
  
New York State Employees' Retirement System  
110 State Street  
Albany, New York 12225  
Telephone: (518) 474-7736
- (iii) An application to the New York State Employees' Retirement System office in Albany must be made at least 30 days but not more than 60 days before retirement. A visit is advisable. Forms are available from the retirement office.

### **b. Social Security**

All employees are automatically enrolled in Social Security (FICA).

### **c. Other Retirement Savings Options**

MVLS may provide access to additional retirement savings options, including a 403(b) plan, at the discretion of the Board of Trustees. All contributions to these additional retirement savings options will come from voluntary employee payroll deductions in conformance with the Internal Revenue Code.

## **10. Disability Worker's Compensation and Unemployment Coverage**

All employees are covered by New York State Disability and Standard Workers' Compensation. Information about coverage and appropriate application forms may be obtained from the Administrative Assistant. MVLS is self-insured for unemployment coverage.

An employee who has applied for Worker's Compensation benefits may use sick leave while waiting for approval of the application for benefits. Once Worker's Compensation benefits are approved, the System will supplement the employee's benefit from the employee's available leave allowances until all such leave allowances are exhausted. The leave donation program may not be used to extend the period during which the employee's Worker's Compensation benefit is supplemented. The supplemental amount paid will be calculated so that the employee's biweekly disposable income from Worker's Compensation and the MVLS payroll combined will be equal to the biweekly disposable income the employee would have if s/he were being paid as an active employee.

While on leave, the employee will not accrue seniority. If the leave is for six months or more, the employee will not advance on the salary schedule at the next opportunity for such advancement which follows the commencement of the leave; if the leave is for less than six months, the employee will advance on the

salary schedule as if the employee's service had not been interrupted by the leave.

While on leave, the employee will not accrue additional sick or vacation leave or other benefit credits.

If any part of the initial full payment is reimbursed by the Worker's Compensation system to MVLS, leave allowance will be restored to the employee to the extent of the reimbursement.

## **F. EMPLOYEE RESPONSIBILITIES**

### **1. Personnel Matters**

#### **a. Forms**

Upon entering and terminating employment with the Employer, an employee must personally complete personnel forms by visiting the Administrative Assistant. This process is designed to inform employees of their rights, responsibilities, and benefits and to provide the Employer with the necessary information for personnel records.

#### **b. Change of Status**

Employees are responsible for informing the Administrative Assistant of any change in name, address, telephone number or marital and dependent status.

#### **c. Bulletin Boards**

Employees are urged to check bulletin boards, email and employee mailboxes regularly for official notices. Employees should be familiar with the information contained in posted notices.

### **2. Attitudes**

**a.** Employees are expected to be courteous and businesslike in their interactions with member library staff and representatives, other employees, and the public.

**b.** Employees should not discuss personal or Employer matters within hearing of the public. The internal affairs of the Employer are to be held in confidence.

### **3. Conduct**

**a.** Employees should work in a professional manner with consideration of their fellow employees.

**b.** Eating and drinking are to be confined to specified areas only.



- c. MVLS Service Center is a non-smoking facility. No smoking is allowed within 50 feet of the MVLS Service Center building. Employees are permitted to smoke outdoors outside of the 50 foot boundary during lunch and breaks.
- d. Employees are requested to limit personal telephone calls to those absolutely necessary.
- e. Employees should not be solicited for any purpose by any employee or the public.
- f. The use of illegal drugs, alcohol or tobacco in the Service center or on MVLS property is prohibited except that employees may smoke outside the building (50 feet or more away from the building) during their breaks.

#### **4. Work Performance**

A full day's work in both time and quality is expected.

#### **5. Dress**

Neatness in personal appearance is important. Employees are expected to dress suitably and in good business taste.

#### **6. Loss of Personal Property**

The Employer is not responsible for loss of personal property.

#### **7. Speaking to Groups**

- a. All requests for talks about MVLS should be made to the Director by the group requesting the talk. If the group makes the request to the employee they wish as a speaker, s/he should request permission before the talk.
- b. Employees are allowed time for the talk as well as necessary travel time. The time should be taken from the day's schedule, if possible.
- c. When possible, some library time may be allowed for the preparation of talks.

#### **8. Daily Closing of the System Building**

Employees are responsible to insure that the Service Center is appropriately secured at the end of the business day. Upon closure of the building, employees should ascertain that copier and other equipment is off and lights, except for those in the two side corridors, are extinguished. All doors to the building should be locked. The last employee to leave the building must activate the security system.

### **G. EMPLOYEE PRIVILEGES**

#### **1. Staff Areas**

- a. Staff room and rest rooms are available for employee use.

- b. Cleaning and janitorial services are routine. However, employees must keep staff areas neat and are responsible for washing dishes and cooking equipment that they have used.
- c. Food stored in the refrigerator should be removed at the end of the week to prevent spoilage and accumulation.

## **2. Internet and Email**

The Employer may assign the employee an e-mail account and provide Internet access so that the employee can perform job duties. Use of these resources for personal purposes is not prohibited, but employees are expected to behave responsibly in their use. The Employer may at any time review and monitor any file or data stored on Employer computers, or on removable media used on any Employer computer, and any electronic communication sent from or received by an Employer computer or using an Employer-assigned e-mail account.

## **3. Purchase of Books and other Library Materials**

On occasion, MVLS will coordinate a staff order of library materials at discount prices. All employees and retired employees may purchase such items at discounted price. Payment must be made within 30 days of the date of notification to receive ordered articles.

## **4. Loan of Library Materials**

Employees will be issued a borrower's card for the MVLS/SALS Joint Automation system, and are exempt from fines for transactions at MVLS. Employees already holding borrower's cards will also be marked fine-exempt while employed by the Employer.

## **5. Office Equipment**

Employees may use MVLS photocopiers and faxes and other office equipment for personal use for a reasonable amount of personal work.

# **H. TERMINATION OF SERVICES**

## **1. Retirement**

- a. Notification of retirement should be made to the Director no later than the date on which the employee files his or her application with the Retirement System.
- b. Employees should consult the Administrative Assistant about proper procedures for applying for retirement.

## **2. Resignation**

- a. An employee should inform the immediate supervisor of the intent to resign and submit a signed resignation to the supervisor or Director indicating the date of resignation.

- (i) The Director and the Assistant Director are expected to give at least 30 days notice.
- (ii) All other employees are requested to give at least two weeks' notice.
- b. Accrued vacation time may, at the discretion of the Director be used as part of the notice period.
- c. Copies of all written resignations are kept in the personnel files.

### **3. Dismissal**

#### **a. Unsatisfactory Performance**

An employee failing to fulfill the duties and responsibilities of his or her position is subject to dismissal.

- (i) If the conduct or performance of probationary employees is not satisfactory, their employment may be terminated immediately.
- (ii) Following the successful completion of the probationary period, an employee who disregards oral and/or written warnings regarding conduct and performance of duties is subject to dismissal. Certain forms of misconduct or insubordination may be grounds for immediate termination without prior or written notice. Such dismissals may be reviewed through the applicable grievance procedure.

#### **b. Financial Exigency or Discontinuance of Activity**

An employee may be laid off when retrenchment is necessitated by financial exigency or in the event that the best interests of the Employer warrant the discontinuance or curtailment of a service. Lay-off decisions will be made by the Director, and shall comply with the requirements of the Memorandum of Agreement where applicable.

Notice of a layoff will be given as far in advance as possible.

### **4. Inquiries And Requests For References With Respect To Employees And Ex-Employees**

- a. All inquiries from external sources about the status and performance of employees and ex-employees, including requests for references, shall be referred to the Executive Director. No employee shall provide any information in response to such an inquiry, except as authorized by the Executive Director.
  - (i) Current Employees: The Executive Director will decide on a case-by-case basis whether to provide a verbal or written reference for a current employee.
  - (ii) Ex-Employees: Unless specific arrangements are made, the only information provided in response to an inquiry concerning an individual

who is no longer an employee of the System will be that s/he was employed, the job title, starting and ending dates of the employment, and salary at the time s/he left employment.

## **I. MISCELLANEOUS**

### **1. Emergency Closing**

- a. In the event of a snow day, delayed opening or other emergency closing, employees will call the MVLS Service Center for instructions. Electronic notification will be sent to member libraries and the delivery service canceling courier service.
- b. In the event of an emergency event that results in damage to or closure of the Service Center, staff will be contacted with information on reporting to another work site.
- c. Full-time employees will be paid their regular wage when MVLS is closed due to emergencies. Non-full-time, employees are not paid for time not worked when MVLS is closed for an emergency. At the supervisor's discretion and upon mutual agreement, a non-full-time, employee may adjust their schedule to make up for regularly scheduled hours that are not worked due to emergency closure.

### **2. Travel Allowance**

- a. An employee traveling on Employer business is expected to use an Employer owned vehicle, if available. The Director may authorize use of the employee's personal automobile, if no Employer-owned vehicle is available.
- b. Priority uses of the vehicle are annual and board meetings and long distance trips. Consolidated use of the vehicle is recommended.
- c. If use of the employee's personal automobile has been authorized in advance, the employee will be reimbursed for its use at the per-mile rate in use by the I.R.S. for income tax at the time.

### **3. Accidents at the MVLS Building**

- a. Occupational Disease or Injury to employees
  - (i) All accidents occurring while on duty should be reported immediately in writing to the Administrative Assistant. The written report should include the date, time, place and the circumstances of the incident. The nature of the injury or disability and the medical treatment received from a doctor or at a hospital should also be provided. The report should be signed by the employee or by someone acting on his/her behalf.
  - (ii) Employees who are injured or disabled on the job are protected by Workers' Compensation. If an injury occurs, a doctor should be consulted. The accident must be reported to the insurance company and a written claim filed for Workers' Compensation within ten days.

**b. Injury or Illness to the Public and Visitors**

- (i) If a visitor becomes ill at the MVLS building, a first aid kit (available in the staff room) may be offered. If the visitor requires an ambulance, the employee in charge should call an ambulance.
- (ii) The employee in charge is responsible for a written statement to the Director reporting the accident or illness and completion of an accident form.

**II. NON-EXEMPT UNION EMPLOYEES**

Non-exempt union employees are those employees in the bargaining unit represented by the Civil Service Employees Association (CSEA). The general terms and conditions of employment for these employees may be found in the Memorandum of Agreement.

Employees with the following position titles are in the bargaining unit represented by the CSEA.

Librarian II  
Librarian I  
Library Assistant  
Clerk-Typist

In the event that this policy deviates from the active agreement with the CSEA, the union agreement will apply for union employees.

**III. NON-EXEMPT NON UNION EMPLOYEES**

From time to time the System may employ individuals who are in non-exempt positions that are in position titles not represented by CSEA. Currently, those titles are Finance Manager and Cleaner. It is understood that the conditions and benefits of employment for these employees is as stated in Section I of this document, unless the employee and employer have signed an employee agreement that deviates from this Personnel Manual, in which case the signed agreement will prevail.

**IV. EXEMPT EMPLOYEES**

Exempt employees are employees who are not included in a collective bargaining unit organized pursuant to the Labor Law, and who perform certain administrative and executive duties as defined by the federal Fair Labor Standards Act. It is understood that the material in Section I applies to Exempt employees. The following provisions apply only to exempt employees.

**A. EXEMPT EMPLOYEE POSITIONS**

The following are the exempt employee positions:

Director  
Assistant Director

## Administrative Assistant

Other exempt positions may be established by the Board of Trustees.

### **B. PROBATIONARY PERIOD**

Every new exempt employee must serve a probationary period of twenty-six weeks.

### **C. SALARIES AND SENIORITY**

1. Salaries of exempt employees are established by the Board. Annual increases in pay become effective as determined by the board. An exempt employee will not be eligible for an annual increase unless he or she was serving in the same position on or before July 1 of the year previous to that in which the increase becomes effective.
2. Years of service, or seniority, shall be determined by continuous service, since the last date of new hire, as a full or part-time employee. Years of service shall be prorated for part-time employees. Years of service shall not include credit for any period when the exempt employee is on a leave of absence without pay.

### **D. BENEFITS**

The Benefits for Exempt employees are as listed in Section I with the exception of the changes listed below.

1. Exempt employees whose health insurance coverage was funded entirely by the Mohawk Valley Library System as of 2006 will continue to receive such coverage at the 2006 policy rates (\$9,987 family, and \$5,309 individual). Any change in insurance rates assessed by the carrier will be assumed by these employees up to the contributory percentage in the collective bargaining agreement.
2. Exempt Employees who leave service and who have completed at least 10 years of credited service and otherwise qualify to continue health insurance may do so by paying the full cost of the coverage.

### **E. GRIEVANCES**

#### **1. Procedure**

##### **First Step**

If a difficulty arises between an exempt employee and his or her immediate supervisor, the employee and supervisor will discuss the difficulty in an attempt to resolve it.

##### **Second Step**

If no solution has been reached at the end of three days, the employee may discuss the difficulty with the Director in an attempt to resolve it. The Director's decision shall be final.

### **Third Step**

The exempt employee shall have the right to appeal the Director's decision to the MVLS Board of Trustees. The appeal must be made in writing, and received by the Board President at least five (5) days before the next regularly scheduled board meeting occurring ten (10) days or more after the employee has been informed of the Director's decision.

## **2. Personnel File**

The exempt employee shall have the right to review his or her personnel file in the presence of a representative of the employer, by submitting a written request to do so at least 48 hours in advance. Pre-employment data shall not be included in the materials the employee is allowed to review. The exempt employee shall have the right to respond to any material in the personnel file, and such response shall be kept with the material responded to.

## Appendix A Voluntary Leave Donation Program

***The Voluntary Leave Donation Program is contained in the current Collective Bargaining Agreement. Participation in this program is available to all MVLS employees under these conditions.***

a.) The Voluntary Leave Donation Program allows Eligible Employees to assist each other in times of medical need by donating accrued leave time to an Eligible Employee with a Serious Health condition who has exhausted all his/her own accumulated leave time. Participation in this program, either as a recipient or a donor, shall be voluntary and uncoerced.

### b.) DEFINITIONS

The following terms, when used in connection with the Voluntary Leave Donation Program of the Mohawk Valley Library System, shall have the meanings set forth below.

1. AUTHORIZED AGENT A spouse, adult child, or parent of an Eligible Employee, or a person appointed by either a power of attorney or a court to act on the Employee's behalf, who submits and processes a request to solicit leave donations on behalf of the Employee because the Employee's Serious Health Condition prevents the Employee from acting.

With the consent of the Executive Director, in appropriate circumstances a person other than those listed may serve as Authorized Agent for an Eligible Employee in connection with the Program.

2. ELIGIBLE EMPLOYEE Any employee with at least one year of service in the System.
3. HEALTH CARE PROVIDER Shall have the same meaning as this phrase has for the purposes of the Family and Medical Leave Act.
4. LEAVE DONOR An Eligible Employee who donates leave to a Leave Recipient as part of the Program.
5. THE PROGRAM The Voluntary Leave Donation Program of the Mohawk Valley Library System.
6. REQUEST A request to solicit leave donations made, in accordance with terms of the Program, by or on behalf of an Eligible Employee.
7. SERIOUS HEALTH CONDITION Shall have the same meaning as this phrase has for purposes of the Family and Medical Leave Act, except that a condition for which the Eligible Employee receives payment pursuant to the New York State Workers' Compensation Law shall not be considered to be a Serious Health Condition for purposes of the Program.
8. SOLICITATION NOTICE The notice used to solicit donations from Eligible Employees on behalf of a Leave Recipient.

### c.) REQUEST FOR SOLICITATION

If an Eligible Employee is expected to be absent from work at least thirty (30) working days because of a Serious Health Condition, and has exhausted all accumulated sick, personal and



vacation leave credits, the Eligible Employee, or an Authorized Agency, may submit a Request to solicit leave donations to the Executive Director. The Request shall be on a form provided by the System, and shall state the number of days of donated leave being requested initially. The Request shall be accompanied by a statement from the Health Care Provider, identifying the Eligible Employee's Serious Health Condition, and indicating the probably duration of the Employee's necessary absence from work resulting from that condition.

#### d.) SOLICITATION

Upon receipt of a Request which satisfies the Program criteria, the Executive Director shall approve the Request, and prepare a Solicitation Notice on behalf of the Leave Recipient. Prior to issuing the Solicitation Notice, the Executive Director shall submit the Notice to the Leave Recipient or to the Authorized Agent, for approval of the description of the circumstances and nature of the absence for which leave donations are being requested; the Notice cannot be posted, and no leave may be donated, until such approval is received.

Employees will be made aware of a solicitation for leave donations by posting of the Solicitation Notice on all bulletin boards within the System office; a copy of the Notice will also be provided directly to each employee. No additional solicitation activity shall be undertaken by the Leave Recipient or by any other employee. This prohibition does not preclude discussion among employees of their personal responses to the solicitation, so long as there is no attempt, in such discussions, to coerce any person into donating or refraining from donating leave. No employee in a supervisory position shall undertake any solicitation activity on behalf of the Leave Recipient, nor shall any employee in a supervisory position offer any opinion as to whether leave should or should not be donated.

#### e.) DONATION

1. Eligible Employees may donate sick or vacation leave in response to a Solicitation Notice. Only leave time already accrued and still available for use by the Leave Donor may be donated; leave time which has been forfeited because the Leave Donor has exceeded the maximum allowable accrued leave, or has failed to use leave within the required period, is not available for donation. Donations must be made in full-hour increments. Any Leave Donor may donate accumulated unused vacation time and may donate all of such leave s/he has. In order to donate sick leave, an Eligible Employee must have more than thirty (30) days accumulated unused sick leave, fifteen (15) days for an employee with less than two (2) years of continuous service; a Leave Donor may donate only sick leave days in excess of the number required to qualify to donate sick leave.
2. Donations of leave must be made within fifteen working days following the initial posting of the Solicitation Notice; donated leave may be applied retroactively to the absence of the Leave Recipient. Leave donations will be processed in the order in which they are received until either the maximum amount of leave requested has been donated, or the final day for donation established by this paragraph has passed.

#### f.) USE OF DONATED LEAVE

1. Donated leave must be used in full day increments, with the following two exceptions:

If the total number of hours donated, divided by the number of hours in the Leave Recipient's regular workday, leave a remainder of less than a full workday, the Leave Recipient may use that partial workday.

If the Leave Recipient is collecting replacement wages through disability insurance, partial day payments may be made to the extent necessary to allow the Leave Recipient to continue to qualify for and receive such insurance.

2. Generally, all leave donated in response to a single solicitation must be taken on consecutive workdays. The Director may approve the use of donated leave to cover intermittent absences, where the Health Care Provider supplies advance documentation of the medical necessity for such intermittent absences.
3. Donated leave not used by the Leave Recipient within one year of the initial posting of the Solicitation Notice before the Leave Recipient's Serious Health Condition ends, whichever is earlier, will be restored on a proportional basis to Leave Donors who donated leave in response to the most recent solicitation or resolicitation made on behalf of the Leave Recipient.
4. Donated leave time will be paid to the Leave Recipient at his/her rate of pay, not at the Leave Donor's rate of pay.
5. Donated leave shall run concurrently with unpaid leave under the Family and Medical Leave Act. Donated leave may not be used to extend the Leave Recipient's total absence from work, including both paid and unpaid leaves, beyond twelve continuous months. The Leave Recipient shall not accrue vacation, sick or personal leave credits during the period s/he is using donated leave time.
6. Payment of premiums for health insurance during a period of donated leave shall be made in the same manner as during a period of extended leave approved by the Board.

#### g.) RESOLICITATION

1. Once an initial Request has been approved, the Leave Recipient or Authorized Agent may submit Requests for additional solicitations to be made; each such Request for an additional solicitation shall be accompanied by a statement from the Health Care Provider supporting the medical need for continued absence from work, and indicating the probable duration of that absence.
2. No more than 260 leave days may be donated to a Leave Recipient employed on a 12-month basis in connection with a single Serious Health Condition. After that maximum is reached, the Leave Recipient may not submit any additional Requests until s/he has returned to work in the System and completed at least one additional year of continuous service.
3. Regardless of the number of days of leave donated, a Leave Recipient shall not be eligible to submit a Request for leave donations with respect to an unrelated medical condition until s/he has returned to work in the System and completed at least one additional year of continuous service.

#### h.) ADMINISTRATION

1. The Leave Recipient, or the Authorized Agent, may be made aware of the names of Leave Donors, but shall not be told how much leave any individual has donated; a Leave Donor may request that the leave Recipient or Authorized Agent not be given the Donor's name, and such request will be honored. No one other than the Leave Recipient, or Authorized Agent, and those employees whose job duties require their involvement in processing

leave donations shall be informed of the names of Leave Donors, or of the amount of leave donated to any Leave Recipient.

2. Submission of the Request and approval of the Solicitation Notice constitute a waiver of confidentiality by the Leave Recipient or Authorized Agent with respect to the information contained in the Request, the Notice, or any documentation at any time provided by the Health Care Provider in connection with the Program, to the extent such documents are used in accordance with the terms of the Program. If necessary, the Leave Recipient or Authorized Agent shall execute a HIPAA release. Such submission and approval further constitute an agreement that neither the Leave Recipient nor any person acting on his/her behalf will attempt to use the disclosure, in connection with participation in the Program, of information concerning the Recipient's Serious Health Condition as evidence in any legal action alleging that the System violated the Leave Recipient's right to privacy or discriminated against the Leave Recipient on the basis of disability or perceived disability.
3. Before making any change in the terms of the Program, the System will notify representatives of the CSEA Bargaining Unit, and consult with them concerning such change.