

METROPOLITAN LIBRARY COMMISSION OF OKLAHOMA COUNTY

ADMINISTRATIVE & PERSONNEL COMMITTEE AGENDA

Members: David Greenwell, Chair
Dr. Anne Caine
Carolyn Cornelius
Shirley Pritchett
Marguerite Ross

Tuesday, January 28, 2003 at 3:30 pm
Southern Oaks Library
6900 S. Walker Avenue
Oklahoma City, OK 73139
Telephone: (405) 631-4468

NOTE: Comments from the general public will be limited to 15 minutes with time prorated among speakers. Preference will be given to residents of Oklahoma County. Persons signing up to address the committee must list their residential address and personally sign a speaker form.

- I. Call to Order and Establishment of Quorum –David Greenwell, Chair
- II. Approval of Minutes from December 4, 2002 meeting
- III. Administrative Recommendations for Revisions to the Metropolitan Library System's Policy & Procedures Manual, Section VIII, Human Resources:
 - ❖ Item A ~ Salary Administration
 - ❖ Item A ~ Salary Administration, Attachment A – Model Merit Increase Guide
 - ❖ Item C ~ Performance Appraisal
 - ❖ Item C ~ Performance Appraisal, Attachment 2 – Procedure for Granting Performance Awards for Part-time Pages
 - ❖ Item F ~ Wages and Hours: Overtime Pay, Breaks, Meal Periods
 - ❖ Item G ~ Civil Rights
 - ❖ Item H-1 ~ Due Process Hearing in certain Employment Actions
 - ❖ Item I ~ On-The-Job Injuries: Workers' Compensation Policy
 - ❖ Item J ~ Facility Access
 - ❖ Item L ~ Prohibiting Future Hiring of, or Contracting to Hire, Close Relatives of Commission or Staff
 - ❖ Item O ~ Alcohol and Drug use Policy

Cc: Metropolitan Library Commission
Administrative Team
Darlene Browers, President, Staff Association
Agency and Department Heads

**METROPOLITAN LIBRARY COMMISSION
SERVING OKLAHOMA COUNTY**

ADMINISTRATIVE & PERSONNEL COMMITTEE

MINUTES

DATE: Wednesday, December 4, 2002 TIME: 3:30 PM
MEETING PLACE: Belle Isle Library
5501 N. Villa
Oklahoma City, OK 73112
(405) 843-9601

Written public notice of the time, date and place of this meeting was given to the County Clerk of Oklahoma County, October 29, 2002. Notice of the time, date, place, and agenda for this meeting was posted by the Secretary of the Commission in prominent public view at the Belle Isle Library, 5501 N. Villa, and the Downtown Library, 131 Dean A. McGee Avenue, Oklahoma City, on November 26, 2002, in conformity with the Oklahoma Open Meeting Act.

COMMITTEE MEMBERS PRESENT:

David Greenwell, Chair
Dr. Ann Caine
Carolyn Cornelius
Shirley Pritchett
Marguerite Ross

COMMITTEE MEMBERS EXCUSED:

COMMISSION MEMBERS PRESENT:

Penny McCaleb, Chair, Metropolitan Library Commission
Scott Duncan, Chair, Executive Director Ad Hoc Evaluation Review Committee

ESTIMATE OF OTHERS PRESENT: 12

I. The meeting was called to order at 3:32 p.m. by Mr. David Greenwell, Chair.

Roll was called to establish a quorum. Present: Caine, Cornelius, Pritchett, Ross, Greenwell.

II. Mr. Greenwell called on Mr. Scott Duncan to present the Report and Recommendations from the Executive Director Ad Hoc Evaluation Review Committee (Review Committee.)

Mr. Duncan thanked the members of the Review Committee for their hard work, dedication and time. He thanked the many members of the Commission who attended and participated in the meetings. And he thanked Mrs. Lori Kane, Executive Assistant, for ably assisting through the whole process.

He gave a summary of the Review Committee's work. The Review Committee's first order of business was to establish goals and ground rules. After this was accomplished it laid out the hurdles and roadblocks to overcome and began work.

The Review Committee reviewed the last evaluation form and process that was used by the Commission to evaluate the Executive Director. And it reviewed two other non-profit Executive Director Review formats. After many long and arduous brainstorming sessions the Review Committee feels it has accomplished its given task.

However, it is stressed that this must be an on-going process. The method of gathering information, the process of evaluation, the evaluation form, and the responsibility of the people completing it should be reviewed annually on its effectiveness.

Finally, the Review Committee feels strongly that the Administrative & Personnel Committee (A & P Committee) should be responsible for conducting the evaluation process.

Mr. Duncan presented the draft evaluation process and form for discussion.

Mrs. Carolyn Cornelius moved to accept the Executive Director Evaluation Process and the Executive Director Evaluation Form with the following provisos:

- ❖ **That the Evaluation Process reflect that the A & P Committee is to conduct an annual review of the process and form and apply revisions if necessary.**
- ❖ **That the Evaluation Process reflect that the Chair of the A & P Committee will have the responsibility of**

collecting and compiling the responses from the Administrative Team members, with complete confidentiality.

- ❖ **That the Evaluation Form state that any rating of five (5) or below requires comment from the evaluator.**
- ❖ **That the Evaluation Process reflect that all evaluators will be given the Rating Definitions with the Evaluation Form.**

And that all proviso changes are completed in the Evaluation Process and Evaluation Form given with the Report and Recommendations from the A & P Committee to the Commission. Mrs. Shirley Pritchett seconded. After discussion, motion passed unanimously.

III. Mr. Greenwell called on Mrs. Anne Hsieh, Director of Finance, to present agenda item: III a, the draft revision to Item B – Travel and Registration Expense Reimbursement from the MLS Policy and Procedure Manual, Section VIII, Human Resources.

Mrs. Hsieh stated that most of the revisions are minor changes to streamline the process. The only major change is to the allowable daily expenses for meals and incidentals.

The proposed revisions replace the old rates with the current federal standard rates regulated by the IRS. Currently, the basic federal standard rate is \$30 per day but various higher rates are allowed for high-cost localities. The IRS reviews and amends those rates annually to keep up with the general cost-of-living increases. It is reasonable for the Library System to be in compliance with IRS regulations in terms of rates and to have more flexibility for future rate changes. Mrs. Hsieh asked for questions and discussion.

Mrs. Pritchett moved to approve the December 2002 Revisions to the Metropolitan Library System Policy & Procedure Manual, Section VIII, Human Resources, Item B – Travel and Registration Expense Reimbursement as presented. Dr. Ann Caine seconded. After discussion, motion passed unanimously.

IV. Mrs. Hsieh presented the next draft revision under agenda item III. Item D – Retirement Policy.

No changes are being made to this policy; the proposed revision simply adds some general information.

This policy is not intended to replace the actual pension plan document. The pension plan that is administered by the Library Retirement Pension Board governs the retirement process. Mrs. Hsieh asked for questions and discussion.

Mrs. Cornelius moved to approve the December 2002 Revisions to the Metropolitan Library System Policy & Procedure Manual, Section VIII, Human Resources, Item D-Retirement Policy, with the proviso that the date of the Pension Board adoption of the restated and amended Pension Plan be entered into this policy. Ms. Marguerite Ross seconded. After discussion, motion passed unanimously.

V. Mr. Greenwell called on Mr. Ric Rea, Director of Human Resources, to present agenda item: III c, the draft revision to Item E – Employee Leave Policies from the MLS Policy and Procedure Manual, Section VIII, Human Resources.

Mr. Rea stated that the proposed changes do not change the amount, restrictions or methods of the various leaves. Rather they are editorial in nature, examples designed to make the policies more understandable or to update the method for reporting leave.

The major change proposed to the leave policy is the deletion of Temporary Disability Leave. Prior to the passage of the Federal Family and Medical Leave Act in 1993 (FaMLA), the Library System had a Temporary Disability Leave, which provided some of the same basic provisions. After FaMLA was adopted, the library policy was not necessary.

Dr. Caine moved to approve the December 2002 Revisions to the Metropolitan Library System Policy & Procedure Manual, Section VIII, Human Resources, Item E – Employee Leave Policies as presented. Mrs. Cornelius seconded. After discussion, motion passed unanimously.

VI. Mr. Rea presented the next draft revision under item III. Item H-2 – Grievance Policy and Procedures.

One of the proposed revisions would extend the grievance procedure to designated part-time FTE (Full Time Equivalent) employees that are generally budgeted in Account 101. The current wording in the policy excludes this class of employee and those undesignated part-time employees budgeted in Account 102 (such as part-time pages).

The major change in the policy is at Step 4 in the procedure. Currently Step 4 involves a hearing before a Grievance Review Board that consists of seven full-time employees drawn by lot at the time an appeal reaches that step.

An appeal from the decision of this Board would go to the Administrative and Personnel Committee.

The proposed revision is made to meet the requirements of the Metropolitan Library Act. The act states that the Executive Director appoints and removes staff members and other employees, subject to the approval of the Commission.

While the grievance policy is not restricted to cases of termination of employment, without the Executive Director being a part of the process in the case of termination the procedure would seem not to meet the requirements of the Act.

The Grievance Review Board functions, at best, with considerable difficulty. Many employees do not want to serve on the board. Many employees do not want to have their grievance heard by fellow employees and many employees do not want to hear the details of someone else's grievance. The board generally feels uncomfortable in the hearing situation as they have little or no training in conducting such a procedure. The grievant and the supervisor both may be represented by legal counsel, thus making it more intimidating for the board members. Confidentiality is also a concern in this process.

By having the Executive Director conduct the hearing, several things can be accomplished. First, training and guidance can be provided for the Executive Director in advance of any grievance on conducting such a hearing. Confidentiality of the matter can be more easily assured. Finally, the Executive Director is placed in the decision making process, thereby fulfilling the authority granted under the Metropolitan Library Act.

Ms. Ross moved to approve the December 2002 Revisions to the Metropolitan Library System Policy & Procedure Manual, Section VIII, Human Resources, Item H-2 - Grievance Policy and Procedures as presented. Mrs. Cornelius seconded. After discussion, motion passed unanimously.

VII. Mr. Greenwell called on Ms. Judy Walden, Deputy Director MLS/Public Services, to present agenda item: III c, the draft revision to Item K - Staff use of Public Library Property and Services from the MLS Policy and Procedure Manual, Section VIII, Human Resources.

Ms. Walden stated that the proposed policy revision presented is an updated and combined version of two previous policies: Item K - Staff Use of Library Equipment Including Computer Services (1/85) and Item M - Staff Use of Library Materials.

Both policies addressed legal and ethical issues regarding staff use of library property and contained some duplication. The two policies have been combined into a single more general policy

Changes include adding a general statement about obeying copyright laws for all types of materials including computer software, not storing personal files on library premises, and not installing unapproved software on library computers. Also, added is a non-definitive list of equipment and services affected by the policy.

Mrs. Pritchett moved to approve the December 2002 Revisions to the Metropolitan Library System Policy & Procedure Manual, Section VIII, Human Resources, Item K – Staff use of Public Library Property and Services as presented. Dr. Caine seconded. After discussion, motion passed unanimously.

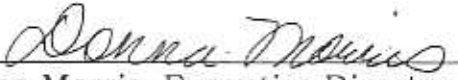
Mr. Greenwell stated that he enjoyed reading these policies and procedures. He feels Mrs. Hsieh, Mr. Rea, and Ms. Walden did a complete and thorough job of completing and presenting the revisions. He thanked them for their hard work.

Mr. Rea stated that the Oklahoma Department of Libraries is requiring libraries to review and update their Policy and Procedure Manual on a regularly scheduled basis. Mr. Rea suggested a possible Administrative and Personnel Committee meeting be scheduled for February 2003 to have further revisions presented.

VIII. Mr. Greenwell asked for a motion to adjourn.

Dr. Caine made the motion to adjourn. Ms. Ross seconded. Motion passed unanimously.

Meeting adjourned at 5:01 p.m.


Donna Morris, Executive Director
(Secretary)

REPORT AND RECOMMENDATIONS FROM ADMINISTRATION

Summary of Revisions to the Metropolitan Library System's Policy & Procedure Manual, Section VIII, Human Resources

Periodically it is important to look back at the policies of the library system to see that they meet the requirements of a changing environment. This is particularly true in the area of Human Resources, as both legislative enactment and judicial decision govern our practices.

"Rules and Regulations for State Aid Grants to Public Libraries" requires libraries to submit performance measures data each year to be eligible for state aid. This review is intended to insure that all libraries examine their policies. This is just one of the performance measures require for state aid. This report completes the review of Section VIII, Human Resources, of the Policy & Procedure Manual, for this review period.

In most instances the changes are clarifications of the existing policies, wording changes, and/or examples of intent.

Added information includes:

- ❖ Item A - an additional statement on the actual practice regarding salary when a position is re-classified to a higher grade
- ❖ Item G - additional statements are made on prohibited harassment and discrimination to include the protected categories of age, veteran status, and physical or mental disability.
- ❖ Item H-1 - adds wording from the US Supreme Court decision on due process.
- ❖ Item I - adds wording from the workers' compensation law on employee job retention rights.

The policies listed under Agenda item III are contained in the following pages, ***the changes are italicized and bolded***, for easier reference.

ADMINISTRATIVE RECOMMENDATION AND COMMITTEE ACTION

The Administration recommends that the Administrative & Personnel Committee approve the revisions to the Metropolitan Library System Policy & Procedure Manual, Section VIII, Human Resources, Items A, C, F, G, H-1, I, J, L, O, Item A - attachement A, and Item C - attachement 2.

METROPOLITAN LIBRARY SYSTEM

SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM A ~ SALARY ADMINISTRATION

(Last revised: *date of commission action*)

I. Purpose of Salary Administration Program

The salary administration program is the formal system for classifying and compensating employees in the Metropolitan Library System. It is divided into two distinct programs or plans.

1. The Classification Plan, which is the categorization of job positions, duties and necessary qualifications.
2. The Compensation Plan, which provides a salary structure.

II. Amendment of Salary Administration Program

The Director of Human Resources, when necessary or when requested by the library system's Executive Director, shall cause the salary administration program to be examined for the purpose of amendment. On the basis of conclusions reached through this examination, the Executive Director will present recommendations for revisions in the salary administration program to the Metropolitan Library Commission for appropriate action. The salary administration program shall constitute the pay schedule for positions and shall be effective for the ensuing fiscal year (or at such time as the Commission may designate) and thereafter until amended or a new salary administration program is adopted by the Commission.

III. Classification Plan

The position Classification Plan provides a systematic arrangement and inventory of the positions within the library system. Each job description lists the minimum requirements or qualifications needed to perform the job such as education, work experience and other qualifications. By describing essential job functions, job duties, responsibilities and qualifications, the Classification Plan provides guidelines for establishing a pay plan based on these relationships.

1. Job Descriptions

Job descriptions are descriptive and explanatory and are not necessarily inclusive of all duties performed. They are designed to indicate the types of duties and level of responsibilities assigned to the class. The use of a particular description as to duties, qualifications or other factors shall not be held to exclude others of similar kind or quality.

2. Official Copy of Job Descriptions

- A. The Director of Human Resources shall maintain a master set of all approved job descriptions which shall constitute the official Classification Plan. The copies of the descriptions may include the date of adoption and/or last revision of the job description.
- B. The Director of Human Resources shall **make available to** each department head a set of job descriptions of those positions in his or her department and other positions as necessary. Job descriptions maintained in Human Resources shall be open for inspection by employees and the public under reasonable conditions during business hours.

3. Titles of Positions

The title of a position shall be used to designate the position in all budget estimates, payrolls and other official records, documents, vouchers and communications in connection with all personnel processes.

4. Minimum Qualifications

Minimum qualifications are considered comprehensive statements of the minimum required education, experience and other qualifications for all cases as evidence of an employee's ability to perform the work properly. Reasonable accommodation of all disabilities qualifying under the Americans with Disabilities Act will be considered on a case by case basis.

IV. Procedures for the Classification of New Positions

1. The Director of Human Resources shall create new job descriptions for positions upon receipt of the prescribed forms indicating a statement of duties, responsibilities and requirements of such position from the Ad Team level administrator. Whenever a new position is created, a completed Position Description Questionnaire (PDQ) must be submitted to the Director of Human Resources. A desk audit and/or interview with the incumbent, Ad Team level administrator and/or supervisor may be required by the Director of Human Resources after a new position is created and occupied, to verify that the position has been appropriately allocated.
2. The Director of Human Resources reviews and recommends approval or disapproval to the Executive Director all proposed position creations, allocations, reallocations and abolishments.
3. The Executive Director shall review and approve or disapprove recommendations of the Director of Human Resources regarding all proposed position creations, allocations, reallocations and abolishments.

V. Procedures for the Reclassification of Positions

The Director of Human Resources shall recommend changing the classification of existing positions when it is determined that the position is incorrectly classified. Such action is called reclassification and must be reviewed and approved by the Executive Director. If an employee has facts that indicate that his/her position is improperly classified, the employee may request the Director of Human Resources to review the classification of the position, with the knowledge of the involved Ad Team level administrator. Such request shall be submitted in writing and shall contain a statement of justification. For this or any other type of request for reclassification from any source, the Director of Human Resources shall thereupon investigate actual or suggested duties of the position and, if warranted, recommend the Executive Director approve reclassification of the position to its appropriate grade. Reclassification may occur as the result of the conditions described below.

1. The position was incorrectly classified and there has been no substantial change in duties from those in effect when the position was originally categorized.

If the position is occupied at the time of reclassification, the employee shall be entitled to serve therein and retain the corresponding status after the position is reclassified.

2. There has been a substantial change in the duties and responsibilities associated with a position since it was classified to a particular grade.
 - A. If the position is assigned a higher pay grade than the current position, such action is considered an upgrade for the position, but not a promotion for an incumbent in the position. If the position is occupied at the time of an upgrade, the incumbent may be reclassified without examination, but does have to meet the minimum qualifications of the new position if they are changed. *In the case of an upgrade resulting from a reclassification, if the employees salary falls within the range for the higher pay grade, no salary increase is involved. If the employees salary falls below the minimum for the higher pay grade, a salary increase to the minimum of the higher grade is required.*
 - B. If the position is assigned to a lower grade, the change is called a downgrade of the position. If the position is occupied, the incumbent will continue at the same pay and may receive increases to the maximum of the range of the lower grade. If the current salary is above the maximum for the lower grade, the employee shall be permitted to continue at the present rate of pay, but will not be entitled to future salary increases until market adjustments have extended the maximum of the range beyond the employee's salary.
 - C. In all cases of reclassification, if the position is vacant, it shall be filled in the prescribed manner. In all cases of reclassification of an occupied position, the incumbent is reclassified consistent with the new classification. The review date of the incumbent is not changed by reclassification. Any employee affected by reclassification of his/her position may file with the Director of Human Resources a written request for reconsideration thereof in such manner and form

as the Director of Human Resources may prescribe and shall be given a reasonable opportunity to be heard thereon.

VI. Abolishment of Positions

Whenever there is justification for abolishing a position such as lack of work, reorganization, lack of funds or other reasons, the Ad Team level administrator shall make such recommendation to the Director of Human Resources. The Director of Human Resources shall review and present such recommendation for approval to the Executive Director. In no case will a position be abolished solely as a means of terminating an employee.

VII. Maintenance of the Classification Plan

1. Each time a group or department is substantially reorganized, the Ad Team level administrator will submit new Position Description Questionnaires for all affected positions to the Director of Human Resources.
2. The Director of Human Resources may require the Ad Team level administrator to submit Position Description Questionnaires at any time when there is reason to believe there has been a change in duties and responsibilities of one or more positions.
3. Any change in the Classification Plan, such as establishing new positions, abolishing positions, reclassifying positions or pay grade changes for positions require prior review by the Director of Human Resources and the approval of the Executive Director.
4. Periodically, the Director of Human Resources shall review the Classification Plan to determine if changes need to be made.

VIII. Compensation Plan

The Compensation Plan is designed as a fair and equitable method for payment of employees in the library system. The plan establishes a basic salary schedule as approved by the Commission. The salary ranges shall include minimum and maximum rates of pay for all positions included in the Classification Plan. In addition to the basic salary schedule, the Compensation Plan consists of two

salary components. These two mechanisms include market adjustments and performance increases.

1. Components of the Compensation Plan

The compensation for each employee is the product of the basic salary structure and the two components of the Compensation Plan that shall be used to adjust employee compensation. These two components are discussed in detail in the following sections.

A. Market Adjustment

The market adjustment is the component that is used to insure that the salary structure is adjusted equally across-the-board to reflect changes in the wage index. Two considerations dictate whether or not a market adjustment will be administered: changes in the wage index based upon references such as the Bureau of Labor Statistics (BLS) and the budgetary constraints of the library system. Each year, the Commission shall vote on the applicability and the ability to apply a market adjustment to the salary structure. When applicable and when funds are available, a percentage increase will be applied equally to all ranges and will be applied to all eligible employee salaries.

B. Performance Awards

The performance award component is designed to reward job performance, therefore, serving as an incentive system. Increases are awarded to employees whose performance is evaluated as consistently competent and/or above standard. The performance appraisal is essential to the effective utilization of this component. The performance system is based upon the principle that standard or above standard performance should be rewarded because such performance is a greater contribution to the library system than below standard performance. The performance award is strictly used to monetarily reward standard or exceeding standard performance. Employee performance will be evaluated in accordance with the Performance Appraisal Policy of the library system (Policy & Procedures Manual Section VIII,

Item - C). Employees whose performance is evaluated in accordance with the appraisal policy may receive performance increases based upon the guide adopted by the library commission. Performance award increase percentages in this guide are set annually as a part of the budget process based upon the financial ability of the library system to offer them. A model guide is presented as Attachment A to this policy; however, the increase percentages shown are strictly an example and are in no way binding for any year.

Employees at the maximum of their salary range are not eligible for performance increases. However, they are eligible for performance bonuses that shall be paid in the form of lump sum bonuses. These bonuses are earned at the rate of **three-fourths** of the applicable performance award increase percentage of annual base pay.

2. Starting Rates for New Employees

In most cases, a new employee will be paid the minimum rate of pay for the position. Exceptions may be granted upon the **recommendation of the Director of Human Resources** and approval of the Executive Director. Exceptions may be made in the following cases.

- A. The minimum rate for each position is based upon the assumption that a new employee meets the minimum qualifications stated in the job description. In the event that qualified applicants cannot be located for a given position, consideration should be given to establishing a new position at a lower grade which will reflect lower level duties and corresponding lower entrance requirements.
- B. If a selected candidate exceeds the minimum qualifications stated in the job description and will not accept appointment at the minimum rate for the position, the candidate may be appointed at a higher rate up to the midpoint of the salary range. These cases should be thoroughly analyzed and measured against objective qualification standards.

Consideration should be given to review and compare

the salaries of employees in similar positions. In addition, every effort should first be made to recruit a qualified employee who will accept appointment at the minimum rate for the position.

- C. Difficulty of recruitment may require payment of a higher rate. If difficulty of recruitment at the minimum rate in the salary range persists, consideration should be given to assigning a higher hiring rate or reevaluation of the position to determine if a higher pay grade is indicated.

3. Part-time Employment

- A. Individuals employed on a part-time basis in positions with equivalent full-time positions in the Classification Plan are assigned to appropriate grades by the Director of Human Resources. The same principles which apply to the Compensation Plan for full-time employees will determine salary procedures for these part-time employees. These part-time employees can qualify to earn a performance award (increase and/or bonus) on the same basis as full-time employees.
- B. Individuals employed on a part-time basis in positions where no equivalent full-time position exists will be assigned to a pay range on a compensation plan specifically adopted for part-time employees. These part-time employees can qualify to earn performance increases *in accordance with the procedure for granting performance awards for part-time pages.*
- C. Both types of part-time employees are eligible for market adjustments in accordance with these policies.

4. Reinstated Employees

A reinstated employee shall be paid at a salary rate within the approved salary range for the position in which the employee is reinstated. The salary level in the range will be related to, but not limited to such factors as performance, experience and length of previous service in the library system and shall be set by the Director of

Human Resources with the approval of the Executive Director.

5. Employee Transfers

An employee may be transferred to another department or location in a similar position, and such transfer shall not change the employee's pay or the date from which eligibility for consideration for a performance increase will be counted.

6. Temporary Work at a Higher Classification

An employee may be required to work at a higher classification on a temporary, incidental or emergency basis with the approval of the Director of Human Resources or Executive Director and may do so for a period of thirty (30) days or less at no increase in pay. If the employee is required to perform the duties for a period exceeding thirty (30) days, the employee may be given an emergency appointment (or provisional appointment) to the higher position and be paid the appropriate rate for the higher classification. At the conclusion of the assignment, the employee's pay will revert to the authorized rate established for the employee's regular position. Any such temporary increase granted will not affect the employee's eligibility for normal merit advancements. Temporary assignment may not exceed six (6) months without written approval for extension by the Director of Human Resources and approval by the Executive Director.

IX. Promotional Increase Policy

When an employee *occupying a full-time position or a part-time position for which there is a full-time equivalency* is promoted to a position in a higher grade, the employee's salary will increase at least to the minimum or hiring salary of the new grade. If an employee is promoted to a position one grade higher, the increase will be at least the minimum or hiring salary of the new grade or at least the percentage interval difference between the old and new grades added to the previous salary, *whichever is the greater*. If any employee is promoted to a position two or more grades higher, the increase will be at least the minimum or hiring salary of the new grade, or at least ten percent (10%) and not more than fifteen

percent (15%) more than the previous salary. In no case shall the increase be in excess of the maximum of the new range.

When a part-time employee occupying a position for which there is no full-time equivalency is promoted to a position in a higher grade, the employee will be treated as a new hire when considering the starting rate for the full-time position (i.e., up to the midpoint of the salary range).

The Director of Human Resources will determine the amount of the promotional increase within the standards stated in this policy. The decision regarding a promotional increase will reflect the promoted employee's experience and qualifications in comparison with other employees' backgrounds in the same job.

X. Effects of Demotion

When an employee is demoted to a lower position, the employee will be paid at a rate that is within the approved range for the lower position or will have their rate frozen at the prior level until the approved range exceeds that amount. The rate of pay will be recommended by the Director of Human Resources and approved by the Executive Director taking into consideration the circumstances and reasons for the demotion. An employee who has not completed six months in the previous position prior to demotion will be required to serve six months in the position to which he/she was demoted before being eligible for further promotion.

When an employee requests a demotion to a lower position and performance is not an issue in the request, the employee will be paid at a rate that is within the approved range for the lower position. In no case can the rate be higher than the employee was making prior to demotion. In considering the appropriate salary level in a requested demotion, a suggestion, but not requirement, would be that the amount of decrease would be the percentage interval difference between the old and new grades. The rate of pay will be recommended by the Director of Human Resources and approved by the Executive Director.

ITEM A ~ SALARY ADMINISTRATION

ATTACHMENT A - MODEL MERIT INCREASE GUIDE

The increase percentages shown here are strictly an example and are no way binding for any particular fiscal year.

QUARTILE	1	2	3	4
PERFORMANCE RATING	PERFORMANCE AWARDS % INCREASE			
3.50 TO 4.00	6	6	5	5
2.75 TO 3.49	3 - 5	3 - 4	2 - 3	2 - 3
2.00 TO 2.74	2 - 3	1 - 2	0	0
1.00 TO 1.99	0	0	0	0

PERFORMANCE RATINGS

Rating 3.50 to 4.00 - Performance Substantially Exceeds Standards

All standards were met and most were clearly exceeded. The individual performance in important job objectives goes beyond what is required.

Rating 2.75 to 3.49 - Performance Meets All Standards

The individual performance is fully satisfactory and all performance standards and objectives were met at pre-established levels of proficiency.

Rating 2.00 to 2.74 - Performance Acceptable/Some Improvement Needed

The basic and/or most important standards are being met satisfactorily; however, some areas need improvement. This is a way of telling the employee that there are some areas in his/her performance that are less than satisfactory and need to be addressed.

Rating 1.00 to 1.99 - Unacceptable Performance

The individual performance is unacceptable, with the basic and/or most important standards not being met satisfactorily. With this rating, the employee should be on performance probation as well as an improvement program for these areas of responsibility.

METROPOLITAN LIBRARY SYSTEM

SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM C ~ PERFORMANCE APPRAISAL

(Last revised: *date of commission action*)

Policy:

The performance of each employee is periodically evaluated in writing via the Performance Appraisal Summary. Each new **full-time or designated part-time FTE (i.e., a part-time employee for which there is a full-time equivalent position in the classification plan, usually, but not always, paid from budget account 101)** employee will be evaluated at six months using the Performance Appraisal Summary Sheet. Subsequent evaluations are made at least annually. Administration may request appraisals at any time.

Procedure:

1. The appraisal form will be sent by the Human Resources Office to the supervisor approximately four to six weeks in advance of the review date
2. The supervisor prepares the appraisal based on **performance standards** established with the employee at the beginning of the appraisal period.
3. The supervisor reviews the appraisal with the employee and together they review **the performance standards in effect for the next performance appraisal**.
4. The employee is provided with a copy of the appraisal **and the standards for the next performance appraisal** and signs for receipt of both.
5. The **appraisal form and next set of standards** are routed to the reviewing supervisor for comments and signature.
6. The reviewing supervisor routes **these items** to the reviewing administrator for comments and signature.
7. The reviewing administrator routes the forms to the Human Resources Office.
8. The Human Resources Office initiates such action as appropriate under the salary administration policy, due process policy or grievance policy.

METROPOLITAN LIBRARY SYSTEM

SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM C ~ PERFORMANCE APPRASIAL

ATTACHMENT 2 - PROCEDURE FOR GRANTING PERFORMANCE

AWARDS FOR PART-TIME PAGES

(Last revised: *date of commission action*)

The following alternate procedures are approved for granting performance awards for part-time pages:

Eligibility

The individual must have completed a minimum of six months of employment with the library system in the capacity of part-time page.

Effective Date

All awards will be granted during the period of January 1 through June 30 of the calendar year. Awards may be granted annually (providing funds are budgeted for that purpose) until an individual has reached the maximum salary for a part-time page.

Individuals completing six months of service prior to January 1, are eligible for the appropriate increase upon the first day of any pay period after January 1 upon submittal by the supervisor of the appropriate evaluation or ranking order.

Individuals completing six months of service after January 1 when being individually evaluated under Option A or individuals completing six months of service after the preparation of the ranking order under Option B will be eligible for the appropriate percentage increase on the first day of the next pay period after completing six months providing that the date falls within the effective date window of opportunity.

Funding

Performance awards can be granted only in those fiscal years during which funds are budgeted for this purpose.

Choice of Options

Each library manager may choose either Option A or Option B (listed below) as the procedure for use for all part-time pages at that library. The decision to change from one option to the other can only be made once annually and must be reported to the Human Resources Office at that time. Once an option is selected, it will remain effective for the entire fiscal year.

Part-time Page Performance Award Options

OPTION A	OPTION B
INDIVIDUAL PERFORMANCE STANDARDS	RANKING ORDER OF STAFF
involves: <ul style="list-style-type: none">individual review datessetting goals and standardsperformance appraisal	involves: <ul style="list-style-type: none">ranking individuals on basis of most productive to least productive based on selected written criteria
amounts: <ul style="list-style-type: none">use of award guide which is used for full-time employees and adopted each fiscal year	amounts: <ul style="list-style-type: none">amounts vary with the most productive employees getting highest percentage increases and the least productive getting the lowest or zero percentage; both the percentage and the number of hours worked by the individuals must be averaged so as not to exceed the fixed dollar amount available for performance award

Regardless of option, no employee's hourly rate may exceed the maximum of the range established for part-time page under the part-time pay plan. Bonuses, as provided for full-time employees, will not be applicable to part-time employees covered under these procedures.

OPTION A

INDIVIDUAL PERFORMANCE STANDARDS

procedure:

library manager will be responsible for tracking six month and annual review dates for pages and for reproduction of performance appraisal forms; completed forms should be sent to the Human Resources Office in the same manner as for full-time employees

OPTION B

RANKING ORDER OF STAFF

procedure:

library manager will prepare annually the order ranking of employees and determinations based selected written criteria and submit it to the Human Resources Office so as to arrive at any time between January 1 and June 1; 26 pay periods must elapse before individual can receive another performance award

METROPOLITAN LIBRARY SYSTEM

SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM F ~ WAGES AND HOURS: OVERTIME PAY; BREAKS; MEAL PERIODS

(Effective: 6/20/85; Last revised: *date of commission action*)

Background and Purpose

In 1976, the United States Supreme Court declared state and local governmental entities exempt from the provisions of the Fair Labor Standards Act (FLSA) as amended in 1974. In February 1985, the Court reversed itself and declared that state and local government units are under the regulations of the FLSA by virtue of the "commerce clause" of the United States Constitution. In November 1985, the Act was amended providing certain relief to local governmental agencies.

Among other provisions, the FLSA requires covered employees to be paid 1.5 times the regular rate of pay for hours worked over 40 in a defined workweek or compensated by 1.5 hours off for each hour worked over 40.

This document incorporates details on break times, etc., to amplify all earlier policy statements adopted by the Metropolitan Library Commission.

Definitions

Full-time employee is an employee of the system who can regularly expect 40 hours of work per week and who in turn is expected to work a full 40 hours per week unless on authorized leave. Full-time employees are budgeted in Account 101.

Designated *full-time equivalent* employee is an employee of the system who is hired to work a designated number of hours, normally 20 or 30 (designated half-time or three-quarter-time), and who in turn is expected to work the designated number of hours per week unless on authorized leave. Designated *full-time equivalent* (*FTE*) employees are *normally* budgeted in Account 101.

Part-time employee is an employee of the system who is hired on an as needed hourly basis generally not to exceed 32 hours per week and which may or may not vary from one week to the next based on system need. Accordingly, a part-time employee should not have a reasonable expectation of a fixed number of hours. Hours may be indicated as "generally so many per week" but no guarantee of fixed or designated number of hours is intended or implied. Part-time hours are not designated by fractions of full-time employees (FTEs) for budget purposes; but, are instead included in the overall total number of part-time hours available in Account 102.

Temporary employee is an employee of the system whose term of employment for whatever reason is expected to last less than a total of 960 hours in both any calendar and fiscal year. A temporary employee can work on a 40 hour per week or less basis, thereby being full-time, designated part-time or part-time in status. *Temporary employees include seasonal employees hired to provide services during a period of seasonal activity such as the summer.*

Exempt status is the recognized FLSA standing of those employees of the system who meet the criteria of executive, administrative or professional categories as defined by the Secretary of Labor and identified by the library system's Executive Director.

Covered status is the recognized FLSA standing of those employees of the system who do not meet the criteria for exemption as defined by the Secretary of Labor, *or those who do but who the library system opts not to exempt.*

Minimum wage is the hourly rate of compensation as established by the FLSA.

Time and one half is the employee's hourly rate multiplied by 1.5 for purposes of overtime compensation. *(Unless defined otherwise by the FLSA.)*

Policies

1. No employee is compensated at a rate less than the minimum wage established by law.
2. All **FLSA** covered employees are compensated at a rate of time-

and-one-half for any time worked in excess of 40 hours per week.

3. All employees, *for the purpose of public accountability*, are charged applicable paid leave or leave without pay for being off work at times normally required to be on the job.
4. The established workweek for the library system is from 12:01 a.m. on Monday through 12 midnight on Sunday of each week.
5. Time sheets indicating hours and days worked will be completed by all employees except those specifically excluded by the Executive Director and otherwise exempt under the law.
6. Any employee scheduled to work in excess of four continuous hours in any one day is entitled to a rest break of 15 minutes duration for each four-hour work period, granted as closely to the midpoint of the scheduled work hours as is practical given staffing considerations. This rest break time is "on the clock" and considered as paid time. Employees are expected to remain at the work site and are subject to interruption and recall to work duties during paid rest breaks when required by staffing levels and/or unusual conditions. Rest break time is not cumulative within a workday or between work days nor can it be used to allow for late arrival or early departure or to extend meal breaks.
7. Any employee scheduled to work in excess of six continuous hours (including rest break time) in any one day will take a break of no less than 30 minutes. This meal break is "off the clock" and not considered to be paid work time. The employee is to be released from all work duties during this meal break and not permitted to do work for the benefit of the library system. In preparing work schedules, supervisors may determine, based on staffing levels and hours of operation, the length of meal breaks to be scheduled for employees. During a meal break period, an employee is free to leave the work site or to remain on-site provided he/she does not engage in work benefiting the library system. An employee who is interrupted during a meal break of 30 minutes and required or allowed to return to work prior to the expiration of the scheduled meal break will be compensated for the entire period as though he/she was on the job for the entire period. An employee who is interrupted during a meal break of more than 30 minutes and required to or allowed to return to work after the

expiration of at least 30 minutes will be compensated for the amount of time actually worked. The supervisor is required to monitor precisely and adjust the employee's schedule so as to avoid an overtime situation. A minor (i.e., under the age of 16) is to be scheduled for a one-hour meal break and is expected to take this full amount of time on any day when scheduled to work eight hours (including rest break time).

8. All such records as required by the FLSA are prepared and maintained to comply with its provisions.

In any circumstance in which this policy and the Fair Labor Standards Act are in conflict, the Act pre-empts this policy.

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SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM G ~ CIVIL RIGHTS

(Last revised: *date of commission action*)

All employees, and all other persons, have certain rights and responsibilities which they can justly expect in their employment and other dealings with the Metropolitan Library System including equal employment opportunities, equal application of benefits, expected behavior and conduct, and the benefit of due process prior to the exclusion of legitimate property or liberty rights.

POLICIES

I. Employment

It has been and continues to be the policy of the Metropolitan Library System to afford equal opportunity for employment to all qualified individuals regardless of race, color, religion, *gender*, age, national origin, veteran status, or any physical or mental disability except where age, gender or physical or mental ability is a bonafide occupational qualification or reasonable accommodation cannot be made. The Metropolitan Library System will take measures to ensure that it will:

1. Recruit, hire and promote all job classifications to further the equal opportunity principle cited above.
2. Base employment decisions on essential job requirements devoid of prohibited discriminatory practices. (See Section VIII, Item L for restrictions on the hiring of close relatives of commission members or staff.)
3. Eliminate artificial barriers to employment including non-valid qualifications and/or physical barriers restricting employment of the physically handicapped.
4. Ensure that promotion decisions are based on valid employee qualifications required for such advancement.

5. Ensure that all personnel actions such as compensation, benefits, transfers, layoffs, returns from layoff, and any Metropolitan Library System-sponsored employee training will be administered so as to further the equal opportunity principle cited above.
6. Make reasonable accommodation of physical and mental disabilities of employees or prospective employees and make reasonable accommodation of the religious beliefs of employees or prospective employees including their Sabbath and religious holiday observances.
7. Ensure awareness and understanding of the goals of equal employment opportunity and freedom from illegal harassment by all employees. This communication is crucial to the System's success in achieving its goals. Employment policies will be communicated to all agency heads and supervisors who are involved with appointment, transfer and promotion of the System's personnel. This policy statement will be furnished to each new employee of the System. Policies on illegal harassment will be communicated to vendors and customers as needed.
8. Ensure processing of complaints of discrimination or harassment will be done fairly and impartially and free from reprisal and retaliation. Additionally, any employee who feels that he or she has not been afforded equal opportunity for promotion or transfer or other terms or conditions of employment because of prohibited discriminatory factors or subjected to illegal harassment of any form may submit a complaint as provided in the following procedures. Complaints of prohibited discrimination or harassment will be handled by a complaint procedure separate from the Grievance Procedure.

II. Centralized Human Resources

The library system has established a centralized human resources function. The Human Resources Office is responsible for coordinating and monitoring the overall employment procedures of the library system. The Director of Human Resources coordinates advertising, job announcements, correspondence with applicants, screening and referral of applications, offers of employment and

applicant notifications. Selection committees, agency/office heads, library managers and supervisors are advised of their equal employment responsibilities by the Director of Human Resources.

III. *Gender Harassment or Discrimination*

The library system will not tolerate *gender discrimination or harassment* of any employee or volunteer by any other employee or volunteer. Any employee or volunteer who feels that they have been or are actively being *discriminated against or harassed because of their gender* by another employee or volunteer needs to immediately follow the complaint resolution procedure contained in this policy. Complaints of gender harassment by a customer or vendor should be submitted using the procedure for reporting problem customers.

IV. *Racial or Ethnic Harassment or Discrimination*

The library system will not tolerate racial or ethnic *discrimination or harassment* of any employee or volunteer by any other employee or volunteer. *This includes discrimination or harassment based on race, color or national origin.* Any employee or volunteer who feels that they have been or are actively being *discriminated against or harassed because of race or ethnicity* by another employee or volunteer needs to immediately follow the complain resolution procedure contained in this policy. Complaints of racial or ethnic harassment by a vendor or customer should be submitted using the procedure for reporting problem customers.

V. *Religious Harassment or Discrimination*

The library system will not tolerate religious *discrimination or harassment* of any employee or volunteer by any other employee or volunteer. Any employee or volunteer who feels that they have been they have been or are actively being *discriminated against or harassed because of their religious beliefs* by another employee or volunteer needs to immediately follow the complaint resolution procedure contained in this policy. Complaints of religious harassment by a vendor or customer should be submitted using the procedure for reporting problem customers.

VI. *Age Harassment or Discrimination*

The library system will not tolerate discrimination or harassment based on the age of any employee or volunteer by any other employee

or volunteer, except in cases where state or federal law places minimum age requirements for work in certain types of employment, the number of hours an individual of certain ages may work, and the time of day an individual of certain ages may work. Any employee or volunteer who feels that they have been or are actively being discriminated against or harassed because of their age by another employee or volunteer needs to immediately follow the complaint resolution procedure contained in this policy. Complaints of age harassment by a vendor or customer should be submitted using the procedure for reporting problem customers.

VII. Veteran Status Harassment or Discrimination

The library system will not tolerate discrimination or harassment based on veteran status of any employee or volunteer by any other employee or volunteer. Any employee or volunteer who feels that they have been or are actively being discriminated against or harassed because of their veteran status by another employee or volunteer needs to immediately follow the complaint resolution procedure contained in this policy. Complaints of harassment because of veteran status by a vendor or customer should be submitted using the procedure for reporting problem customers.

VIII. Physical or Mental Disability Harassment or Discrimination

The library system will not tolerate discrimination based on physical or mental disability, except where physical or mental ability is a bonafide occupational qualification or reasonable accommodation cannot be made. Nor will the library system tolerate harassment based on physical or mental ability of any employee or volunteer by any other employee or volunteer. Any employee or volunteer who feels that they have been they have been or are actively being discriminated against or harassed because of their physical or mental disability by another employee or volunteer needs to immediately follow the complaint resolution procedure contained in this policy. Complaints of harassment because of physical or mental disability by a vendor or customer should be submitted using the procedure for reporting problem customers.

IX. Firearms in Library Facilities

No person shall carry a firearm, concealed or otherwise, into any library facility or library vehicle unless licensed to carry one under state or federal law. **Under current law, possession of a Self-Defense Act Concealed Carry Permit is not sufficient licensing**

MLC - Administrative & Personnel Committee, January 28, 2003

Prepared by: Director of Human Resources

MLS - Report & Recommendations from Administration - Revisions to MLS Policy & Procedure Manual

Section VIII, Human Resources - Item G: Civil Rights

as all library facilities are owned or operated by a public agency for public services. The Executive Director or facility manager may authorize other individuals to bring firearms into library facilities for special events, activities, displays, theatrical performances, living history presentations, etc. Employees violating this provision are subject to disciplinary action including termination of employment in addition to any criminal prosecution. Members of the public, whether customers, visitors, vendors or contractor personnel, are subject to revocation of library privileges and/or contracts for violation of this provision in addition to criminal prosecution.

VII. Violence in the Workplace

No employee or volunteer shall engage in threats or acts of physical violence on or threatening verbal abuse of any other person while in a library facility or library vehicle or while engaged in library business except in the case of acts of self-defense. No employee or volunteer shall communicate by voice, mail, phone or any other means any threat of violence or abusive statement from any library facility or library vehicle or to any one in a library or library vehicle. Complaints of threats of physical violence or threatening verbal abuse from other employees or volunteers should be handled through the Grievance Procedure. Complaints of threats of physical violence or threatening verbal abuse from customers or vendors should be reported using the procedure for reporting problem customers.

Employees violating this provision are subject to disciplinary action including termination of employment in addition to any criminal prosecution.

Members of the public, whether customers, visitors, vendors or contractor personnel, are subject to revocation of library privileges and/or contracts for violation of this provision in addition to criminal prosecution.

VIII. Compliance

If the persons responsible for personnel actions or employees in their personal actions do not abide by the spirit as well as the letter of these policies and procedures, they are subject to disciplinary action including termination of employment.

PROCEDURES

In order to monitor the results of the equal employment opportunity provisions, the Metropolitan Library System has the following procedures:

- I. Identify position vacancies to be filled by:
 - A. Title
 - B. Minimum and desirable qualifications
 1. Establish job description
 2. Establish education/experience/other requirements and preferences
 3. Establish equivalent qualifications
 - C. Establish salary range
 - D. Define conditions of employment
- II. Identify appropriate search procedures
 - A. Individual
 - B. Committee
- III. Recruitment of Applicants
 - A. Announcements
 1. Internal
 2. External
 - a. Placement services of colleges, universities and graduate library schools
 - b. Library clearinghouse for professional applicants
 - c. Local agencies
 - d. Other resources
 - B. Advertising
 1. Publications (appropriate labor markets)
 - a. Locally
 - b. Regionally
 - c. Nationally
 2. Job lines
 3. Other media

- C. Establish a pool of qualified applicants without regard to race, color, religion, **gender**, age, national origin, veteran status, or physical or mental disability.

IV. Screening of Applications

- A. Compare minimum and preferred qualifications to applicant's qualification
- B. Identify applicants for interview
- C. Interview selected applicants
- D. Select best qualified applicant

V. Reasons for Selections and Rejections

- A. Identify and record reasons for selecting the successful applicant
- B. Identify and record reasons for the rejection of all applicants not selected

VI. Review and Notification

- A. Review selection procedure to ascertain compliance prior to actual appointment of applicant
- B. Notify all applicants not selected that position has been filled

VII. Uniformed Services (Veterans) Employment and Reemployment

The provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as may be amended from time to time, shall over-ride other provisions of this policy and procedure when a conflict should exist.

Complaint Resolution

This resolution procedure covers employment-based discrimination and sexual, racial or ethnic harassment complaints in lieu of the Grievance Procedure contained elsewhere in the Policies and Procedures of the library system.

- 1. Any employee or volunteer who feels that he or she has been discriminated against based on race, color, religion, **gender**, age, national origin, veteran status, or any physical or mental disability or subjected to

sexual, racial or ethnic harassment should discuss the matter with either their immediate supervisor or any administrative team manager. If discussed with an immediate supervisor, the supervisor must notify an administrative team manager of the matter.

2. In cases where an administrative team manager is alleged to be the discriminating or harassing party or where the administrative team manager is unable to resolve the matter, the employee or volunteer should discuss the matter with the Executive Director.
3. In cases where the Executive Director is alleged to be the discriminating or harassing party, the employee or volunteer should take the matter to the chair person of the Administrative and Personnel Committee of the library commission.
4. The Metropolitan Library System via this policy endeavors to resolve any complaint in these types of matters. Therefore, an employee or volunteer alleging illegal discrimination or harassment is **expected to exhaust** these administrative complaint resolution procedures before presenting the matter to the Oklahoma Human Rights Commission, the U.S. Equal Employment Opportunity Commission or the courts.

METROPOLITAN LIBRARY SYSTEM

SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM H-1 ~ DUE PROCESS HEARING IN CERTAIN EMPLOYMENT ACTIONS

(Effective: 6/20/85; Last revised: *date of commission action*)

Background

To insure the procedural due process of law as required by the Fourteenth Amendment to the United States Constitution, the United States Supreme Court has declared that before any action can be taken against an employee of a governmental entity, *who has a reasonable expectation of continued employment*, which would result in the loss of liberty or property rights, that employee must be given the opportunity to have a meaningful pre-action hearing to determine whether there are reasonable grounds to believe that the charges against the employee are true and support the proposed action.

To comply with this decision, the Metropolitan Library Commission hereby adopts the following:

Definitions

Liberty rights as defined by the court protect the individual from action which would damage the employee's reputation, good name, standing in the community or curtailment of opportunities for future employment.

Property rights as defined by the court protect the individual's continued expectation of employment and include actions which would result in suspension, demotion or termination of employment.

Policy

1. Before an action can be taken by the library against an employee *who has a reasonable expectation of continued employment* that would result in suspension, termination or

MLC - Administrative & Personnel Committee, January 28, 2003 Prepared by: Director of Human Resources

MLS - Report & Recommendations from Administration - Revisions to MLS Policy & Procedure Manual
Section VIII, Human Resources - Item H-1: Due Process Hearing in Certain Employment Actions

demotion, the employee will be given the opportunity to have a meaningful pre-action hearing to determine whether there are reasonable grounds to believe that the charges against the employee are true and support the proposed action.

2. The employee is to be given either oral or written notice of the charges, an explanation of the evidence and an opportunity to respond to the charges.
3. When the proposed action involves termination of employment, the employee may be placed on suspension with pay pending a decision in the pre-action hearing *or may be directed to continue working regularly scheduled hours.*
4. This pre-action hearing does not preclude *an eligible* employee from any right to appeal the action after it has been implemented through the proper grievance procedure.
5. Nothing in this policy prohibits the library from terminating employees as a result of reductions in force, reorganizations, or lay-offs for economic or budgetary reasons.

METROPOLITAN LIBRARY SYSTEM

SECTION VIII

POLICY & PROCEDURE MANUAL

HUMAN RESOURCES

ITEM I ~ ON-THE-JOB INJURIES: WORKERS' COMPENSATION POLICY

(Last revised: *date of commission action*)

Policy

As prescribed by state law, the Metropolitan Library System provides Workers' Compensation Insurance to cover medical expenses resulting from on-the-job injuries and to reimburse the amount stipulated by state law for income lost because of such injuries.

Note: The term, "on-the-job injuries," used in the above policy statement and in the following specific policies and procedures, means ANY WORK-RELATED INJURIES OR ILLNESSES COVERED BY WORKERS' COMPENSATION INSURANCE. All employees, full-time or part-time, are covered immediately *by workers' compensation insurance for on-the-job injuries and occupational illnesses.*

Specific Policies

1. Covered medical expenses; physicians and medical facilities.
 - A. In the case of an emergency life or limb threatening injury, the employee should be taken or go to the nearest medical facility for treatment. (call 911)
 - B. If the injury is not of an emergency nature, contact the doctor selected by the employee at the original sign-up for workers' compensation or any of the doctors on the workers' comp provider list that is available at each location.

In both emergency and non-emergency cases, supervisor's or individuals-in-charge need to notify the certified workplace medical plan provider.

- C. The injured worker is expected to comply with requests from the library system to provide necessary injury report data and physicians statements; also, to be examined by additional physicians/ clinicians (other than the employee's choice) designated by the library system and/or representatives of the library for workers' compensation.
2. Income reimbursement for time lost because of injury on-the-job.
- A. A worker will not be docked or charged leave for time off due to certified disability from injury if the time off is so brief that it is not covered by Workers' Compensation Insurance; however, all worker's compensation absences will be considered FaMLA leave, if FaMLA qualifying.
 - B. As soon as it is determined that the certified disability lasts longer than the workers' compensation insurance waiting period for coverage, the injured worker who has no available leave will be removed from the library system's payroll; the injured worker who has **available** leave will be given the following options:
 - i. remain on the payroll and use **available** leave to make up the difference between Workers' Compensation and regular library pay, or,
 - ii. go off the payroll.
 - C. The option of remaining on the payroll ends when the **available** leave balances reach zero.
 - D. The library system will cease all library contributions for the injured employee's group medical/dental insurance and other benefits after the FaMLA coverage period is exhausted or after the employee goes off the payroll, whichever is the longer period. (FaMLA leave and paid leave run concurrently.)
 - E. The worker receiving Workers' Compensation and no library pay after the FaMLA coverage period is exhausted may arrange to continue paying for benefits previously paid by the library system and/or paid by

payroll deductions, such as dependent's medical insurance, credit union deposits, supplemental life insurance, in accordance with the time limitations of individual plans or to discontinue such payments and benefits.

3. Job retention rights of injured employee.

The library system may not discharge, or, except for non-payment of premiums, terminate any group health insurance of any employee because the employee has in good faith:

1. *Filed a claim;*
2. *Retained a lawyer for representation regarding a claim;*
3. *Instituted or caused to be instituted, any proceeding under the provision of the state workers' compensation code;*
4. *Elected to participate or not to participate in a certified workplace medical plan.*

The library system may not discharge any employee during a period of temporary total disability solely on the basis of absence from work.

After an employee's period of temporary total disability has ended, the library system is not required to rehire or retain any employee who is determined to be physically unable to perform his or her assigned duties.

4. Return to work:

A. Leave of absence for twelve weeks or less.

An injured employee who returns to work within the FaMLA coverage period after being removed from the payroll is eligible to return to the same or equivalent position with the library system. Annual leave and sick leave accumulated to that point will be credited to the employee.

B. Long-term* leave of absence.

If an injured employee is unable to return to work within the FaMLA coverage period or balance of accrued leave, whichever is greater, the library system cannot

and will not assure a return in the same or a position equivalent to that which the employee held at the time of the on-the job injury; however, the library system will **consider placement of** the employee in a similar **or lower grade** position for which the employee is qualified if the employee is given a medical release to return to work. Annual leave and sick leave accrued from the time of the disabling injury through the FaMLA coverage period will be credited to the employee.

*"Long-term" is defined here as a period exceeding the FaMLA coverage period. "Temporary (**total and partial**) disability" **can** be declared for periods up to **150** weeks by state courts; however, an employer has the right to seek a ruling declaring an injured worker's disability "permanent and stationary" instead of "temporary" at any given point.

5. Resignation.

The failure to report to work within two weeks (14 calendar days) following a valid medical release to return to work shall be treated as a resignation and a termination of all rights of employment. The refusal to accept an offer of re-employment in a similar or reasonably-comparable position shall also be treated as a resignation.

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HUMAN RESOURCES

ITEM J ~ FACILITY ACCESS

(Last revised: *date of commission action*)

Policy

To help protect library personnel and property, the Metropolitan Library System maintains the following procedures governing staff access to library facilities including the issuance of building keys/codes and security alarm codes.

Procedures

I. Keys

- A. The Director of Facilities Maintenance is the control officer for the issuance, security and return of all system keys.
 - 1. The Director of Facilities Maintenance designates personnel authorized to have access to central key files and maintain check-out and check-in systems.
 - 2. Supervisors are to determine which staff members require keys, see to the issuance of them and retrieve keys from terminating employees.
- B. Personnel should receive only those keys necessary to fulfill their job duties.
- C. Keys issued to staff members are for their exclusive use and are not to be loaned.
- D. Unless requested or authorized by the Director of Facilities Maintenance, no staff member may duplicate, or cause to be duplicated, any key.

- E. Broken keys will be replaced, without charge to the employee, if the employee returns a portion of the broken key.
- F. A charge of \$1 per key will be billed to an employee who loses a key. This charge will not apply if the loss is due to theft or burglary and the theft or burglary is reported to the authorities and to the employee's supervisor.

II. Liens Against Terminal Pay for Lost Keys

When a library employee ends employment, (s)he will turn in all system keys to the issuing control officer. Charges for lost keys will be paid to the Business Office; *failing that*, the required amount will be withheld from the final paycheck. The final paycheck will not be released to the employee until all such charges are paid.

III. Door Lock Codes

- A. Employees with knowledge of codes for push button door locks for either building or room access are expected to maintain the confidentiality of the codes.
- B. Care should be taken when entering codes to insure that non-employees are not in a position to observe number buttons as they are pushed.

IV. Security Alarm Systems - Codes

- A. The Director of Facilities Maintenance is the control officer for the issuance of all security alarm codes.
 - 1. The Director of Facilities Maintenance, in conjunction with the administration and agency managers, designates personnel authorized to be issued the security alarm codes; the Director of Facilities Maintenance, or her/his designee, also briefs code holders on the step-by-step procedures for proper use of the codes.
 - 2. The Library Manager, or her/his designee, is responsible for locking the building and activating the security alarm system after all staff have left the building; the Library Manager, or her/his designee, is also responsible for unlocking the building and deactivating the security alarm system for normal operation.

- B. All personnel without the security alarm codes who require access to the building outside of normal operating hours for an emergency reason must obtain their supervisor's *authorization. The decision of how to provide the employee access, if authorized, by either giving the employee the alarm code or by meeting the employee at the facility, is to be made by the supervisor.*

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ITEM L ~ PROHIBITING FUTURE HIRING OF, OR CONTRACTING TO HIRE, CLOSE RELATIVES OF COMMISSION OR STAFF (Effective: 06/19/86; Last revised: *date of commission action*)

Definition of "close relative:"

Spouse or child, parent, grandparent, grandchild, brother or sister of any current library employee and Commission member and their spouse's child, parent, grandparent, grandchild, brother or sister including relationships created by marriage such as a father-in-law, daughter-in-law, etc. A step-child, legally adopted or foster child, step-parent, half-brother and half-sister are also considered a "close relative."

Policies:

1. Effective June 19, 1986, the Metropolitan Library System will not knowingly hire or contract with anyone for employment who is a close relative of any current library employee or Commission member.
2. Policy #1 does not apply to those closely-related persons working for the system as employees or contractors *as of that date*; i.e., employed and related before this policy took effect.
3. Future employment applications or proposals to contract for employment will require applicants or prospective contractors for employment to attest that they are not a close relative of any current library employee or Commission member; willful misrepresentation of such relationship to obtain employment will *be grounds for* immediate termination of employment.

4. Unrelated employees or contractors working for the same supervisor or in the same library agency or office and who marry or become in-laws while so employed become subject to this Policy.
 - A. One or the other of the newly-related under those circumstances will be subject to transfer to a suitable position (determined by the system) under a different supervisor or in a new location.
 - B. The newly-related couple will have the option of choosing who will transfer.
 - C. If the newly-related couple is unable to reach agreement as to who will transfer, the library system will decide on the basis of least seniority in the system.
 - D. If no transfer opportunity arises that is mutually-agreeable to the system and the employee within six (6) months following notification of the need for the transfer, the library system may terminate the employment of the one with **least seniority in the library system**, subject to due process and grievance procedures **when applicable**.
5. While the Commission cannot legally prevent the appointment of new library commissioners who are closely related to library employees, the Commission strongly suggests that officials and bodies with appointive power avoid such practice.
6. In cases where a new Commission member is appointed who is closely-related to a library employee, the latter will retain his or her employment status.

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ITEM O ~ ALCOHOL AND DRUG USE POLICY

(Effective: 01/21/89; Last revised: *date of commission action*)

Purpose:

The Metropolitan Library System recognizes that the state of an employee's health affects his/her job performance, the kind of work he/she can perform and may affect his/her opportunities for continued employment. It is the intent of this policy to provide employees with the library system's viewpoint on these behavioral/medical disorders, to encourage a positive viewpoint toward correcting these disorders, and to provide guidelines for consistent application throughout the system regarding alcohol and drug usage situations.

Policy:

The library system intends to give the same consideration to persons with chemical (alcohol and other drugs) dependencies as it does to employees having other diseases. The library system is concerned only with those situations where use of alcohol and other drugs interferes with any employee's health and job performance, adversely affects the job performance of other employees, adversely affects the safety of other employees or the public, or is considered so serious as to be detrimental to the library's efficient operation. There is no intent to intrude upon the private lives of employees.

Early recognition and treatment of chemical dependency problems is important for successful rehabilitation, efficient operation of the library system and reduced personal, family and social disruption. The library system supports sound treatment efforts and an employee's job will not be jeopardized for conscientiously seeking assistance.

Constructive disciplinary measures may be applied to provide motivation to seek assistance. Normal library system benefits,

such as leave provisions and group health plans, are available to give help in the rehabilitation process.

LEGAL SUBSTANCES

The use of any legally obtained drug, on library system premises, to the point where such use adversely affects the employee's job performance, is prohibited. This prohibition covers arriving on the library system's premises under the effect of any drug which adversely affects the employee's job performance, including the use of prescribed drugs under medical direction. Where physician-directed use of drugs adversely affects job performance, it is in the best general interest of the employee, co-workers and the library system that sick leave be used.

ILLEGAL DRUGS

Illegal drugs, for the purpose of this policy, include (a) drugs which are not legally obtainable and (b) drugs which are legally obtainable but have been obtained illegally.

The unlawful manufacture, distribution, dispensing, possession or use of an *illegal drug* by employees on library system premises or while on library system business are prohibited. Arriving on library system premises under the influence of any drug to the extent that job performance is adversely affected is prohibited. This prohibition applies to any and all forms of narcotics, depressants, stimulants, hallucinogens or other chemicals whose sale, purchase, transfer, use or possession are prohibited or restricted by law.