

# **METROPOLITAN LIBRARY COMMISSION OF OKLAHOMA COUNTY**

## **ADMINISTRATIVE & PERSONNEL COMMITTEE AGENDA**

Members:     Hugh Rice, Chair  
                  Ralph Bullard  
                  Cynthia Friedemann  
                  Helene Harpman  
                  Brian Maughan  
                  Mukesh Patel  
                  Sharon Voorhees

Wednesday, July 8, 2015 at 3:30 p.m.  
Downtown Library  
300 Park Avenue  
Oklahoma City, OK 73102  
Telephone: (405) 231-8650

- I.       Call to Order and Establishment of Quorum – Mr. Hugh Rice, Chair
  
- II.      Discussion, Consideration, and Possible Action: Revisions to MLS Policy and Procedure Manual
  - SH 300      Employment Policy
  - SH 310      Prohibiting Future Hiring of, or Contracting to Hire, Close Relatives of Commission or Staff

## **REPORT AND RECOMMENDATIONS FROM ADMINISTRATION**

### **REVISIONS TO THE METROPOLITAN LIBRARY SYSTEM POLICY AND PROCEDURE MANUAL**

Metropolitan Library System policies contained in the Policy and Procedure Manual periodically require updating as a result of decisions or recommendations from the Library Commission, changes in federal and state laws and regulations, and the necessity to operate the library system in a more efficient, effective manner.

The Library's administration recommends for your consideration revisions to SH 300 Employment Policy and the SH 310 Prohibiting Future Hiring of, or Contracting to Hire, Close Relatives of Commission or Staff.

#### **SH 300 Employment Policy—revisions recap**

The revision adds a section to the policy establishing a 90-day Introductory Probationary Period for new employees. During the Introductory Probationary Period, the Library will review the employee's performance and determine his/her suitability for continued employment. In addition, if the Library terminates the employment relationship with cause, the employee will not be eligible for unemployment compensation by the State of Oklahoma, consistent with statute. This revision has been written with assistance from the Library's counsel at McAfee & Taft.

#### **SH 310 Prohibiting Future Hiring of, or Contracting to Hire, Close Relatives of Commission or Staff – Revision Recap**

The revision (not included in the packet, but which will be distributed during the Committee meeting) will qualify the circumstances in which hiring of close relatives of current Library staff and members of the Metropolitan Library Commission will be acceptable. While the Administration supports the prohibition of employment of related individuals into the same reporting/budget line, we also believe that an overly aggressive policy can limit the library from hiring the best qualified person due to their familial relationships. The wording of this revision is in the process of legal review, but staff intend to have it ready for review for the July 8<sup>th</sup> meeting.

### **RECOMMENDATION FOR COMMITTEE ACTION**

To approve the recommendations from Administration for adoption to the Metropolitan Library System Policy & Procedure Manual revisions to SH 300 Employment Policy and SH 310 Prohibiting Future Hiring of, or Contracting to Hire, Close Relatives of Commission or Staff.

# Stewardship of Human Resources

## SH 300 Employment

*Revised: 3/97, 2/03, 1/06, PROPOSED 7/15*

All employees, and all other persons, have certain rights and responsibilities that they can justly expect in their employment and other dealings with the Metropolitan Library System including equal employment opportunities, equal application of benefits, and expected behavior and conduct.

### 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, sex 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. The Library Commission's Administrative and Personnel Committee shall have the responsibility to monitor and review compliance with this policy and to make recommendations to the Administration from time to time as necessary. The Human Resources Manager shall be the System's civil rights compliance officer to maintain and ensure fair and impartial practices and procedures.

# Stewardship of Human Resources

## SH 300 Employment

Revised: 3/97, 2/03, 1/06, PROPOSED 7/15

### II. Centralized Personnel

The library system has established a centralized personnel function. The Human Resources Office is responsible for coordinating and monitoring the overall employment procedures of the library system. The Human Resources Manager coordinates advertising, job announcements, correspondence with applicants, screening and referral of applications, offers of employment and applicant notifications. Selection committees, agency/office heads, managers of library operations and supervisors are advised of their equal employment responsibilities by the Human Resources Manager.

### III. Introductory Probation Period

The first ninety (90) days of employment with the Metropolitan Library System (MLS) is considered an Introductory Probation Period. During this Introductory Probation Period, the Library will evaluate the employee's suitability for employment, and the employee may do the same with regard to MLS as an employer. Policies SH 520 (Grievance Policy) and SH 530 (Due Process Hearing in Certain Employment Actions) are inapplicable to an employee during the Introductory Probation Period. During the Introductory Probation Period, both the Library and the employee may terminate the employee/employer relationship for any reason with or without notice.

The completion of the Introductory Probation Period does not signify nor shall it guarantee any employee continued employment.

This policy is intended to be an "established probationary plan" in compliance with Oklahoma Statute title 40, Section 3-106(G)(5). If an employee is terminated for unsatisfactory performance during this time period, the employee is not entitled to unemployment compensation from the State.

# **SH 300 Employment**

## **SH 310 Prohibiting Future Hiring of, or Contracting to Hire, Close Relatives of Commission or Staff**

*Adopted: 6/86, Revised: 3/97, 2/03*

### 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 stepchild, legally adopted or foster child, stepparent, 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 currently 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, if that option is in the best interests of the library system.
  - 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

**SH 300 Employment**  
**SH 310 Prohibiting Future Hiring of, or Contracting to Hire,  
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*Adopted: 6/86, Revised: 3/97, 2/03*

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.