**Valier Public Library**

**Personnel Policy**

May 2019

**A. Management Policy:**

The duly appointed library board shall have all management rights, authorities, and responsibilities as stated in *Montana Code Annotated, 22-1-309*.

1. The library board shall select, appoint, and when necessary for valid reasons, dismiss the director of the library.
2. The board shall establish all other positions and all wage and benefit levels for all library staff.
3. The library board shall provide an effective orientation for new directors to assure that the director understands a) the policies and processes related to the daily operation of the library, b) reporting and budgetary requirements that assure accountability and compliance with the law, c) the expectations of the board in regard to administrative processes and protocol, particularly as they relate to conducting effective and efficient board meetings, and d) rules and requirements for state certification and any assistance which is provided by the Library to acquire and maintain appropriate certification.
4. The library board shall conduct annual appraisals of the library director's performance, at which time personal and management goals can be discussed and negotiated.

**B. Administrative Policy:**

The person appointed as library director shall be charged with the sole administration of the library.

1. The director shall be responsible to the library board in matters pertaining to and concerning the library; be present at monthly board meetings and prepare and present such reports and meeting documents as requested.
2. The director shall maintain financial records in an efficient manner; present periodic reports to the library board and to the municipal governing body; prepare the draft of the annual budget to be presented to the library board, and assist trustees with presentation of the adopted request for appropriation to the municipal governing body.
3. The director shall hold regular meetings with staff and/or volunteers for training and interpreting board policy.
4. The director will be responsible for preparing annual performance assessments for library staff and volunteers.
5. The director shall have the responsibility for collection development for all materials in the library; this includes selection, ordering, processing, weeding, and inventory of the collections according to the guidelines in the policy.
6. The director will recommend changes in or additions to library policies as needed.
7. The director will perform preparatory work to assist the board with regular library planning.

**C. Salaries**

MCA  **22-1-310. Chief librarian -- personnel -- compensation.** The board of trustees of each library shall appoint and set the compensation of the chief librarian who shall serve as the secretary of the board and shall serve at the pleasure of the board. With the recommendation of the chief librarian, the board shall employ and discharge such other persons as may be necessary in the administration of the affairs of the library, fix and pay their salaries and compensation, and prescribe their duties.

**D. Health Insurance Policy**

*[For the purpose of determining benefits, the board should be careful not to place too much importance on the fact that the library director may be paid only for part time hours. Most small public libraries are open fewer than forty hours per week and the director is consequently paid for less than forty hours. Nevertheless, the director is the chief executive for the organization with the full administrative responsibility for the operation of the library. In addition, the director, because of these responsibilities and the nature of the position, could qualify as an exempt employee under the Fair Labor Standards Act if salary was reasonable. This classification implies that the person is hired to perform the job, not merely to fill a specified number of hours. In fact, nearly every library director puts in work hours in addition to those for which he or she is paid through hourly computations. Therefore, the director is in practice, and should be in principle, a full time employee. As an executive and a full time employee, the director should receive reasonable benefits which would include health insurance with a significant portion of the premium covered by the library, vacation, holidays, and sick leave which can cumulate over the tenure of the director.] see attached June 12, 2014 Board Minutes.*

**E. Vacation Policy**

MCA **2-18-611. Annual vacation leave.** (1) Each permanent full-time employee shall earn annual vacation leave credits from the first day of employment. Vacation leave credits earned must be credited at the end of each pay period. However, employees are not entitled to any vacation leave with pay until they have been continuously employed for a period of 6 calendar months.   
     (2) Seasonal employees earn vacation credits. However, seasonal employees must be employed for 6 qualifying months before they may use the vacation credits. In order to qualify, seasonal employees shall immediately report back for work when operations resume in order to avoid a break in service.   
     (3) Permanent part-time employees are entitled to prorated annual vacation benefits if they have worked the qualifying period.   
     (4) An employee may not accrue annual vacation leave credits while in a leave-without-pay status.   
     (5) Temporary employees earn vacation leave credits but may not use the credits until after working for 6 qualifying months.   
     (6) A short-term worker or a student intern, as both terms are defined in [2-18-601](http://data.opi.mt.gov/bills/mca/2/18/2-18-601.htm), may not earn vacation leave credits, and time worked as a short-term worker or as a student intern does not apply toward the person's rate of earning vacation leave credits.

Vacation hours will be incurred using the following formula:

Hours/2080\*120= example: 160/2080\*120=9.23

**F. Holiday Policy**

Official County holiday days will be paid as regular pay. Including but not limited to:

NewYear’s Day, Jan. 1

Martin Luther King Day, Third Monday of Jan.

President’s Day, Third Monday of Feb.

Memorial Day, Last Monday in May

Independence Day, July 4th

Labor Day, First Monday in Sept.

Columbus Day, Second Monday in Oct.

General Election Day, on election years

Veteran’s Day, Second Monday in Nov.

Thanksgiving Day, Fourth Thursday in Nov. (May trade Veteran’s Day for the Friday after Thanksgiving Day)

Christmas Eve and Day, Dec. 24-25th

**G. Sick Leave**

Sick leave shall be incurred using the following formula:

Hours/2080\*96= example: 150/2080\*96=6.92hrs

**H. Leave of Absence:**

Leaves of absence without pay may be granted to library employees for maternity, adoption, illness, travel, or graduate or certification training. All leaves are considered on a case-by-case basis and must be approved by the director. A leave for the director must be approved by the library board.

Requests for leave should be submitted in writing well in advance of the time when the leave is to begin. Written requests should indicate both a beginning and ending date for the leave. Vacation time must be used before an unpaid leave will be approved for reasons other than maternity, adoption, or military training.

When an employee is on unpaid leave he/she is responsible for all health insurance costs and other benefit premiums/deductions that may apply.

In some instances it may be necessary to deny requests for leaves of absence. Leaves are a privilege and can be granted only if the best interests of the library can be maintained.

**I. Bereavement Leave:**

Library employees are eligible for three (3) days bereavement leave without loss of pay or sick leave credit in the event of the death in the immediate family, defined as spouse, children, brother, sister, or parents of either the employee or the employee's spouse.

Employees are eligible for funeral leave.

* Defined reasons for funeral leave: death of a member of the employee’s or employee’s spouse’s immediate family. A maximum of 5 days of funeral leave per funeral for members of the employee or employee’s spouse’s immediate family will be allowed. Leave allowance for attendance at funerals of more distant relatives and close friends is between one (1) and five (5) days, at the director’s discretion, per funeral. Immediate family defined as: employee’s spouse/partner, parent, child or sibling; spouse’s/partner’s parent, child or sibling; employee’s child’s spouse/partner; grandparent; grandchild.
* funeral leave hours shall not exceed regularly scheduled weekly work hours.

**J. Family and Medical Leave Act**

**Overview**

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

* Twelve workweeks of leave in a 12-month period for:
  + the birth of a child and to care for the newborn child within one year of birth;
  + the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
  + to care for the employee’s spouse, child, or parent who has a serious health condition;
  + a serious health condition that makes the employee unable to perform the essential functions of his or her job;
  + any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” **or**
* Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

For more information: <https://www.dol.gov/whd/fmla/>

**K. Military Leave:**

Library employees who are duly enrolled members of the National Guard, State Guard, or any other organized reserve component of the Armed Forces of the United States shall be allowed a military leave of absence which has been ordered. The leave, under normal circumstances, will not exceed fourteen (14) days excluding Sundays and legal holidays. A copy of the order requiring attendance at military training sites shall accompany all requests for a military leave.

The library can assure no loss of wages if the employee wishes to turn all earnings from the training period in to the library board. Benefits are not affected by a military leave as long as the leave stays within the fourteen day parameter.

**L. Jury Duty:**

In the event a library employee is called for jury duty, the library will release them and assure no loss of wages. If fees and expenses paid to jurors do not equal or exceed wages normally paid by the library, these fees can be turned in to the library board and the employee will be paid their wages as usual.

**M. Inclement Weather/Unforeseen Closures**

Each employee must make a reasonable effort to report to work in inclement weather situations. An employee should use a day of accrued vacation leave or leave without pay if unable to travel to work. If VPL is officially closed, due to inclement weather, or other reasons, scheduled employees will receive pay.

**N. Work Schedule Policy:**

The normal work week has 40 hours, and begins on Sunday, 12:01 a.m.

Normal working hours:

Monday 9-5 pm

Tuesday 11-7 pm

Wednesday 9:30-5:30 pm

Thursday 9-5 pm

Friday 9-5 pm

Major changes in the director's schedule or other circumstances may not be made without approval of the library board. Requests for such shall be made in writing to the library board. Requests for changes in the work schedule of other staff or volunteers shall be made in writing to the library director.

**O. Meetings, Conventions, and Workshops:**

The director, staff and trustees attending continuing education opportunities to aid the library shall be allowed expenses at the discretion of the library board according to the amount appropriated in budget for such. The director, staff and trustees are encouraged to attend and participate in continuing education activities.

**P. Disciplinary Policy:**

An employee of the Valier Public Library may be dismissed for any action or behavior that causes the Library's image or operation to be diminished. This includes but is not limited to: incompetence, misconduct, inattention to assigned duties, or unapproved absences from work.

Normally termination would be a final step which would follow:

1. a substandard performance appraisal,
2. verbal and/or written warnings,
3. suspension, and/or
4. extended probation.

It is important that complete and clear records be maintained of all disciplinary processes for the protection of the employee and the library.

The Library wants each employee to be successful in his/her job and will work with employees to eliminate deficiencies.

While notice of intent to terminate can be expected, the Valier Public Library reserves the right to dismiss an employee without notice in cases involving theft, drug or alcohol abuse, criminal activity, or in instances of significant misconduct.

**Q. Resignation and Retirement Policy:**

A library employee wishing to resign or retire from employment must notify the director or the library board as soon as practicable. The library requests a minimum notice of two weeks. For the library director a notice of at least one month is preferred.

The employee must submit a formal, written resignation statement giving the exact date that employment is to be terminated. Between the time of notice and the time when employment ends a final performance appraisal will be conducted.

If the employee is entitled to benefits (such as earned, unused vacation) a lump sum payment can be made to the employee.

**R. Grievance Procedure:**

It is the intent of the Valier Public Library that every employee shall have the opportunity to express concerns relating to the physical surroundings in which the employee works, procedures and conditions of the specific position, relationships with fellow workers or supervisors, and library rules as they apply to staff. A concern or grievance should follow the procedure below:

1. If possible, discuss the problem with the director. In the case of the director having a concern, this should be discussed with the board president.
2. If the director is part of the problem, or if the board president is part of the director's problem, the concern/grievance should be submitted in writing for the library board and be delivered to the director, who will deliver the statement to the board president. The board president will, in turn, present the concern, during closed session, to the full board at the next or a special board meeting.
3. The board's representative will respond to the employee within five (5) days of the board meeting at which the issue is discussed, either providing a determination, solution, or a strategy for how the board will address the issue over time.

**S. Equal Opportunity Employment Policy:**

It is the policy of the Valier Public Library to provide an equal employment opportunity for all qualified and qualifiable persons. Equal employment opportunity shall be according to the provisions of State and Federal laws and regulations.

**T. Drug-Free Workplace Policy:**

In compliance with the *Drug-Free Workplace Act of 1988*, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited while performing work for the Valier Public Library, whether that work is carried out in the workplace building or not. All employees shall abide, as a condition of employment, by the terms of this notice and shall notify the library director or board within five (5) days of any criminal drug statute conviction for a violation occurring in the workplace.

Failure to comply with the above requirements shall be grounds for appropriate personnel action against such employee up to and including termination, or such employee may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise your concerns with the Library Director, to receive assistance or referrals to appropriate resources, without fear of reprisal. Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the State of Montana.

Montana Chemical Dependency Center

<http://www.dphhs.mt.gov/mcdc/>

2500 Continental Drive

Butte MT 59701

(406) 496-5400

**U. Sexual Harassment Policy:**

Harassment on the basis of sex is a violation of *Title VII* (federal law) and *MCA 45-5-221* (state law). Sexual harassment, either verbal or physical, is an unlawful employment practice and will not be tolerated by the Valier Public Library.

The Valier Public Library accepts and adheres to all definitions and procedures outlined in the law as regards sexual harassment. Any employee who engages in sexual harassment will subject themselves to disciplinary action up to and including discharge.

**V. Dress Code:**

All employees shall be responsible for their personal appearance and hygiene. Employees are expected to be neat and clean, and to use prudent judgment, good taste, and common sense regarding appropriateness of attire. Attire shall not interfere with job performance or job safety and should be neat and clean at all times.