

# Mid-Hudson Library System Employee Handbook



DRAFT June 2025

## ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Mid-Hudson Library System. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and the Finance Manager & Personnel Officer also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Mid-Hudson Library System adheres to the policy of employment at will, which permits the System or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No System representative other than Finance Manager & Personnel Officer, with the approval of the Executive Director, may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing. All personal actions related to at-will status are subject to board approval.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate System documents. These System documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general System guidelines. The System may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and Finance Manager & Personnel Officer and authorized by the Board of Trustees.

**This handbook is subject to the terms of any applicable collective bargaining agreement.**

This handbook supersedes all prior handbooks.

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## Section 1 - Governing Principles of Employment

### 1-1 Introduction

For employees who are commencing employment with Mid-Hudson Library System ("Mid-Hudson Library System" or "the System" or "System"), on behalf of Mid-Hudson Library System, let me extend a warm and sincere welcome.

For employees who have been with us, thank you s for your past and continued service.

I extend my personal best wishes for success and happiness here at Mid-Hudson Library System. We understand that it is our employees who provide the services that our ~~customers~~ members rely upon, and who will enable us to create new opportunities in the years to come.

Rebekkah Smith Aldrich, Executive Director

### 1-2 MHLS Mission and Philosophy

The Mid-Hudson Library System is one of 23 public library systems in New York State. We provide resources, support, and consultation to 66 public libraries in Columbia, Dutchess, Greene, Putnam, and Ulster counties.

MHLS was ~~sanctioned~~ chartered by the New York State Board of Regents, overseen by the Commissioner of Education of New York State, and is principally financed by New York State Aid under Chapter 917 of the State Education Law. MHLS is a member of the Southeastern New York Library Resources Council, New York Library Association, Sustainable Libraries Initiative, and the American Library Association.

#### Our Mission

The Mid-Hudson Library System acts to uphold ~~ensure~~ the public's right to free and equitable access to information and library resources; facilitate economical resource sharing; and promote professional and inclusive library services ~~while working~~ in partnerships with ~~our~~ the independent member and free association libraries ~~in the designated region~~.

#### Our Philosophy

We hope to provide a supportive working environment that fosters a sense of accomplishment and job satisfaction. ~~growth, opportunity and job satisfaction.~~

Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. MHLS encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following guidelines are not necessarily intended to be hard and fast rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of coworkers and the work environment.

- Respect the individual dignity of others
- Communicate with each other in positive ways
- Maintain a professional attitude
- Be courteous and flexible
- Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Express dissatisfaction through appropriate channels
- Remember that our member libraries are the reason we are here and attempt to provide prompt, courteous responses to their requests.

### 1-3 Chain of Command

For questions about the handbook, suggestions, unresolved evaluation disagreements, or any other concerns the employee may have, the employee should use the following Chain of Command:

**First - Immediate Supervisor**

**Second – Finance Manager & Personnel Officer**

**Third - Executive Director**

If an issue remains unresolved after following this Chain of Command, the employee may contact the Board President.

### 1-4 Equal Employment Opportunity

Mid-Hudson Library System is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran

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status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Mid-Hudson Library System's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Finance Manager & Personnel Officer. Mid-Hudson Library System will not allow any form of retaliation against employees who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Finance Manager & Personnel Officer. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

#### 1-5 Reasonable Accommodations & Interactive Dialogue

Mid-Hudson Library System is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA). To that end, we will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom Mid-Hudson Library System has notice may require such an accommodation, without regard to any protected classifications, related to an individual's:

- Diagnosed disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment that has been diagnosed by the appropriate medical professional;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Any individual who would like to request an accommodation based on any of the reasons set forth above should contact Finance Manager & Personnel Officer. Accommodation requests can be made in writing using a form which can be obtained from Finance Manager & Personnel Officer. If an individual who has requested an accommodation has not received an initial response within five (5) business days, the employee should contact Finance Manager & Personnel Officer.



After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, Mid-Hudson Library System will engage in an interactive dialogue with the employee.

Even if an employee has not formally requested an accommodation, Mid-Hudson Library System may initiate an interactive dialogue under certain circumstances, such as when Mid-Hudson Library System has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event Mid-Hudson Library System initiates an interactive dialogue with an employee, it should not be construed as Mid-Hudson Library System's belief an individual requires an accommodation, but will serve as an invitation for the employee to share with Mid-Hudson Library System any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, Mid-Hudson Library System will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how Mid-Hudson Library System may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Mid-Hudson Library System will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. Mid-Hudson Library System is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

As part of the interactive dialogue, Mid-Hudson Library System reserves the right to request supporting documentation to the maximum extent permitted by applicable law.

Mid-Hudson Library System will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

Mid-Hudson Library System will not allow any form of retaliation against employees who have requested an accommodation, for whom Mid-Hudson Library System has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact Finance Manager & Personnel Officer.

## 1-6 Pregnancy Accommodations

In compliance with New York law, Mid-Hudson Library System will not discriminate against employees in relation to pregnancy, childbirth or related conditions and will endeavor to provide reasonable accommodations for any pregnancy-related conditions, unless doing so would impose an undue hardship on the operation of the System's business.

Reasonable accommodations that may be provided include:

1. occasional breaks to rest or drink water;
2. a modified work schedule;
3. leave for related medical needs;
4. available light duty assignments; and
5. transfers away from hazardous duty.

The employee must cooperate in providing medical or other information that is necessary to verify the existence of the pregnancy-related condition or that is necessary for consideration of the accommodation. Such medical information will be kept confidential by the System.

The System will not require any employee to take leave because the employee is pregnant. If the employee takes medical leave due to a pregnancy-related condition or childbirth, the System will hold the employee's job for the employee as long as the System does for employees who take medical leave for other reasons.

The System will not retaliate against any employee because the employee is pregnant or may become pregnant or change the terms, conditions and privileges of employment because of pregnancy, childbirth or related conditions. The System also will not refuse to hire or to promote a candidate because the individual is pregnant or may become pregnant.

Employees with questions or concerns regarding this policy or who would like to request a reasonable accommodation pursuant to this policy should contact Finance Manager & Personnel Officer.

## 1-7 Non-Harassment

It is Mid-Hudson Library System's policy to prohibit intentional and unintentional harassment of or against our employees, job applicants, and interns by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions),

gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). The policy also protects contractors, subcontractors, vendors, consultants, or anyone else providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the System. The System also prohibits retaliation as defined below. All such conduct will not be tolerated by the System.

### **Purpose and Goals**

The System is committed to a workplace free of harassment (including sexual harassment), discrimination, and retaliation. These behaviors are unacceptable in the workplace and in any work-related settings such as remote work settings, business trips, and System-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor, or other third party. In addition to being a violation of this policy, harassment (including sexual harassment) and retaliation based on any protected characteristic as defined by applicable federal, state, or local laws are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Sexual and other harassment, discrimination, and retaliation are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees also will learn what harassment, discrimination, and retaliation look like, what actions they can take to prevent and respond to discriminatory conduct, and how they are protected from retaliation after taking action. The policy also will explain the investigation process into any claims of harassment.

Sexual harassment is a form of workplace discrimination that subjects employees to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the System recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience

with gender discrimination in the workplace. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace.

Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the System to liability for the harm experienced by the targets of discrimination. Individuals may also be individually subject to liability for engaging in harassment, and employers or supervisors who fail to report or react on harassment may be liable for aiding and abetting such behavior.

### **Definition of Harassment**

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

### **Definition of Sexual Harassment**

Sexual harassment includes harassment on the basis of sex or gender (which includes pregnancy, childbirth, and related medical conditions), gender identity or gender expression (which includes transgender status), and/or sexual orientation. Sexual harassment includes unwelcome conduct, which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender, gender identity or gender expression, and/or sexual orientation when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual

(such as what shifts and how many hours employees might work, project assignments, as well as salary and promotion decisions); or

- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination, including gender-role stereotyping and treating employees differently because of their gender. Sexual harassment does not have to be between members of the opposite sex or gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three (3) most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails), or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender, gender identity or gender expression, and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful. In New York, harassment does not need to be severe or pervasive to be illegal. Generally, any behavior in which an employee or covered individual is treated worse because of their gender, sexual orientation, or gender expression is considered a violation of Mid-Hudson Library System policy. The intent of the behavior, for example, making a joke, does not neutralize a claim of harassment; in other words, not intending to harass someone is not a defense. What matters is the impact of the behavior on the individual to whom it is directed.

Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment

will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

Examples of conduct that violate this policy include:

1. Unwelcome sexual advances, flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. Requests for sexual favors or demands for sexual favors in exchange for favorable treatment. This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially in those industries where hospitality and tips are essential to the customer/employee relationship;
3. Obscene or vulgar gestures, posters, or comments;
4. Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
5. Propositions or suggestive or insulting comments of a sexual nature;
6. Derogatory cartoons, posters, and drawings (including having such materials visible in the background of a remote workspace during a virtual meeting);
7. Sexually-explicit e-mails, text messages, or voicemails;
8. Uninvited touching of a sexual nature;
9. Unwelcome sexually-related comments;
10. Conversation about one's own or someone else's sex life or romantic history;
11. Repeated requests for dates or romantic gestures, including gift-giving;
12. Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual;
13. Teasing or other conduct directed toward a person because of the person's gender, gender identity, gender expression, or sexual orientation, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, or name-calling;
  - Intentional misuse of an individual's preferred pronouns; or
  - Creating different expectations for individuals based on their perceived identities, such as:
    - Dress codes that place more emphasis on women's attire; or
    - Leaving parents/caregivers out of meetings;
  - Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look;

- Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
- Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

This list is just a sample of behaviors and should not be considered exhaustive. Any employee or covered individual who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it. In addition, sexual harassment is not limited to interactions in person. Sexual harassment can occur when employees are working [off-site at a member library or](#) remotely from home as well. Harassment can happen on virtual meeting platforms, in messaging apps, and during non-working hours, and regardless of whether the communication occurs on Mid-Hudson Library System-owned or personal devices.

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

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

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

### **Definition of Retaliation**

Retaliation is prohibited. No employee or covered individual should fear reporting sexual harassment if they believe it has occurred. Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. Examples of retaliation may include but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;

- Publicly releasing personnel files;
- Refusing to provide a reference in a manner consistent with Mid-Hudson Library System policy or practice or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama;"
- Undermining an individual's immigration status;
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location;
- Threats of physical violence outside of work hours; and
- Disparaging someone on social media.

**Supervisory Responsibilities.** Everyone must work toward preventing sexual harassment, but supervisors and managers have a special responsibility to prevent sexual harassment and discrimination. Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to (Finance Manager & Personnel Officer). Managers and supervisors should not be passive and wait for employees to make a claim of harassment. If they observe such behavior, they must act.

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

**Bystander Intervention.** Any employee witnessing harassment as a bystander is encouraged to report it. There are five (5) standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help:

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling, and let them know the behavior was not ok; and



5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

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

### **Reporting Procedures**

If the employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Employee's Supervisor at the following address 103 Market Street, Poughkeepsie, NY 12601 and phone number (845) 471-6060 or to Finance Manager & Personnel Officer at the following address 103 Market Street, Poughkeepsie, NY 12601 and phone number (845) 471-6060.

If the person toward whom the complaint is directed is one of the individuals indicated above, employees should contact any higher-level manager in their reporting hierarchy.

Written complaints can be submitted internally using the form provided in this handbook. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

If the employee makes a complaint under this policy and has not received an initial response within five (5) business days, the employee should contact Executive Director immediately at the following address 103 Market Street, Poughkeepsie, NY 12601 and phone number (845) 471-6060.

### **Investigation Procedures**

Upon receiving a complaint, the System will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy that is fair to all parties. To the extent possible, the System will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the System generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents

or other information. The System recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

Upon completion of the investigation, the System will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The System will inform the complainant and the accused of the results of the investigation.

In the event the System determines that a violation of this policy has occurred, the System will take steps to ensure a safe work environment for the individuals who experienced the complained-of conduct. The System will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the System determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom the System determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in harassment (including sexual harassment) or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

### **Legal Protections and External Remedies**

An employee or covered individual who prefers not to report harassment to their manager or employer may choose to pursue external legal remedies. Complaints may be made to both the employer and a government agency. Aside from the internal complaint process at the System, individuals may choose to pursue external legal remedies with the following governmental entities.

#### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Exec. Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with the New York State Division of Human Rights (NYSDHR) or in New York State Supreme Court.

Complaints with NYSDHR may be filed any time within three (3) years of the sexual harassment or within one (1) year of any other harassment. If an individual did not file at NYSDHR, they can sue directly in state court under the HRL, within three (3) years

of the alleged harassment. An individual may not file with NYSDHR if they have already filed a HRL complaint in state court.

Complaining internally to the System does not extend the time to file with NYSDHR or in court.

An attorney is not needed to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

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

The NYSDHR has established a toll-free confidential hotline to provide counsel and assistance to individuals who believe they are experiencing workplace sexual harassment. Employees can call the toll-free sexual harassment hotline at 1-800-HARASS-3 Monday through Friday, 9:00 AM to 5:00 PM.

NYSDHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458; (718) 741-8400; [www.dhr.ny.gov](http://www.dhr.ny.gov).

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

### **Civil Rights Act of 1964**

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

EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit.

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

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

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

### **Local Protections**

Many localities enforce laws protecting individuals from harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, those who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the New York City Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit <https://www1.nyc.gov/site/cchr/index.page>.

### **Local Police Department Contact**

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime.

Employees should contact the local police department if they wish to pursue criminal charges.

This policy is aimed at providing employees and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the HRL protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color,

national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes. Remember, Mid-Hudson Library System cannot remedy claimed sexual or other harassment, discrimination, or retaliation unless an employee brings these claims to the attention of management. Employees should report any conduct which they believe violates this policy.

### **SEXUAL AND OTHER HARASSMENT COMPLAINT FORM**

If you believe that you have been subjected to sexual or other harassment, you are encouraged to complete this form and submit it to the Employee's Supervisor. If you are more comfortable reporting verbally or in another manner, you may do so and can follow the guidelines set forth in the System policy. You will not be retaliated against for filing a complaint. Once a complaint is received, the System will follow the investigation process described in our policy.

#### **General Information**

Your Name / Job Title:

Your Department / Supervisor:

Preferred Communication Method (if via e-mail or phone, please provide contact info):

### **Complaint Information**

1. Please tell us who you believe has violated our policy against sexual and other harassment. What is their relationship to you (e.g., Supervisor, Subordinate, Co-Worker, Other):

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

3. Please provide specific date(s) when the alleged sexual or other harassment occurred. Additionally, please advise if the alleged sexual or other harassment is continuing?

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

*This last question is optional, but may help the investigation.*

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

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

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

#### 1-8 Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect System property, and to ensure efficient operations, Mid-Hudson Library System has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the System.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale, or distribution of controlled substances (including medical/recreational marijuana), drug paraphernalia, or alcohol by an individual anywhere on System premises, while on System business (whether or not on System premises) or while representing the System, is strictly prohibited. Employees and other individuals who work for the System also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of lawful recreational or medical marijuana or to use such as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law. This restriction does not

apply to responsible drinking of alcohol at business meetings and related social outings.

MHLS reserves the right to drug test as part of the pre-employment process, following a workplace accident, or when suspected of impairment that interferes with job performance.

Violation of this policy will result in disciplinary action, up to and including discharge.

The System maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any System employee, including themselves.

## 1-9 Workplace Violence

Mid-Hudson Library System is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to System and personal property.

Mid-Hudson Library System does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, Mid-Hudson Library System specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, Mid-Hudson Library System does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in System policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or



equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

### **Prohibited Conduct**

Threats, threatening language or any other acts of aggression or violence made toward or by any System employee **WILL NOT BE TOLERATED**. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto System premises.

### **Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede Mid-Hudson Library System's ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the System determines, after an appropriate good faith investigation, that someone has violated this policy, the System will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for the System to be aware of any potential danger in its offices. Indeed, the System wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

### **1-10 Reproductive Health Decision Making Discrimination**

Mid-Hudson Library System may not:

- discriminate or take any retaliatory personnel action against employees with respect to compensation, terms, conditions or privileges of employment because of, or on the basis of, the employee's or dependent's reproductive health decision making, including but not limited to a decision to use or access a particular drug, device or medical service; or

- require employees to sign a waiver or other document that purports to deny employees the right to make their own reproductive health care decisions, including use of a particular drug, device or medical service.

The System also may not access the employee's personal information regarding the employee's or the dependent's reproductive health decision making, including but not limited to the decision to use or access a particular drug, device or medical service without the employee's prior informed affirmative written consent.

Employees may bring a civil action in any court of competent jurisdiction against the System for any alleged violations of this policy. In any civil action alleging a violation of this policy, the court may: award damages, including, but not limited to, back pay, benefits and reasonable attorneys' fees and costs incurred to a prevailing plaintiff; afford injunctive relief against the System if it commits or proposes to commit a violation of the provisions of this policy; order reinstatement; and/or award liquidated damages equal to 100 percent of the award for damages unless the System proves a good faith basis to believe that its actions in violation of this policy were in compliance with the law.

Any act of retaliation for employees exercising any rights granted under this policy shall subject the System to separate civil penalties. For the purposes of this policy, retaliation or retaliatory personnel action means discharging, suspending, demoting or otherwise penalizing employees for: making or threatening to make a complaint to the System, co-worker or to a public body, that rights guaranteed under this policy have been violated; causing to be instituted any proceeding under or related to this policy; or providing information to or testifying before any public body conducting an investigation, hearing or inquiry into any such violation of a law, rule or regulation by the System.

Employees with issues or concerns regarding this policy or who feel they have been subjected to any alleged violation of this policy should contact Finance Manager & Personnel Officer.

## Section 2 - Operational Policies

### 2-1 Employee Classifications

For purposes of this handbook, all Mid-Hudson Library System employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 35 hours per week who were not hired on a short-term basis.

**Part-Time Employees** - Employees who regularly work fewer than 35 hours per week who were not hired on a short-term basis.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for System benefits, but are eligible to receive statutory benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same bi-weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

### 2-2 Trial Period

There shall be trial periods as follows:

- A) Employees in exempt positions – 12 months: Written evaluations shall be conducted not later than halfway through the trial period and at the conclusion of the trial period.
- B) All other employees – 6 months: Written evaluations shall be conducted not later than halfway through the probationary period and at the conclusion of the probationary period.

~~The first six months of employees' employment is an introductory period.~~ This is an opportunity for Mid-Hudson Library System to evaluate the employee's performance. It also is an opportunity for employees to decide whether they are happy being employed by the System. The System may extend the introductory trial period if it desires. Completion of the introductory trial period does not alter the employee's at-will status.

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Mid-Hudson Library System will conduct a formal performance review at the end of the introductory period.

## 2-3 Your Employment Records

A) In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing Finance Manager & Personnel Officer of any changes. Employees also should inform Finance Manager & Personnel Officer of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

### B) Personnel Files

1. Content: No material other than that of a routine financial nature shall be placed in an employee's official personnel file, unless the employee has had an opportunity to review the material. Employees will be given a copy of any materials to be placed in their files, after the effective date of this contract. The employee shall acknowledge that an opportunity to review such material has been afforded by signing or initializing the copy to be filed. Such signing or initializing shall not be construed to indicate agreement with the contents thereof. The employee shall also have the right to submit a written answer to such material, within twenty (20) days after having been granted an opportunity to review the material placed in the file. This answer shall be reviewed by the Executive Director and attached to the file copy. When MHLS employment ceases, no material other than final termination papers shall be placed in the individual's personnel file after such termination has taken place.

2. Access: Employees shall have the right upon appointment to review the contents of their official personnel files. Such appointments shall be made within two (2) working days after the employee requests the right to review. No person shall be allowed to review any file other than his/her own. However, CSEA members shall be entitled to be accompanied by a representative of the CSEA during such review. All such reviews shall be conducted in a location as prescribed by the Executive Director. No employee's file shall be altered or removed from such location for any reason. All employees shall have the right to request a single photocopy of up to ten pages (10) of any materials found in their official personnel file. Additional pages will be provided at \$.05 per copy.

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## 2-4 Working Hours and Schedule

Mid-Hudson Library System normally is open for business from 8:30am to 4:30pm, Monday through Friday.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. Full-time employees are expected to work a seven-hour workday with a one-hour unpaid lunch break. To accommodate the needs of the business, at some point Mid-Hudson Library System may need to change individual work schedules on either a short-term or long-term basis. Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. In MHLS' discretion, MHLS may provide for a flex-time schedule, subject to prior approval by the appropriate supervisory and by the Executive Director of MHLS in recognition of the requirements of MHLS.

Employees will be provided meal and rest periods as required by law. For each full day worked, employees shall be allowed two rest periods of 15 minutes each. For each half day (3.5 hours or more) worked, employees shall be allowed one 15-minute rest period.

Any employee who works a shift of more than six (6) hours, which extends over the noonday meal period, is entitled to at least thirty (30) minutes and up to sixty (60) minutes off for the noonday meal. The noonday meal period is recognized as extending from eleven o'clock in the morning to two o'clock in the afternoon.

Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Meal and rest periods cannot be combined, nor can they be used to extend time off by not taking a rest period.

An employee may work through a meal period with the permission of the supervisor in exchange for being able to leave work early on an occasional basis due to employee needs. However, such a situation cannot be agreed to on a long-term, regular basis. Any adjustments of this type must be reported to the Finance Manager & Personnel Officer by the supervisor on the date it is authorized.

Employees who feel they were not provided with a meal period that complies with this policy should inform their supervisor or manager, and (if not corrected) the Finance Manager & Personnel Officer immediately.

Flex-Time Schedules: At MHLS' discretion, MHLS May provide for a flex-time schedule, outside of the normal working hours of 8:30am-4:30pm, subject to prior approval by the appropriate supervisor and by the Executive Director in recognition of the requirements of MHLS.

Compensatory Time: Exempt employees will, at times, be asked to work hours outside the regular business hours of MHLS. When feasible for these times, MHLS encourages the use of flexible time so as not to incur extra hours beyond the regular work week of 35 hours.

For purposes of this policy, flexible time means to use time in the same day or week and does not need to be recorded.

When flexible time is not feasible, and the time is approved in advance by the Executive Director, exempt employees will be allowed to incur compensatory (comp) time, hour for hour, for time worked in excess of 35 hours. Comp time must be recorded when earned and signed by the Executive Director. Any comp time hours must be used within the same pay period or be forfeited. Comp time may not be accumulated.

Comp time is not earned for weekend conference participation. Flexible time may be used two days prior or two days following a weekend conference, with the approval of the Executive Director.

Comp time may not be taken prior to being earned.

Use of one full day or more of comp time must have prior approval of your immediate supervisor.

Flexible time should be used before or after a conference that requires weekend travel. (i.e., Saturday morning travel back from a conference ending late Friday, or Sunday travel for a conference beginning early Monday morning.)

## **2-5 Remote Work/Telecommuting**

Mid-Hudson Library System may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by the System. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by the System at any time and at the discretion of the System. Employees also may discontinue the arrangement but may not be guaranteed office space at the System's location.

### **At-Will Employment**

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by the System or employee without notice, cause, or liability.

### **Hours of Work**

~~Employees will work full time from home. The s~~Scheduled hours of work~~is~~ will be set by the employees' ~~manager or supervisor and reviewed by the Executive Director.~~ Employees should maintain regular contact with their supervisors and managers.

Nonexempt employees must accurately record all hours worked pursuant to the System's timekeeping system and take rest and meal breaks as if in the System's workplace and as required by law. Nonexempt employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior, written authorization from their manager or supervisor.

### **Location**

Employees will provide, at their expense, a secure, dedicated work area. Employees are responsible for maintaining the work area in a safe, secure, and nonhazardous condition at all times. Employees will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any System-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by the System.

### **Duties**

Employees are expected to follow all existing System policies and procedures. The duties, obligations, responsibilities, and conditions of employment with the System remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing System policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or supervisor before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

### **Accidents and Injuries**

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on System premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their supervisors or manager immediately and complete all necessary and/or requested documents regarding the reported injury. The System assumes no responsibility for injuries occurring in the remote work space outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote work space.

### **Equipment**

Employees agree to use electronic equipment that has been encrypted and meets all of the System's security requirements. If the System provides equipment for home use, employees agree to provide a secure location for System-owned equipment and will not use, or allow others to use, such equipment for purposes other than System business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by the System. The System will bear the expense of removal of any such equipment, linkages, and installations provided by the System upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release the System



from any damage or liability incurred in the installing or removal of the equipment provided by the System.

### **Return of System Property**

All equipment, records, and materials provided by the System will remain System property. Employees agree to return System equipment, records, and materials upon request. All System equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

### **Expenses**

Upon ~~presentation~~ ~~presentment~~ of receipts and in accordance with the Business Expense Reimbursement policy, the System will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

### **Confidentiality**

Employees agree that they are subject to the System's policies prohibiting the nonbusiness use or dissemination of the System's confidential business information. Employees will take all appropriate steps to safeguard the System's confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding the System's products or services, processing, marketing and sales, ~~client-member/patron~~ lists, ~~client~~patron e-mail addresses and mailing addresses, ~~client-patron~~ data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and corporate financial information.

### **Agreements/Arrangements**

For a formal telecommuting arrangement, the employee and supervisor will agree on the number of days of telecommuting allowed each week, the work schedule the employee will customarily maintain, and the manner and frequency of communication.

For formal and informal telecommuting arrangements, the employee agrees to be accessible by phone or email within a reasonable time period during the agreed-on work schedule, and to post work hours and location on the MHLS shared work calendar.

For formal and informal telecommuting arrangements, telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to record all hours worked in a manner designated by MHLS. Telecommuting employees will be held to a high standard of compliance due to the nature of the work arrangement. Hours worked in excess of those specified per day and per workweek, in accordance with state and federal requirements, will require the advance approval of the employee's supervisor. Failure to comply with this requirement can result in the immediate cessation of the telecommuting agreement.

### **Formal Telecommuting Agreement**

Before entering into any formal telecommuting agreement, the employee and supervisor, with the assistance of the Business Office, will evaluate the suitability of such an arrangement, paying particular attention to the following areas:

A shared use agreement may allow the use of a cell phone/service supplied or subsidized by MHLS for both business and private use.

1. If the employee and supervisor agree, and the Personnel Officer and Executive Director concurs, a draft formal telecommuting agreement will be prepared and signed by all parties, and a three- month trial period will commence.

2. For formal telecommuting arrangements, valuation of telecommuter performance during the trial period may include daily interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. At the conclusion of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

3. An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that seems appropriate for the job and the individuals involved.

4. Telecommuting is not designed to be a replacement for appropriate family care. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are expected to discuss the requirements of telecommuting with family members prior to entering into a trial period.

Employees entering into a telecommuting agreement may be required to forfeit use of a personal office or workstation in favor of a shared arrangement to maximize MHLS office space needs.

The availability of telecommuting as a flexible work arrangement for employees of MHLS can be discontinued at any time at the discretion of MHLS. Every effort will be made to provide 30 days' notice of such a change to accommodate commuting, childcare and other problems that may arise from such a change. There may be instances, however, when no notice is possible.

#### **Informal Telecommuting Procedures**

1. All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

2. Informal telecommuting may be requested by an employee and granted by their supervisor ONLY if the position has been identified by MHLS as eligible for telecommuting.

3. If the employee and supervisor agree on an informal telecommuting arrangement, the employee may be required to complete and submit the online Informal Telecommuting Request Form, at the discretion of the supervisor.

4. A supervisor must approve an informal telecommuting request PRIOR to the date/time of the request.

5. An informal telecommuting arrangement may not conflict with any other MHLS personnel policy.

#### **Contact**

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact Finance Manager & Personnel Officer.

## 2-6 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management. All overtime work must always be approved before it is performed.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

## 2-7 Overtime

When Mid-Hudson Library System experiences periods of extremely high activity, additional work may be required. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations. Employees may work overtime only with prior management authorization. Any non-exempt employee who works overtime without authorization may be subject to disciplinary action, up to and including termination.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their regular hourly wage for all time worked in excess of 40 hours each workweek, unless otherwise required by applicable law. Overtime pay is calculated based on actual hours worked. Paid time off, holidays, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Saturday and ends 168 hours later at 12 a.m. on the following Saturday.

Supervisors must seek approval for overtime allowances from the Executive Director and report authorizations, once approved and agreed upon with the employee, to the Finance Manager & Personnel Officer.

## **Makeup Time**

Nonexempt employees may make up work time that is, or would be, lost as a result of personal obligations if the time is made up during the same work week in which the work time is lost. A nonexempt employee will be permitted to make up work time only if the employee submits a signed written request to make up the lost time and the employee's direct supervisor approves the request in advance. Nonexempt employees will not be paid overtime for performing makeup work unless they work more than 11 hours in a workday or more than 40 hours in the workweek.

## **2-8 Reporting Pay**

Non-exempt employees who report to work at MHLS's request but are furnished less than half of their usual or scheduled day's work, will be paid for half the usual or scheduled day's work, but not less than four hours' pay at their regular rate, without regard to the number of hours they actually worked, unless the reasons for the lack of work are beyond MHLS's control. Reporting time pay will not be paid to an employee on paid standby status who is called to perform assigned work at a time other than the employee's scheduled reporting time. Reporting time hours are not counted as "hours worked" for overtime purposes beyond the time in which work actually is performed. For example, if an employee who is scheduled to work an eight-hour shift is sent home after three hours. The employee will receive four hours' pay for that day, but the fourth hour of reporting time pay will not be treated as time worked for overtime purposes.

## **2-9 Natural Disasters**

In the event of a facility disaster such as earthquake, flood, hurricane, tsunami, tornado, fire, explosion, etc., the facility may be closed if the building is damaged or highways leading to the office or facility are damaged. ~~For instructions on reporting to another location, contact the office or facility immediately.~~ Consult the Emergency Closing Procedures or Suspension of Service, Emergency Closing, or Early Release Policy.

## **2-10 Emergency Closings**

### **Emergency Closing or Early Release**

From time-to-time MHLS or a part of it may suspend operations or release employees because of an emergency such as power failure or hazardous weather conditions. Listed below are guidelines regarding emergency closings or early releases.

## Closing Procedures

- Authority to close MHLS or release employees from work rests with the MHLS Executive Director or their designee(s).
- If a decision to suspend MHLS operations that rely on the physical location of our office building or Auditorium is made before the start of work in the morning, a telephone calling tree or texting is used to inform all impacted employees of a closing or late opening in a timely manner. Staff who have jobs that are classified as “telecommuting eligible” will be expected to work from home in this instance.
- If the decision to close the facilities is made after the start of work, impacted MHLS staff will be notified by email. Staff who have jobs that are classified as “telecommuting eligible” that were working in the building when this notification is issued are expected to continue to work from home until their normal end time once they arrive home.
- Suspending operations that rely on the physical location of our office building or Auditorium does not automatically extend to the work of delivery and facilities services positions. Employees holding these positions should confer with their supervisor regarding their work status during an emergency closing or early release. Supervisors should make clear beforehand, when possible, which staff are expected to work in the case of an emergency closing or early release, what their obligations are, and establish procedures to let them know whether they will be needed to work.

## Pay During Emergency Closing or Early Release

- Since the nature and effect of the emergency may vary, the pay policy to be followed may also vary.
- vary.
- The hours of a suspension of services, emergency closing, or early release are paid at regular rates of pay for those regularly scheduled to work on these days with the exception of pay for:
  - staff whose job responsibilities require them to stay or work on-site, such as the Facilities Operation Manager and/or their designees; or
  - when a supervisor makes a direct request for an employee to stay on-site or come onsite during an emergency closing or early release.

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## Computation of Pay for Exceptional Circumstances, noted above:

- Part-time staff paid on an hourly basis will get their regular rate of pay for hours worked on-site during a Suspension of Services, Emergency Closing or Early Release, added to their Closing Pay.

- For full-time non-exempt staff paid on a salary basis, hours worked on-site are either compensatory time earned or paid at regular rate of pay up to 40 hours worked and time and half for hours worked over 40, added to their Closing Pay.
- For full-time exempt staff paid on a salary basis, hours worked on-site are compensatory time earned.

### **Telecommuting Staff Who Experience Power/Internet Outages at Home**

An employee that is telecommuting may experience a local extended power/internet outage or other disaster that would result in an inability to perform required tasks. In this case: ☹

- If the MHLS facility is open, the employee is expected to re locate to the office building for the workday, with no penalty for commuting/travel time, or to use accrued paid leave time. ☹
- If the MHLS facility is not open, due to conditions described in this policy, the employee must notify their supervisor and agree on work products for the day. They will not be asked to use accrued paid leave time.

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### **Employees on Leave During an Emergency Closing or Early Release**

An employee who is not eligible for telecommuting and who would have been regularly scheduled to work at the office building who is absent due to illness (sick leave), personal leave, floating holiday or vacation leave will not be charged for their leave time.

### **Absence or Lateness – MHLS Not Closed**

Occasionally severe weather conditions cause an employee that is not eligible to telecommute to decide not to report to work or to arrive late to work. Employees must follow the MHLS Attendance and Punctuality Policy. Employees are not paid for time they lose by not reporting or being late to work. Employees may request from their supervisor to use accrued paid leave time.

## **2-11 Travel Time for Non-Exempt Employees**

### **Overnight, Out-of-Town Trips**

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel

time; however, such work should be limited absent advance management authorization.

### **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

### **Local Travel**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when the employee goes directly home from the final job site, unless it is much longer than the regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

### **Commuting Time**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

Employees with a split shift schedule will be compensated for the travel time in the same day between a home office and on-site office.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1-1/2) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

### **2-12 Business Expense Reimbursement**

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be pre-approved whenever reasonable by the employee's Supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the employee's Supervisor along with the receipts in a timely manner.



Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their Supervisor in advance if they have any questions about whether an expense will be reimbursed.

### 2-13 Safe Harbor Policy for Exempt Employees

It is Mid-Hudson Library System's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for Mid-Hudson Library System. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to the New York State & Local Retirement System.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the System has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Finance Manager & Personnel Officer or any other supervisor in Mid-Hudson Library System with whom the employee feels comfortable.

## 2-14 Your Paycheck

Employees will be paid bi-weekly on Fridays for all the time worked during the past pay period. In the event that a regularly scheduled payday falls on a day off or a holiday, employees will receive their paycheck on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation.

Payroll stubs itemize deductions made from gross earnings. By law, Mid-Hudson Library System is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of Finance Manager & Personnel Officer immediately so the System can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

## 2-15 Direct Deposit

Mid-Hudson Library System strongly encourages employees to use direct deposit. Direct deposit will be available on paydays, unless it's a day when banks are closed, in which case funds will be available the day before.

Authorization forms are available from Finance Manager & Personnel Officer.

## 2-16 Salary Advances

Mid-Hudson Library System does not permit advances on paychecks or against accrued paid time off.

## 2-17 Performance Review

Depending on the employee's position and classification, Mid-Hudson Library System endeavors to review performance annually after the employee's trial period ends. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, the System encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

Evaluation procedures are set by the Executive Director.

## 2-18 Record Retention

Mid-Hudson Library System acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the System and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the Executive Director ~~&-and~~ Finance Manager & Personnel Officer to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving the System that may have an impact on record retention protocols.

## 2-19 Job Postings

~~Mid-Hudson Library System is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer~~

opportunities. This policy outlines the online job posting program which is in place for all employees. To be eligible to apply for an open position, the employees must meet the following requirements:

- Be a current, regular, full time or part time employee;
- Have been in current position for at least six (6) months;
- Maintain a performance rating of satisfactory or above;
- Not be on conduct/performance related probation or warning;
- Meet the job qualifications listed on the job posting; and
- Provide their current manager with notice prior to applying for the position.

If employees find a position of interest on the job posting website and they meet the eligibility requirements, an online job posting application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. The System reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact the Human Resources Department.

### **Vacancies and Job Openings**

Whenever a vacancy or job opening occurs, MHLS will post a notice containing a description of said position, including qualifications, salary and date of posting. Any employee may, within the time specified in such notice (not less than five (5) working days), file a written request to be considered for such position with the Executive Director and furnishing a statement of the employee's qualifications.

### **Promotions**

When, in the discretion of MHLS's administration, an employee is deemed eligible for promotion, such promotion may be made without posting of notice.

(MHLS shall be the sole judge as to the qualifications of all candidates.)

## **2-20 Open Door Policy**

All employees have the opportunity to express ideas and opinions to management. The System believes that open communication is essential to a successful work environment, as well as to the System's success. All employees may express ideas and opinions directly to System management. Employees who would like to bring an

idea or suggestion to the System's attention, or just simply wishes to discuss an issue not covered by a separate reporting procedure, are always welcome to send an email or make a call to ~~Human Resources~~the Finance Manager & Personnel Officer.

## Section 3 - Benefits

### 3-1 Benefits Overview

In addition to good working conditions and competitive pay, it is Mid-Hudson Library System's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

[The collective bargaining agreement may also provide for additional benefits not listed in this policy.](#)

The next few pages contain a brief outline of the benefits programs Mid-Hudson Library System provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from Finance Manager & Personnel Officer. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, Mid-Hudson Library System (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the System intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact Finance Manager & Personnel Officer.

### 3-2 Paid Holidays

All employees will be paid for the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Juneteenth National Independence Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

MHLS will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

\* Regular full-time employees

Regular part-time and temporary employees will receive paid holiday time off for their scheduled hours if such holiday falls on a day they would normally report to work.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday.

In the cases where a recognized holiday falls on a weekend, MHLS will grant paid holiday time off for the observed Friday or Monday. Staff regularly scheduled for weekends are expected to work and will receive their straight-time rate for the hours worked.

In addition to the recognized holidays previously listed, eligible employees will receive up to two (2) Floating Holidays each year. Employees hired during the period of January 1 through May 31 earn two (2) floating holidays, and if hired during the period of June 1 through November 30 earn one (1) floating holiday in that calendar year. If hired December 1-31 no floating holidays are earned for that year. These

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holidays must be scheduled with the prior approval of the employee's supervisor. An unused floating holiday cannot be carried over to the next calendar year.

Paid time off for holidays will not be counted as hours worked for the purpose of determining overtime.

### **3-3 Paid Vacations**

Mid-Hudson Library System appreciates how hard employees work and recognizes the importance of providing time for rest and relaxation. Mid-Hudson Library System fully encourages employees to get this rest by taking vacation time. Employees accrue paid vacation time as follows:

Regular, Full-time, Exempt Employees will receive twenty (20) days per year.

Regular, Full-time, Non-Exempt Employees will receive twelve (12) days per year plus one (1) additional day for each additional year of service, up to twenty (20) days per year.

Regular, Part-time Employees will receive vacation leave based on time worked in accordance with MHLS' pro-rated Vacation Leave Accrual Schedule.

Vacation time is accrued as per MHLS' Vacation Leave Accrual Schedule. Both schedule and policy are in accordance with CSEA Local 1000 Collective Bargaining Agreement.

The length of eligible service is calculated on the basis of a "benefit year", which is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. Please see individual leave of absence policies for more information.

Vacations should be taken during the year accrued, unless otherwise required by law. Accrued, unused vacation time can be carried over to the next benefit year, up to a maximum of twice the annual accrual rate of vacation leave. Employees will not be allowed to accrue vacation over the maximum allowed. Once employees reach the maximum allowed, vacation will not be accrued until time is used.

Vacation leave must be used during the employee's benefit year at the rate of at least one-fourth (1/4) the annual accrual or a minimum of five (5) days, whichever is more, or be forfeited. For questions, please contact Finance Manager & Personnel Officer.



Every effort will be made to grant employees' vacation preference, consistent with operating schedules. However, if too many people request the same period of time off, the System reserves the right to choose who may take vacation during that period. Employees with the longest length of service generally will be given preference. Vacation requests must be submitted to managers at least two (2) weeks in advance of the requested vacation dates.

Vacation may be used only in half-day increments.

Upon voluntary termination of employment by CSEA members and non-CSEA employees who are not supervisors, providing a minimum of two weeks notice, employees will be paid for unused vacation time that has been earned through the last day of work, up to the maximum mentioned above. Non-CSEA Supervisors will be paid when at least 30-days' notice is provided. The two-week or 30-day notification requirement can be waived at the discretion of the Executive Director. In the event that an employee shall die, accumulated vacation leave pay, not to exceed forty-four (44) days, shall be paid to his/her estate.

Advanced but unaccrued vacation will be deducted from final paychecks to the extent permitted by law.

### 3-4 Paid Personal Days

A) Each full-time employee will be allowed up to five (5) days of personal leave, with pay, per contract year for matters which cannot be taken care of during non-working hours and providing that the employee give written notice at least by noon of the day of leave. In case of emergency of a nature that such advance notice could not be given, the written notification shall be given as soon as possible. Personal leave days may not be accumulated from year to year. Use of personal leave shall be computed in units of one-half (1/2) hour. Personal leave for new employees during the first calendar year of employment shall be pro-rated. During the first five (5) months of employment, employees may use personal leave at a rate not to exceed one day per month.

B) All personal leave accruals must be used within the year in which they are accrued, and will be lost if they are not used by the end of the year in which they were accrued.

Personal Days are not paid out at end of employment

Regular full-time employees are allowed up to five (5) personal days for matters that cannot be taken care of during non-working hours.

Personal days may be taken in units of one-half (1/2) hour, with prior notice given to immediate supervisor.

~~Personal days for new employees shall be pro-rated during the first calendar year of employment. During the first five (5) months of employment, employees may use Personal days at a rate not to exceed one day per month.~~

~~Personal day balance is reset at the beginning of the year. Any unused Personal days at the end of the calendar year may not be carried over.~~

### 3-5 Sick Days

Since the below referenced paid time off policy exceeds NYS Sick Leave Law requirements, no additional time will be accrued under this sick leave policy.

### 3-6 Sick and Safe Time

#### Eligibility

Mid-Hudson Library System provides paid sick leave to all employees. For employees who work in New York who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent that it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

#### Accrual

Employees begin accruing paid sick leave pursuant to this policy at the start of employment.

Regular full-time employees: Eligible employees will accrue sick leave benefits at the rate of 12 days per year (1 day per month). Sick leave benefits will be calculated on the basis of a calendar year.

Part-time employees: Effective September 30, 2020, part-time employees will accrue paid sick leave at a rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 40 hours each calendar year.

~~Employees will accrue one (1) hour of paid sick leave for every 30 hours worked, up to a maximum accrual of 40 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case sick leave accrues based on that normal workweek. For~~

purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

## Usage

Employees may begin using sick leave once it is accrued. Sick leave may be used in a minimum increment of ~~four (4)~~one-half hour. ~~Employees may not use more than 40 hours of sick leave in any calendar year.~~

Employees may use accrued sick leave for the following reasons:

- A mental or physical illness, injury, or health condition of the employee or family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time sick leave is requested;
- The diagnosis, care, or treatment of a mental or physical illness, injury, or health condition of, or need for medical diagnosis of, or preventive care for, the employee or family member; or
- For family illness. Family illness is defined as the illness of any person who is a member of the employee's immediate household, i.e., spouse, child, parent, sister, brother, or other person who is not a member of the immediate household but who is a person for whom the employee has significant responsibility. An employee may also be entitled to New York State Paid Family Leave ("PFL") to care for a close relative with a serious health condition.
- An absence from work due to any of the following reasons when the employee or family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking:
  1. To obtain services from a domestic violence shelter, rape crisis center, or other services program;
  2. To participate in safety planning, temporarily, or permanently relocate or take other actions to increase the safety of the employee or family members;
  3. To meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding;
  4. To file a complaint or domestic incident report with law enforcement;
  5. To meet with a district attorney's office;
  6. To enroll children in a new school; or
  7. To take any other actions necessary to ensure the health or safety of the employee or family members or to protect associates or work colleagues.

A person who has committed such domestic violence, family offense, sexual offense, stalking, or human trafficking will not be eligible for paid sick leave for situations in which the person committed such offense and was not a victim, notwithstanding any family relationship.

For purposes of this policy, "family member" means:

- A child (biological, adopted, or foster child, a legal ward, or a child of the employee standing in loco parentis);
- Spouse or domestic partner;
- Parent (biological, foster, step, adoptive, legal guardian, or person who stood in loco parentis when the employee was a minor child);
- Sibling;
- Grandchild or grandparent; and
- The child or parent of the employee's spouse or domestic partner.

Unless advised otherwise, the System will assume, subject to applicable law, that employees want to use available sick leave for the reasons set forth above, and employees will be paid for such absences to the extent they have paid sick leave available.

### **Notice and Documentation**

Employees may make oral or written requests to their supervisor and Finance Manager & Personnel Officer to use sick leave.

The System may require supporting documentation for the use of sick leave where the employee uses sick leave for ~~three (3)~~ five (5) or more consecutive or previously scheduled work days or shifts, to the extent permitted by applicable law. Requests for documentation should not specify the reason for leave but should be limited to: (i) an attestation from a licensed medical provider supporting the existence of a need for sick leave, the amount of leave needed and a date that the employee may return to work; or (ii) an attestation from an employee of their eligibility to leave. The System will not require disclosure of confidential information relating to a mental or physical illness, injury, or health condition or information relating to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of providing sick leave. The System will not require an employee to pay any costs or fees associated with obtaining medical or other verification of eligibility for use of sick leave.

### **Payment**

Sick leave will be paid at the employee's regular rate of pay or the applicable state minimum wage, whichever is greater. Use of sick leave is not considered hours worked for purposes of calculating overtime.

### **Carryover and Payout**

Employees may carry over any unused sick leave but may not accrue more than 165 days, or 1,155 hours, of sick leave, to the following calendar year. However, employees only may use up to 40 hours in each calendar year unless granted approval from their Supervisor and the Executive Director, a doctor's note may be requested in this situation. Accrued but unused sick leave will not be paid at separation.

### **Enforcement and Retaliation**

Employees will not be discharged, threatened, penalized, or in any other manner discriminated or retaliated against because they have exercised their rights to request and use sick leave under this policy and applicable law.

If employees have any questions regarding this policy, they should contact Finance Manager & Personnel Officer.

### **3-7 Time Off for Religious Reasons**

MHLS will reasonably accommodate the known religious ~~beliefs~~leaves and practices of employees, provided this does not result in ~~an undue~~undue hardship to MHLS. Employees should consult with their manager if they need to take time away from work, without pay, for religious reasons. Employees can use PTO if available, if not, time will be unpaid.

### **3-8 Lactation Accommodation**

Employees have the right to express breast milk in the workplace pursuant to federal and New York law.

The System provides employees who are nursing with reasonable paid break of up to 30 minutes time as needed or permit employees to use paid break time or meal time if additional time is needed to express breast milk for the employee's nursing child each time such employee has a reasonable need to express breast milk for up to three (3) years after the birth of a child.

Upon request of an employee who chooses to express breast milk in the workplace, the System will designate a room or other location which will be made available for use

by such employee to express breast milk. Such room or other location will be a place that is:

1. In close proximity to the work area,
2. Well-lit,
3. Shielded from view, and
4. Free from intrusion from other persons in the workplace or the public.

Such room or other location will provide, at minimum, a chair, a working surface, nearby access to clean running water, and, if the workplace is supplied with electricity, an electrical outlet. The room or location provided by the System for this purpose must not be a restroom or toilet stall.

If the sole purpose or function of such room or other location is not dedicated for use by employees to express breast milk, such room or other location will be made available to such employee when needed and will not be used for any other purpose or function while in use by such an employee. The System will provide notice to all employees as soon as practicable when such room or other location has been designated for use by employees to express breast milk.

Where compliance with the lactation room requirements set forth above is impracticable because it would impose an undue hardship on the System by causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the System's business, the System will make reasonable efforts to provide a room or other location, other than a restroom or toilet stall, that is in close proximity to the work area where the employee can express breast milk in privacy.

If the workplace has access to refrigeration, the System will extend such access to refrigeration for the purposes of storing the expressed milk.

Employees may submit a request for a room or other location for use by employees to express breast milk by contacting the manager. The System will respond to such requests within five (5) business days.

Employees will not be discharged, threatened, penalized, or in any other manner discriminated against or retaliated against for exercising their rights under this policy and applicable law.

Employees should refer to the New York State Department of Labor's Policy on the Rights of Employees to Express Breast Milk in the Workplace, available at <https://dol.ny.gov/system/files/documents/2023/06/p705-policy-on-the-rights-of->

[employees-to-express-breast-milk-in-the-workplace-single.pdf](#), which was separately issued, for additional details.

Employees should consult Finance Manager & Personnel Officer with questions regarding this policy.

### 3-9 Workers' Compensation

On-the-job injuries are covered by Mid-Hudson Library System's Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow System procedures may affect the ability of employees to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### 3-10 Jury Duty Leave

~~Mid-Hudson Library System realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service, including fees received for jury duty service.~~

~~Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.~~

~~The System will compensate the juror with a fee of \$40 or the juror's regular wage (whichever is lower) for the first three (3) days of jury service. Exempt employees will be paid their full salary less jury duty fees for any week in which they performed work for the System and missed work due to jury service.~~

Mid-Hudson Library System realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service, including fees received for jury duty service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

An employee required to report for jury duty shall be granted a leave with pay. Payment received as a result of jury duty (other than compensation for expenses) shall either be withheld from the employee's earnings or shall be paid by the employee to MHLS.

### 3-11 Witness Leave

Employees called to serve as a witness in a judicial proceeding must notify their supervisor as soon as possible.

Employees will not be compensated for time away from work to participate in a court case, but may use available vacation and personal time to cover the period of absence.

Employees that appear in court to testify as a witness or victim, or to consult with a district attorney or obtain an order of protection, will not be disciplined or discharged for their absence.

### 3-12 Bereavement Leave

The death of a family member is a time when employees wish to be with their families. If the employee is full-time or part-time and loses a close relative, the employee will be allowed paid time off of up to five (5) non-consecutive days workdays to assist in attending to obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic/civil union partner, child, parent, sibling, grandparents, grandchildren, parents-in-law and corresponding step-relatives or any other relation required by applicable law.

The following guidelines apply to bereavement leave:

- employee's spouse/domestic partner - 5 days
- employee's child/step-child - 5 days
- employee's parent/step-parent - 5 days
- employee's sibling/step-sibling - 2 days
- employee's spouse's/domestic partner's parent/step-parent - 5 days
- employee's spouse's/domestic partner's child/step-child - 5 days
- employee's spouse's/domestic partner's sibling/step-sibling - 2 days
- employee's child's spouse - 2 days
- employee's grandparents - 2 days
- employee's grandchildren - 2 days



Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, Mid-Hudson Library System may require verification of death.

### 3-13 Voting Leave

Employees who are eligible to vote in an election and who do not have at least four (4) consecutive hours before or after work while polls are open may request up to two (2) hours with pay to be used at the beginning or the end of their normally scheduled workday as designated by the employer to enable them to vote.

Employees must notify Mid-Hudson Library System of their intention to take time off to vote at least two (2) working days prior to Election Day.

### 3-14 Insurance Programs

Full-time employees may participate in Mid-Hudson Library System's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits starting the first day of employment.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to Benefits Continuation (COBRA) for more information.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information.

Employees that opt-out of the health care plan will be provided with \$1,~~425~~<sup>500</sup> quarterly (\$~~46,050~~ annually). ~~Please. Of course,~~ feel free to contact ~~the~~ Finance Manager & Personnel Officer with ~~any further~~ questions about this.

### 3-15 Post-Employment Health Insurance Coverage

MHLS provides employees access to the post-employment benefit of health insurance subject to all terms and conditions of the agreements between MHLS and its insurance carriers.

Costs for these post-employment benefits are shared by MHLS and eligible employees. MHLS contributions for these benefits are subject to change by the Board

of Trustees, insurance carrier, or negotiated agreement, and may be based on an employee date of hire, length of service and salary or age at the time their employment ends at MHLS or at the time of their retirement from MHLS.

To be eligible for this benefit, employees hired on or after October 1, 2016 must have 20 years of continuous full-time service at MHLS; employees hired between September 1, 2012 and September 30, 2016 must have 15 years of continuous full-time service at MHLS; employees hired before September 1, 2012 and on or after September 1, 2003 must have 10 years of continuous full-time service at MHLS; employees hired before September 1, 2003 are required to have 5 years of continuous full-time service at MHLS.

Only eligible employees whose employment at MHLS ends after reaching retirement age may receive this benefit. Eligible employees whose employment at MHLS ends within 5 years of the date on which he or she is entitled to receive a retirement benefit under a New York State retirement system may retain the benefit by paying 100% of the health insurance benefit premium until they reach retirement age, at which time they may receive this benefit.

### **3-16 Dependent Survivor Health Insurance Coverage**

Dependent Survivor Health Insurance Coverage may be available to eligible dependent survivors of MHLS employees or retirees who completed 10 years of continuous full-time service and are enrolled in a New York State Health Insurance Program family health insurance plan at the time of their death, subject to the terms and conditions of NYSHIP.

Following the death of an eligible retiree who retired on or before March 31, 2013, the cost to eligible dependent survivors shall be 25% of the health insurance premium. Following the death of an eligible employee, on or before March 31, 2013, the cost to eligible dependent survivors shall also be 25% of the premium. Following the death of an eligible employee after March 31, 2013, or following the death of an eligible employee who retires after March 31, 2013, the cost of the Dependent Survivor Coverage premium by Dependent Survivors shall be 100%.

The enrolled spouse of a deceased enrollee continues eligibility for as long as he or she remains unmarried. The enrolled dependent children of a deceased enrollee continue eligibility for coverage for as long as they would have been eligible had the enrollee lived.

### 3-17 Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to temporarily continue health insurance coverage under MHLS's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

In the case of a loss of coverage due to end of employment or reduction in hours of employment, coverage generally may be continued only for up to a total of 18 months. The 18 months of continuation coverage can be extended to 29 months if the Social Security Administration determines that the employee, spouse or dependent child was disabled on the date of the qualifying event according to Title II (Old Age Survivors and Disability Insurance) or XVI (Supplemental Security Income) of the Social Security Act. Disabilities that occur after the qualifying event do not meet the criteria for the extended COBRA coverage period.

In the case of losses of coverage due to an employee's death, divorce or legal separation, the employee's becoming entitled to Medicare benefits or a dependent child ceasing to be a dependent under the terms of the plan, coverage may be continued for up to a total of 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, and the employee became entitled to Medicare benefits less than 18 months before the qualifying event, COBRA continuation coverage for qualified beneficiaries other than the employee lasts until 36 months after the date of Medicare entitlement.

Under COBRA, the employee or beneficiary pays the full cost of coverage at MHLS's group rates plus an administration fee. MHLS provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under MHLS's health insurance plan. The notice contains important information about the employees' rights and obligations.

### 3-18 Flexible Benefits Plan

MHLS provides a Flexible Benefits Plan (FBP) with two parts. 1) Flex Account and 2) Dependent Care Reimbursement. Through the FBP employees can reduce their taxable income without reducing their real income, so that they can keep more of the money they earn.

The FBP allows regular full-time employees to have pre-tax dollars deducted from their salaries to pay for eligible out-of-pocket expenses. The pre-tax contributions made to

the FBP can be used to pay for predictable non-reimbursed medical, dental, vision, and dependent care expenses during the plan year, in accordance with IRS regulations.

Participation in the Flex Account and/or Dependent Care FBP is optional and determined on an annual basis for the plan year. The employee determines how much to contribute to the account, up to a specified maximum, based on anticipated expenses during the plan year. For information on how much you may contribute annually please contact the Finance Manager & Personnel Officer. ~~Each employee may contribute up to a maximum of \$2,000 per year for the Flex Account, and \$5,000 per year for the Dependent Care.~~

Under the grace period option, an employee has until two and a half months after the end of the plan year to incur eligible expenses — for example, March 15, ~~2019~~2025, for a plan year ending on Dec. 31, ~~2018~~2024. MHLS has adopted the grace period option.

Contact the Finance Manager & Personnel Officer ~~##Benefit Authority##~~ for more information on the Flexible Benefits Plan and to obtain enrollment and reimbursement forms and worksheets with examples of reimbursable and nonreimbursable expenses.

### 3-19 Statutory Short-Term Disability Benefits

Mid-Hudson Library System also provides statutory short-term disability insurance.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### 3-20 Retirement Plan

MHLS participates in the New York State & Local Retirement System. All regular full-time employees are required to join upon their first day of employment. Membership is optional for regular part-time employees.

MHLS provides all new employees with access to benefit information prior to enrollment.

Effective July 1, 2013, New York State Pension Legislation requires all NYS public agencies to offer the Voluntary Defined Contribution (VDC) program to all eligible employees. Eligible employees (hired after 7/1/2013 earning more than \$75,000 annually, and unrepresented by a union) may now choose the VDC Program or the NYS & Local Retirement System plan. State University of New York (SUNY) is the Plan

Sponsor and TIAA-CREF is the Plan Service Provider and Record keeper. Any employee can choose to join the TIAA-CREF plan.

Of course, feel free to speak to Finance Manager & Personnel Officer if there are any further questions.

### **3-21 403(b) Tax Sheltered Annuity**

MHLS offers a 403(b) Tax Sheltered Annuity (TSA) to provide employees with the potential for future financial security for retirement.

All employees are eligible to join the 403(b) TSA plan at any time. Employees may participate in the TSA subject to all terms and conditions of the plan.

The TSA plan allows each employee to elect how much salary to contribute to the investment account(s) chosen, to meet each individual employee's needs.

Because your contribution to the plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 403(b) distributions.

Contact Finance Manager & Personnel Officer for more information about the 403(b) TSA plan.

### **3-22 Staff Development**

The System is committed to: (1) providing opportunities for staff to acquire the knowledge, skills, and education they need to be successful and effective in delivering the System's services to member libraries; and (2) supporting staff with development opportunities that are work related.

Staff are annually consulted in determining professional development needs. A staff development budget is annually provided, when funding permits, to support the participation of staff in work-related meetings, training, workshops, conferences, certification programs, classes, and courses.

Staff development is provided during the workday and on-site whenever possible and may include ~~job specific~~ **job specific** and on-the-job training, as well as general staff development. Staff may also be required or encouraged to attend opportunities that are off-site and occur during or outside of the normal workday. Costs associated in attending these opportunities shall be the System's.

Staff may also request permission to attend work-related opportunities that are off-site and occur during or outside of the normal workday. The System may support such attendance and related costs at its discretion. Staff should submit such requests to their supervisor; attendance and related costs require the approval of the Executive Director.

However, whether staff participation in development opportunities are required, encouraged or at the request of staff, time in-attendance spent outside of the normal workday at such opportunities shall be adjusted, whenever possible, by changing the staff's normal workday to avoid paid overtime and/or the use of compensatory time-off.

### 3-23 Support of Pursuit of Masters in Library or Information Science Degrees

In order to maintain the System's mandated level of professional staff who possess a Public Librarian's Certificate in the State of New York, at the discretion of the Executive Director, MHLS Professional Development funds may be used to help underwrite coursework towards the MLS/MLIS degree.

### 3-24 Staff Wellness

MHLS will subscribe to an Employee Assistance Program (EAP) that all staff will be provided access to.

MHLS encourages employee participation in wellness programs, and will reimburse employees for the cost up to \$450/annually for full-time employees and \$225/annually for part-time employees (less appropriate taxes) for the following: gym and fitness center memberships and passes; wellbeing classes/lessons (specialty fitness studios, financial wellbeing, meditation, nutritional or dietitian classes, weight management, mental wellness classes); wellbeing apps, subscriptions and games; fitness trackers (Apple iWatch, Fitbit, Garmin Vivofit, or similar wearables); health apps; fitness sports equipment; financial planning services; massage and acupuncture.

Employees will need to exhaust any wellness/wellbeing benefits currently offered and available through the Employee Assistance Program (EAP) before requested reimbursement for the same additional benefits through the Wellness Reimbursement Program.

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## **Section 4 - Leaves of Absence**

### **4-1 Personal Leave**

If employees are ineligible for any other System leave of absence, Mid-Hudson Library System, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However, a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days, or sick days. Mid-Hudson Library System will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the System in a timely manner, subject to the terms of the plan documents.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave.

Upon completion of the personal leave of absence, the System will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the System will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any System-provided Short-Term Disability Leave of Absence.

### **4-2 Military Leave**

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain

reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that Mid-Hudson Library System can maintain proper coverage while employees are away.

#### 4-3 Family Military Leave

Employees who work an average of at least 20 hours per week and are spouses of military members generally are entitled to up to 10 days of unpaid leave during any period when the spouse in the military is on leave from active duty. Prior notice is requested for staffing reasons. Employees will not be retaliated against for exercising their rights under this policy.

Leave runs concurrently with FMLA Qualifying Exigency leave to the extent both are applicable.

#### 4-4 Bone Marrow Donation Leave

Employees who work 20 or more hours per week are entitled to up to 24 hours of unpaid leave for the purposes of donating bone marrow. Verification of donation and the length of necessary leave may be required by the System. Reasonable notice of leave must be provided. Employees may use accrued paid time off for this purpose.

#### 4-5 Blood Donation Leave

Employees who work an average of at least 20 hours per week are eligible for up to three (3) hours of unpaid leave in any 12-month period for donating blood. Employees must provide advance notice of at least three (3) working days of their intention to avail themselves of this leave, except in emergency situations. Employees may use accrued paid time off for this purpose.

#### 4-6 Cancer Screening Leave

~~Excused leave to undertake a screening for cancer.~~

~~1. Every public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school~~



~~district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred~~

~~sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system shall be entitled to absent himself or herself and shall be deemed to have a paid leave of absence from his or her duties or service as such public officer or employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district, or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system for a sufficient period of time, **not to exceed four hours on an annual basis, to undertake a screening for cancer.**~~

2. ~~The entire period of the leave of absence granted pursuant to this section shall be excused leave and shall not be charged against any other leave such public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system is otherwise entitled to.~~

All employees are entitled to excused leave to undertake a doctor recommended screening for cancer for a sufficient period of time, not to exceed four hours on an annual basis, to undertake a screening for cancer. This time will not be charged against an employee's leave accruals unless an employee is required to take a full day's leave, in which case the employee would be charged for the remainder hours of sick leave. Employees looking to utilize this leave will notify their supervisor in advance. MHLS reserves the right to require a doctor's note verifying the leave was for the purpose(s)

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of cancer screening. Cancer screening time will reset every January 1<sup>st</sup> for four (4) hours with no carryover from the prior year.

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## 4-7 State Paid Family Leave

### Eligibility Requirements

Employees who have a regular work schedule of 20 or more hours per week and have been employed at least 26 consecutive weeks before the date Paid Family Leave (PFL) begins (or who have a regular work schedule of less than 20 hours per week and have worked at least 175 days to the date PFL begins) are eligible for PFL. Paid time off can be counted toward the employee's eligibility determination. Employees are eligible for PFL regardless of citizenship and/or immigration status. Employees have the option to file a waiver of PFL and therefore not be subject to deductions when their regular employment schedule is:

- 20 or more hours per week but the employee will not work 26 consecutive weeks; or
- Fewer than 20 hours per week and the employee will not work 175 days in a 52-consecutive-week period.

### Entitlement

PFL is available to eligible employees for up to 12 weeks within any 52-consecutive-week period. PFL is available for any of the following reasons:

- To participate in providing care, including physical or psychological care, for the employee's family member (child, spouse, domestic partner, parent, sibling, grandchild, or grandparent) with a serious health condition;
- To bond with the employee's child during the first 12 months after the child's birth, adoption, or foster care placement; or
- For qualifying exigencies, as interpreted by the Family and Medical Leave Act (FMLA), arising out of the fact that the employee's spouse, domestic partner, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

For purposes of this policy, family member includes the employee's child, spouse, domestic partner, parent, grandchild, grandparent, or sibling "Child" means a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands *in loco parentis*. "Parent" means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood *in loco parentis* to the employee when the employee was a child. "Grandchild" means a child of the

employee's child. "Grandparent" means a parent of the employee's parent. "Sibling" means a biological or adopted sibling, a half-sibling, or stepsibling.

The 52-consecutive-week period is determined retroactively with respect to each day for which PFL benefits are currently being claimed.

PFL benefits are financed solely through employee contributions via payroll deductions.

The weekly monetary benefit will be 67 percent of the employee's average weekly wage up to 67 percent of the state average weekly wage.

The System and the employee may agree to allow the employee to supplement PFL benefits up to their full salary with paid time off, to the maximum extent permitted by applicable law.

The employee who is eligible for both statutory short-term disability benefits and PFL during the same period of 52-consecutive-calendar weeks may not receive more than 26 total weeks of disability and PFL benefits during that period of time. Statutory short-term disability benefits and PFL benefits may not be used concurrently. If the employee is unable to work and qualifies for workers' compensation benefits, the employee may not use PFL benefits at the same time the employee is receiving workers' compensation benefits. The employee receiving reduced earnings may be eligible for PFL.

PFL may not be taken for any one (1) of, or for a combination of, the following reasons:

- For a birth mother's pregnancy or prenatal conditions;
- For the employee's own health condition; and/or
- For the employee's own qualifying military event.

#### **Definition of a Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition, including transplantation, preparation, and recovery from surgery related to organ or tissue donation, that involves inpatient care in a hospital, hospice, or residential health care facility; or continuing treatment or continuing supervision by a health care provider.

#### **Use of Leave**

The employee does not need to use this leave entitlement in one (1) block. Leave can be taken intermittently in daily increments. Leave taken on an intermittent basis will not

result in a reduction of the total amount of leave to which the employee is entitled beyond the amount of leave actually taken.

### **Employee Responsibilities**

The employee must provide 30 days' advance notice before the date leave is to begin if the qualifying event is foreseeable. When 30 days' notice is not practicable for reasons such as a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee must provide notice as soon as practicable and generally must comply with the System's normal call-in procedures. Failure by the employee to give 30 days' advance notice of a foreseeable event may result in partial denial of the employee's benefits for a period of up to 30 days from the date notice is provided.

Employees must provide sufficient information to make the System aware of the qualifying event and the anticipated timing and duration of the leave. Employees must specifically identify the type of family leave requested. Employees also must provide medical certifications and periodic recertification or other supporting documentation or certifications supporting the need for leave. The employee requesting PFL must submit a completed Request for Paid Family Leave or PFL-1 form and additional certification form(s) as follows to the System's insurance carrier: 1) Bonding Certification: PFL-2 Form plus documentation; 2) Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or 3) Military Qualifying Event: PFL-5 Form plus documentation. These documents are available from Finance Manager & Personnel Officer.

The System's insurance carrier is NYS Insurance Fund.

To submit a request for PFL, employees must complete the employee's portion of the insurance carrier's PFL-1 Form and submit it to Finance Manager & Personnel Officer. The System will complete its section of the form and will return it to the employee within three (3) business days. If the System fails to respond, employees may submit all materials directly to the insurance carrier. Depending on the type of PFL leave employees are seeking, employees will be required to complete additional PFL forms as described in the communication that employees will receive from the insurance carrier. Employees must submit the completed PFL forms before or within 30 days after the start of their leave. The insurance carrier must pay or deny leave requests within 18 calendar days of receiving the employee's completed forms.

### **Job Benefits and Protection**

During any PFL taken pursuant to this policy, the System will maintain coverage under any existing group health insurance benefits plan as if the employee had continued to

work. The employee must make arrangements with Finance Manager & Personnel Officer prior to taking leave to pay their portion of any applicable health insurance premiums each month.

The System's obligation to maintain health insurance coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, the System will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

Employees who exercise their right to PFL will, upon the expiration of that leave, be entitled to be restored to the position they held when the leave commenced, or to a comparable position with comparable benefits, pay, and other terms and conditions of employment. The taking of leave covered by PFL will not result in the loss of any employment benefit accrued before the date on which the leave commenced. While on PFL, employees will not continue to accrue sick or vacation time.

#### **Leave Concurrent with FMLA**

The System will require the employee, who is entitled to leave under both the FMLA and PFL, to take PFL concurrently with any leave taken pursuant to the FMLA. When the total hours taken for FMLA in less than full-day increments reaches the number of hours in the employee's usual workday, the System may deduct one (1) day of PFL from the employee's annual available PFL.

#### **Questions and/or Complaints About PFL**

If employees have any questions regarding this policy, they should contact Finance Manager & Personnel Officer. For additional information concerning leave entitlements and obligations that might arise when PFL is either not available or exhausted, employees should consult the System's other leave policies or contact Finance Manager & Personnel Officer. The System is committed to complying with the PFL and will interpret and apply this policy in a manner consistent with the PFL. Employees who disagree with a denial of their claim for PFL may submit their dispute to arbitration. Employees will be provided with information about how to request arbitration.

Employees are protected from discrimination and retaliation for requesting or taking PFL. If employees believe their rights have been violated and/or they have been denied job restoration as a result of requesting and/or taking PFL, they must send Finance Manager & Personnel Officer a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-119), which can be found in the forms section of <https://www.ny.gov/PaidFamilyLeave>. Employees

must file the completed form with the System and send a copy to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030.

If the System does not comply with the employee's request for reinstatement within 30 days, the employee may file a PFL discrimination complaint with the Workers' Compensation Board using the Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also available on the New York PFL website. Once the employee's complaint is received, the Board will assemble the employee's case and schedule a preliminary hearing in front of a workers' compensation law judge.

#### **4-8 Domestic Violence Leave**

MHLS will provide time off to an employee who has been the victim of domestic violence or parents of children who are victims of domestic violence to seek any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child. This includes time off for court proceedings, services from a domestic violence shelter, program or rape crisis center, counseling, medical attention, participation in safety planning programs, and to obtain legal services in relation to domestic violence, assist in the prosecution of a domestic violence offense, or to appear in court in relation to incidents of domestic violence.

MHLS requires reasonable advance notice of the leave when feasible. If time off is taken due to an emergency, the employee must, within 15 days of the absence, provide MHLS with certification of the need for the leave such as a police report, court order, documentation from a healthcare provider, victims advocate, or counselor.

Employees granted leave due to domestic violence are required to use paid leave when available. Any absence that cannot be charged to paid leave will be treated as unpaid leave.

MHLS prohibits discrimination, discharge, or retaliation against an employee for taking time off or requesting an accommodation under this policy, based on the employee's status as a victim of domestic violence, sexual assault, and/or stalking.

## Section 5 - General Standards of Conduct

### 5-1 Workplace Conduct

Mid-Hudson Library System endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the System's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing, or defacing Mid-Hudson Library System property or a co-worker's property, and/or disclosure of confidential information including that of library patrons.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of Mid-Hudson Library System's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening, or disrupting the work of others or other violations of Mid-Hudson Library System's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
10. Gambling on System property.
11. Willful or careless destruction or damage to System assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of Mid-Hudson Library System's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of Mid-Hudson Library System policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Mid-Hudson Library System reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The System will

deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, Mid-Hudson Library System will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

## **5-2 Punctuality and Attendance**

Employees are hired to perform important functions at Mid-Hudson Library System. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Excessive absenteeism is defined as two or more occurrences of unexcused absence in a 30-day period, excluding valid illness time off or previously arranged time off approved by an employee's supervisor.

Habitual tardiness is defined as reporting for work late as many as two times in any two-week period, or as many as four times in any six-week period.

Failure to show up or call in when scheduled can be cause for dismissal.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with the System.

## **5-3 Use of Communications and Computer Systems**

Mid-Hudson Library System's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does



not hinder performance of job duties or violate any other System policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the Mid-Hudson Library System systems.

Mid-Hudson Library System may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the System deems it appropriate to do so. The reasons for which the System may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that System operations continue appropriately during the employee's absence.

Further, Mid-Hudson Library System may review Internet usage to ensure that such use with System property, or communications sent via the Internet with System property, are appropriate. The reasons for which the System may review employees' use of the Internet with System property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that System operations continue appropriately during the employee's absence.

The System may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The System's policies prohibiting harassment, in their entirety, apply to the use of System's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the System's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge. Nothing in this policy is intended to ~~interferes~~interfere with an Employee's section 7 right under the National Labor Relations Act.

#### 5-4 Use of Personal Social Media

Mid-Hudson Library System respects the right of any employee to maintain a blog or web page or to participate in a social networking, ~~Twitter~~X, or similar site, including but not limited to Facebook and LinkedIn. However, to protect System interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a personal blog or web page or participate on a social networking platform, such as ~~Twitter~~X or similar site, during work time or at any time with System equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages, and social networking platforms, such as ~~Twitter~~X, Facebook, LinkedIn, or similar sites. Any information that cannot be disclosed through a conversation, a note, or an e-mail also cannot be disclosed in a blog, web page, or social networking site.

Whether the employees are posting something on their own blog, web page, social networking, ~~Twitter~~X, or similar site or on someone else's, if the employee mentions the System and also expresses either a political opinion or an opinion regarding the System's actions that could pose an actual or potential conflict of interest with the System, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is a personal opinion and not the System's position. This is necessary to preserve the System's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, ~~Twitter~~X, or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. System policies apply equally to employee social media usage.

Mid-Hudson Library System encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge. Nothing in this policy is intended to ~~interferes~~interfere with an Employee's Section 7 rights under the National Labor Relations Act.

Employees whose job descriptions include maintaining the system's social media presence should refer to the System's Social Media Policy for guidance.

#### **5-5 Personal and ~~Company~~System-Provided Portable Communication Devices**

Mid-Hudson Library System-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the ~~IT department~~Technology Operations Team to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through the System's networks, and the PCD must be provided for inspection and review upon request.

All conversations, text messages, and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a System-provided or personal device, employees must comply with applicable System guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use, and operation of vehicles. Using a System-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be required to submit the device to the ~~IT department~~Technology Operations Team for resetting on or before their last day of work. At that time, the ~~IT department~~Technology Operations Team will reset and remove all information from the device, including but not limited to, System information and personal data (such as contacts, e-mails, and photographs). The ~~IT department~~Technology Operations Team will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the ~~IT department~~Technology Operations Team on or before their last day of work for resetting and removal of System information. This is the only way currently possible to ensure that all System information is removed from the device at the time of termination. The removal of System information is crucial to ensure compliance with the System's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a System-issued device, the System's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

### **Portable Communication Device Use While Driving**

Employees who drive on System business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving are prohibited in all circumstances.

### **5-6 Artificial Intelligence (AI)**

The System recognizes that the use of AI tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

**Evaluation of AI tools.** Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees should also review the reputation of the tool developer and any third-party services used by the tool. But most importantly, employees **must** receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the businessSystem.

**Protection of confidential data.** In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from the immediate manager. This includes data related to ~~customers~~patrons and , employees, ~~or partners~~. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

**Access control.** Employees must not give access to any AI tools approved for ~~business~~System use to anyone outside the ~~company~~organization without prior approval from the immediate manager and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.

**Compliance with security policies.** Employees must apply the same security best practices we use for all ~~company and customer~~System and patron data. This includes using strong passwords, keeping software up-to-date, and following the System's data retention and disposal policies.

#### 5-7 Monitoring of Electronic Communications

Mid-Hudson Library System reserves the right to monitor at any time any communications that use company networks in any way, including data, voice mail, telephone logs, internet use and network traffic, to determine proper use.

Employees are advised that any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems may be subject to monitoring at any and all times and by any lawful means.

No employee may knowingly disable any network software or system identified as a monitoring tool.

Additional information regarding this policy may be obtained through your supervisor.

#### 5-8 Security

To avoid loss of MHLS property, the Facilities Manager maintains and promulgates security procedures, which include maintaining control of entrances, exits, restricted areas, document control, and record keeping. Specific procedures regarding the protection of MHLS property, traffic throughout the facilities, and designation of restricted areas are issued by the Facilities Manager and emailed to all staff when the necessity occurs. In addition, employees are expected to comply with MHLS policies regarding the authorized and secure use of MHLS's computer technology, as described

in the general standards of conduct section of this Handbook, technology use and security guidelines of this Handbook, the MHLS Technology & Data Security Policy, and email encryption procedures. ~~Technology Use and security guidelines of this Manual.~~ Employees are expected to abide by all of MHLS's security procedures.

Avoiding loss or theft of confidential information or Personal Identification Information (PII) is an important part of each employee's job. Accordingly, employees must observe good security practices. Employees are expected to keep confidential information secure from outside visitors and all other people who do not have a legitimate reason to see or use such information, including that of library patrons. Employees are not to remove MHLS property without authorization. Failure to adhere to MHLS policies regarding confidential information and PII will be considered grounds for dismissal.

Given the sensitivity of Confidential Information and Personal Identification Information, employees may only dispose of such information by secure methods approved by MHLS. If an employee has any questions or concerns about how to handle Confidential Information or Personal Identification Information, the employee should consult with MHLS's Facilities Manager or Finance Manager & Personnel Officer.

#### 5-9 Inspections

To the maximum extent permitted by applicable law, Mid-Hudson Library System reserves the right to require employees while on System property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on System or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the System or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

#### 5-10 Smoking

MHLS maintains a smoke-, vape- and tobacco- and cannabis free environment. No smoking, vaping or other use of tobacco and cannabis products (including, but not limited to, cigarettes including electronic smoking devices or e-cigarettes, pipes, hookahs, cigars, snuff, chewing tobacco or Medical/Recreational Marijuana) is permitted in any part of the building, grounds, or in vehicles owned, leased, or rented by MHLS. ~~In any place, except in restricted smoking area(s)~~ In accordance with the New York State Clean Indoor Air Act, smoking and the use of e-cigarettes are prohibited within 100 feet of entrances, exits or outdoor areas of our facilities., right of non-smokers to breathe clean air prevails over the right of the smokers to smoke.

## 5-11 Personal & Pet Visits and Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in Mid-Hudson Library System facilities other than the reception areas without prior authorization from the Executive Director or their designee.

An employee may bring in their pet for a short visit with other employees under the following conditions:

- Approval of the Administrator in Charge at least 48 hours in advance of the planned visit after checking with co-workers in the immediate area you plan to be for your visit that they are ok with the animal visiting.
- Pets must be:
  - At least 3 months old
  - Up-to-date on vaccinations required by state law
  - Free of any communicable infections or any parasites such as fleas
  - Clean and well-groomed
  - House-trained
  - Obedient, well-socialized and with no history of biting, excessive barking, chasing or aggressive behavior.
  - Covered under their owner's homeowners/renters insurance policy, which must cover bites.

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Pet owners must agree to:

- Be 100% responsible for their pet's behavior, well-being, hygiene and happiness the entire time they are visiting.
- Be respectful of other employees to ensure everyone can be successful and productive at work
- Provide adequate bathroom breaks
- Clean up after their pet immediately if any accidents occur and report said accident to facility staff
- Maintain homeowners/renters insurance that covers animal bites
- Keep the visit relatively short

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~~Visitors or family members are allowed to come in with prior authorization from management.~~

## 5-12 Solicitation and Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing their work tasks for Mid-Hudson Library System. Solicitation of any kind by non-employees on System premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of the System is prohibited at all times. Distribution of literature by non-employees on System premises is prohibited at all times.

## 5-13 Bulletin Boards

Important notices and items of general interest are continually posted on Mid-Hudson Library System bulletin boards. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at Mid-Hudson Library System. To avoid confusion, employees should not post or remove any material from the bulletin board.

## 5-14 Confidential Company Information

During the course of work, employees may become aware of confidential information about Mid-Hudson Library System's business, including but not limited to information regarding patrons, System finances, employees, pricing, products, and new product development, software, and computer programs, marketing strategies, suppliers, and customers-members and potential customersmembers. Employees also may become aware of similar confidential information belonging to the System's clientsmemberes. It is extremely important that all such information remain confidential, ~~and particularly not be disclosed to Mid-Hudson Library System's competitors~~. Any employee who improperly copies, removes (whether physically or electronically), uses, or discloses confidential information to anyone outside of the System may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

Employees must ensure that MHLS is in compliance with the New York State law:

### **SECTION 4509 Library Records - Civil Practice Law & Rules (CVP) CHAPTER 8, ARTICLE 45**

§ 4509. Library records. Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary



loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

### **5-15 Conflict of Interest and Business Ethics**

It is Mid-Hudson Library System's policy that all employees avoid any conflict between their personal interests and those of the System. The purpose of this policy is to ensure that the System's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the System.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. Holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the System, by any employee who is in a position to directly or indirectly influence either the System's decision to do business, or the terms upon which business would be done with such organization;
2. Holding any interest in an organization that competes with the System;
3. Being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the System or which competes with the System; and/or
4. Profiting personally, e.g., through commissions, loans, expense reimbursements, or other payments, from any organization seeking to do business with the System.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and the System.

Supervisors and employees in a position to make purchasing recommendations must comply with the System Conflict of Interest Policy and sign and file an annual Conflict of Interest disclosure form with the Finance Manager & Personnel Officer.

### **Employment of Relatives**

Relatives of present employees may be hired by MHLS only if (1) the individuals concerned will not work in a direct supervisory relationship with one another, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. "Relatives" are defined as spouses, children, sisters, brothers, mothers, or fathers, and persons related by marriage. Present employees who marry or who become related by marriage will be permitted to continue employment with MHLS only if they do not work in a direct supervisory relationship with one another, or otherwise pose difficulties for supervision, security, safety, or morale. If employees who marry or who become related by marriage do work in a direct supervisory relationship with one another, MHLS will attempt to reassign one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, then one of the employees will be required to leave MHLS. The decision as to which employee leaves will be left solely to the employees. In the event that no alternative position is available and neither employee voluntarily leaves MHLS, the employee with lesser seniority will be terminated.

### **Non-Fraternization**

In order to promote the efficient operation of MHLS's business and to avoid misunderstandings; complaints of favoritism; other problems of supervision, security and morale; and possible claims of sexual harassment, managers and supervisors are forbidden from dating or pursuing romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this guideline will be subject to discipline, up to and including termination of employment.

### **Non-competition**

Full time system employees may not enter into competition with MHLS by providing a service for pay to any member library that MHLS provides or makes available to any member library.

Private business interests must be addressed on the personal time of the full time and part time employee. MHLS equipment and materials shall not be used for a private

business enterprise. Full time and part time employees cannot use MHLS membership or subscriber lists to solicit any personal business.

Full-time and part-time employees must report in writing to the Executive Director all services for which an employee receives pay from a member library. The Executive Director, in consultation with MHLS administrative staff members, will determine if an actual or potential conflict of interest may occur when an employee is in a position to influence a decision that may result in a personal gain for the employee as a result of MHLS business dealings.

#### **5-16 Use of Facilities, Equipment and Property, Including Intellectual Property**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the System's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the System is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

#### **5-17 Health and Safety**

The health and safety of employees and others on System property are of critical concern to Mid-Hudson Library System. The System intends to comply with all health and safety laws applicable to our business. To assist in providing a safe and healthy work environment for employees, customers, and visitors, MHLS needs the efforts of all employees. MHLS's goal is to avoid accidents altogether, but to achieve this goal employees must make a conscious effort to be aware of safety and health hazards, at all times.

MHLS provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to their immediate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their immediate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

The following are a limited number of basic precautions:

- Aisles in work areas are to be kept free of debris
- Cabinet doors and drawers are to be kept closed when not in use
- Good lifting practices are to be observed
- Employees are not to perform tasks for which they are not trained
- Sharp edges or objects that protrude from any equipment should be removed or covered
- Spills on the floor are to be wiped up immediately
- Children should not be brought to work without prior management approval

Periodically, the System will issue additional guidelines governing workplace safety and health. The System may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. First aid supplies are located in the delivery/sorting area. The location of the nearest doctor and/or medical facility is posted on the bulletin board opposite the elevator on the main floor. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected.

### **General Housekeeping**

All employees are expected to do their part in keeping our facilities clean, neat, and as organized as possible. A neat and clean workplace is a safer, more attractive workplace.

All employees are responsible for keeping their desks and work areas clean as well as cleaning up after themselves in the common areas such as the lunch and rest rooms.

## **5-18 Employee Dress and Personal Appearance**

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. Employees should contact their supervisor for specific information regarding acceptable attire for their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

## **5-19 Publicity/Statements to the Media**

All media inquiries regarding the position of the System as to any issues must be referred to Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of the System. No employees, unless specifically designated by Executive Director, are authorized to make those statements on behalf of System. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the System must first obtain approval from Executive Director.

## **5-20 Operation of Vehicles**

All employees authorized to drive System-owned or leased vehicles or personal vehicles in conducting System business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on System property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

System-owned or leased vehicles may be used only as authorized by management.

### **Portable Communication Device Use While Driving**

Employees who drive on System business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employees are driving, and permitted by law, they must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## 5-21 References

Mid-Hudson Library System will respond to reference requests through Finance Manager & Personnel Officer. The System will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to Finance Manager & Personnel Officer.

### Reference Inquiry by MHLS

To ensure that individuals who join MHLS are well qualified and have a strong potential to be productive and successful, it is the policy of MHLS to check the employment references of all applicants.

### Reference Inquiry to MHLS of a Former Employee

MHLS will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates if voluntarily disclosed by former employee, and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

### Personal Reference Inquiry to Specific Employee

Employees may give a personal reference from outside requests, but it must be understood that the opinions of the employees do not represent the opinions of MHLS.

Only Finance Manager & Personnel Officer may provide references as a representative of our organization.

~~Mid-Hudson Library System will respond to reference requests through Finance Manager & Personnel Officer. The System will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to Finance Manager & Personnel Officer.~~

~~**Only Finance Manager & Personnel Officer may provide references.**~~

## **5-22 If You Must Leave Us**

Should any employees decide to leave the System, we ask that they provide a Supervisor with at least two (2) weeks advance notice of departure. Supervisory staff who are not CSEA members are asked to give 30 days' notice. Thoughtfulness will be appreciated. All System property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the System's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the System (through payroll deduction, if lawful) for any lost or damaged System property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

Employees who fail to give the requested notice will not be paid out for any accrued but unused vacation.

### **Termination Due to Reorganizations, Economics, or Lack of Work**

From time to time, MHLS may need to terminate an employee as a consequence of reorganizations, job eliminations, economic downturns in business, or lack of work. Should MHLS consider such terminations necessary, MHLS will attempt to provide all affected employees with advance notice when practical.

Layoff benefits associated with such terminations, if any, will be as specified in the notice.

### **Layoffs**

Layoffs, if necessary, shall be done with consideration of seniority. Employees who are laid off will be notified of job opportunities or vacancies for which such an employee may be qualified. The limit of notification of job opportunities or vacancies shall be one (1) year. Employees may also bump a less senior employee in their department or another department, provided management determines the senior employee is qualified to do the job.

Layoffs will not be utilized to circumvent the disciplinary procedures.

### **5-23 Exit Interviews**

Employees who resign are requested to participate in an exit interview with the Finance Manager & Personnel Officer, if possible.

### **5-24 Employee Protection (Whistleblower) Policy**

MHLS is committed to upholding the highest standards of ethical, moral and legal business conduct, and transparency through open communication. Accordingly, all trustees, officers, employees and volunteers are required to comply with applicable federal, state and local laws, and must faithfully implement and adhere to MHLS policies and procedures in conducting their duties and responsibilities. This policy provides an avenue for all trustees, officers, employees and volunteers to report any suspected or actual conduct contrary to these standards without the fear of intimidation, harassment, discrimination or retaliation.

#### **ARTICLE I Reporting Responsibility**

Section 1.1. Duty to Report. It shall be the MHLS's policy that all trustees, officers, employees and volunteers of MHLS have a responsibility to report known or suspected violations in accordance with this Whistleblower Policy. This includes reporting any action or suspected action taken by or within MHLS that is illegal, fraudulent or in violation of any policy of MHLS, which the reporter has either actual knowledge of or has a reasonably good faith belief that same occurred. Suspected or actual wrongful action(s) regarding MHLS finances and governance include but are not limited to the following:

- (A) Incorrect financial reporting;
- (B) Unlawful activity;
- (C) Activities that are inconsistent with MHLS policies; and
- (D) Activities which otherwise amount to serious improper conduct.

#### **ARTICLE II Procedure**

Section 2.1. Oversight. The Executive Committee of the MHLS Board, as defined in the Bylaws, shall oversee the adoption, implementation of, and compliance with this Whistleblower Policy.



Section 2.2. Compliance Officer. The Compliance Officer shall be the President of the Board. Should the Compliance Officer be the subject of the report, then the Executive Committee shall appoint another member of the Committee to perform the Compliance Officer's role regarding the allegations. The Compliance Officer shall be responsible for administering the Whistleblower Policy, overseeing an investigation, and reporting to the Executive Committee. The Compliance Officer shall report to the MHLS Board at least annually on compliance activity.

Section 2.3. Reporting Violations. All reports should be made using the Whistleblower Reporting Form, attached as Appendix A, which will be available on the MHLS website and Intranet. Trustees, Officers, employees and volunteers should promptly report alleged violations to the Compliance Officer. If the reporter deems it inappropriate to file the report with the Compliance Officer, the report may be submitted to the MHLS Board Vice-President. Any such reports received by the MHLS Board Vice-President, including the completed Whistleblower Reporting Form, shall be forwarded to the Executive Committee, subject to the restrictions of Section 2.2.

Section 2.4. Anonymous Reporting. With the exception of a person's report of his or her own violation, the reporter shall not be required to provide his or her name on said form. However, anonymous reports must include sufficient information, including but not limited to, the name of the person against whom the report is being made, the date of the incident, and a description of the incident, in order that an investigation can be conducted.

Section 2.5. Handling Reports. The Executive Committee shall provide the reporter with a timely acknowledgement of receipt of the report. All reports submitted will be placed on the agenda for a meeting of the Executive Committee of the MHLS Board. An appropriate investigation will be undertaken by the Executive Committee, or legal counsel or other designee if deemed appropriate by the Executive Committee. A report summarizing the findings will be given to the reporter within 10 business days of the Executive Committee's meeting, if a name is provided on the Whistleblower Reporting Form. If more than 10 business days from the date of the Executive Committee's meeting are needed to complete a thorough investigation, the reporter will be notified in writing of an estimated date when the investigation will be completed.

Section 2.6. Results of Investigation. If the investigation establishes that a violation of law, external regulation or MHLS policy has occurred, then the Executive Committee shall determine the appropriate action based upon law and MHLS policy and make a recommendation to the Board. Civil or criminal prosecution will be pursued when warranted. If the investigation establishes that no violation of law, external regulation or MHLS policy has occurred, then the Executive Committee shall report to the Board its findings and determination. The investigation is closed when the Compliance Officer

has deemed the investigation is complete and the Executive Committee has approved a recommendation for a resolution and/or corrective action to the Board.

Section 2.7. Documentation. The Compliance Officer shall document the investigation and explain the rationale for any recommended resolution and/or corrective action. All documentation relating to the investigation, including the Whistleblower Reporting Form, and the resolution and/or corrective action taken shall remain in the MHLS records in the MHLS Business Office and/or Executive Committee records for at least five years.

Section 2.8. Confidentiality. All violations or suspected violations may be submitted on a confidential or anonymous basis. Reports will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and prevent or correct suspected action(s). The Compliance Officer shall disclose information relating to a report with those who have a need to know so that the Executive Committee can conduct an effective investigation and determine what action to take based on the results of any such investigation. In appropriate cases, the investigation documents will be shared with law enforcement personnel. Disclosure of reports to individuals not involved in the investigation shall be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal, termination or civil lawsuits.

Section 2.9. Protection against Retaliation. Any MHLS trustee or officer, employee or volunteer who reports a suspected or actual violation(s), in good faith shall not suffer intimidation, harassment, discrimination or other retaliation or, in the case of an employee, adverse employment action.

### **ARTICLE III Regulations**

Section 3.1. Discipline for Retaliatory Conduct. Retaliation is a serious violation of this policy and should be reported immediately to the MHLS Board President. Depending on the nature and seriousness of the offense, MHLS will impose appropriate discipline against any trustee, officer or employee found to have engaged in any form of retaliatory conduct against an individual reporting suspected or actual wrongful action(s) in accordance with this policy, up to and including dismissal or termination, and referral to the

New York State Board of Regents for possible removal of a trustee, pursuant to New York State Education Law Section 226. Volunteers that engage in any such conduct will not be permitted to volunteer in MHLS activities.

Section 3.2. Good Faith Reporting. Any MHLS trustee, officer, employee or volunteer who files a report concerning a violation or suspected violation must do so in good faith and have reasonable grounds for believing the information in the report indicates a

violation under this policy. MHLS will impose appropriate discipline against any trustee, officer or employee found to have knowingly made a report/complaint in bad faith, up to and including dismissal or termination, and referral to the New York State Board of Regents for possible removal of a trustee, pursuant to New York State Education Law section 226. This includes, but is not limited to, giving false information or making a report in retaliation. Volunteers that engage in any such conduct will not be permitted to volunteer in MHLS activities.

#### **ARTICLE IV Applicability and Distribution of Policy**

This policy shall apply to and be distributed to all employees, trustees, officers, and volunteers of MHLS at the time of appointment or hiring and annually thereafter.

#### **5-25 Environmental Sustainability**

MHLS is committed to reducing our environmental footprint and promoting environmental stewardship at all levels of our organization. Our goal is to minimize our organization's impact and maximize future generations' ability to live, work, and play in our shared natural environment, with equal access to clean air, clean water, and natural resources.

MHLS staff are expected to participate in procedures and programs in our organization that strive to minimize pollution and waste, conserve energy and water, protect habitat, support renewable energy resources, buy environmentally friendly products, and encourage environmentally preferable transportation.

These efforts will extend to contractor and supplier relationships.

Employee understanding and involvement are essential to the implementation of our environmental policies. All employees will have access to education about our organization's efforts to improve our environmental performance. Employees at all levels of the organization will be involved in supporting our goals.

#### **5-26 A Few Closing Words**

This handbook is intended to give employees a broad summary of things they should know about Mid-Hudson Library System. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and

benefits described in this handbook, Mid-Hudson Library System, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to ~~management~~ the Finance Manager & Personnel Officer if they have any questions about the System or its personnel policies and practices.

## Section 6 - Appendix

### 6-1 HERO Act Infectious Disease Exposure Prevention Plan Addendum

Mid-Hudson Library System has created an Infectious Disease Exposure Prevention Plan (IDEPP), as required by the New York HERO Act, to help prevent the transmission of infectious diseases in the workplace. Employees may view the IDEPP by clicking on the link below. The System will implement this plan when an airborne infectious agent or disease is designated by the New York Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health.

At this time, no such designation has been made, and this IDEPP is not currently in effect but is provided here to allow employees to become familiar with the IDEPP. In the event that such a highly contagious communicable disease designation is made by the New York Commissioner of Health, the System will review the IDEPP, make any necessary changes to address the particular contagious communicable disease and distribute and implement the updated IDEPP as required by law.

Please click on the link below to view the IDEPP.

[https://staff.midhudson.org/wp-content/uploads/2022/03/Health-Emergency-Plan\\_Board-Approved\\_March-2022\\_signed.pdf](https://staff.midhudson.org/wp-content/uploads/2022/03/Health-Emergency-Plan_Board-Approved_March-2022_signed.pdf)

[NY\\_Hero\\_c96a77bb\\_c6da\\_49c8\\_a3c5\\_6e28f30ff069.docx](#)

### 6-2 Complaint Form for Reporting Sexual Harassment

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment or gender discrimination, you are encouraged, but not required, to complete this form and submit it to any designated person or department as outlined in the Sexual Harassment Prevention policy. No employee will be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy, and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

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

**COMPLAINANT INFORMATION**

Name:

Work Address:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method (circle  
one):      Email      Phone      In person

**SUPERVISORY INFORMATION**

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

**COMPLAINT INFORMATION**

1. Your complaint of sexual harassment is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you (circle  
one):      Supervisor      Supervisee      Co-Worker      Other  
(please specify)

2. Please describe what happened and include as many details as possible. You may use additional sheets of paper if necessary. If you have any relevant documents, please include them.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing (circle one)?      Yes      No

4. If possible, please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

5. *This question is optional, but may help the investigation.* Have you previously provided information (verbal or written) about related incidents? If yes, when and to whom did you provide information?

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

## General Handbook Acknowledgment

This Employee Handbook is an important document intended to help employees become acquainted with Mid-Hudson Library System. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the System's operations may change, the contents of this Handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Handbook.

**I have received and read a copy of Mid-Hudson Library System's Employees Handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the System at any time.**

**I further understand that my employment is terminable at will, either by myself or the System, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.**

**I understand that no representative of Mid-Hudson Library System other than the Finance Manager & Personnel Officer may alter "at will" status and any such modification must be in a signed writing.**

**I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the System's Employee Handbook.**

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

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

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

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.



## Receipt of Non-Harassment Policy

It is Mid-Hudson Library System's policy to prohibit intentional and unintentional harassment of or against our employees, job applicants, and interns by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). The policy also protects contractors, subcontractors, vendors, consultants, or anyone else providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the System. The System also prohibits retaliation as defined below. All such conduct will not be tolerated by the System.

### **Purpose and Goals**

The System is committed to a workplace free of harassment (including sexual harassment), discrimination, and retaliation. These behaviors are unacceptable in the workplace and in any work-related settings such as remote work settings, business trips, and System-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor, or other third party. In addition to being a violation of this policy, harassment (including sexual harassment) and retaliation based on any protected characteristic as defined by applicable federal, state, or local laws are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Sexual and other harassment, discrimination, and retaliation are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees also will learn what harassment, discrimination, and retaliation look like, what actions they can take to prevent and respond to discriminatory conduct, and how they are protected from retaliation after taking action. The policy also will explain the investigation process into any claims of harassment.

Sexual harassment is a form of workplace discrimination that subjects employees to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the System recognizes

that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace.

Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the System to liability for the harm experienced by the targets of discrimination. Individuals may also be individually subject to liability for engaging in harassment, and employers or supervisors who fail to report or react on harassment may be liable for aiding and abetting such behavior.

### **Definition of Harassment**

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

### **Definition of Sexual Harassment**

Sexual harassment includes harassment on the basis of sex or gender (which includes pregnancy, childbirth, and related medical conditions), gender identity or gender expression (which includes transgender status), and/or sexual orientation. Sexual harassment includes unwelcome conduct, which is either of a sexual nature or which

is directed at an individual because of that individual's sex or gender, gender identity or gender expression, and/or sexual orientation when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual (such as what shifts and how many hours employees might work, project assignments, as well as salary and promotion decisions); or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination, including gender-role stereotyping and treating employees differently because of their gender. Sexual harassment does not have to be between members of the opposite sex or gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three (3) most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails), or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender, gender identity or gender expression, and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful. In New York, harassment does not need to be severe or pervasive to be illegal. Generally, any behavior in which an employee or covered individual is treated worse because of their gender, sexual orientation, or gender expression is considered a violation of Mid-Hudson Library System policy. The intent of the behavior, for example, making a joke, does not neutralize a claim of harassment; in other words, not intending to harass

someone is not a defense. What matters is the impact of the behavior on the individual to whom it is directed.

Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

Examples of conduct that violate this policy include:

1. Unwelcome sexual advances, flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. Requests for sexual favors or demands for sexual favors in exchange for favorable treatment. This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially in those industries where hospitality and tips are essential to the customer/employee relationship;
3. Obscene or vulgar gestures, posters, or comments;
4. Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
5. Propositions or suggestive or insulting comments of a sexual nature;
6. Derogatory cartoons, posters, and drawings (including having such materials visible in the background of a remote workspace during a virtual meeting);
7. Sexually-explicit e-mails, text messages, or voicemails;
8. Uninvited touching of a sexual nature;
9. Unwelcome sexually-related comments;
10. Conversation about one's own or someone else's sex life or romantic history;
11. Repeated requests for dates or romantic gestures, including gift-giving;
12. Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual;
13. Teasing or other conduct directed toward a person because of the person's gender, gender identity, gender expression, or sexual orientation, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, or name-calling;
  - Intentional misuse of an individual's preferred pronouns; or
  - Creating different expectations for individuals based on their perceived identities, such as:

- Dress codes that place more emphasis on women's attire; or
- Leaving parents/caregivers out of meetings;
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
  - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
  - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

This list is just a sample of behaviors and should not be considered exhaustive. Any employee or covered individual who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it. In addition, sexual harassment is not limited to interactions in person. Sexual harassment can occur when employees are working remotely from home as well. Harassment can happen on virtual meeting platforms, in messaging apps, and during non-working hours, and regardless of whether the communication occurs on Mid-Hudson Library System-owned or personal devices.

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

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

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

### **Definition of Retaliation**

Retaliation is prohibited. No employee or covered individual should fear reporting sexual harassment if they believe it has occurred. Retaliation means adverse conduct

taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. Examples of retaliation may include but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference in a manner consistent with Mid-Hudson Library System policy or practice or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama;"
- Undermining an individual's immigration status;
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location;
- Threats of physical violence outside of work hours; and
- Disparaging someone on social media.

**Supervisory Responsibilities.** Everyone must work toward preventing sexual harassment, but supervisors and managers have a special responsibility to prevent sexual harassment and discrimination. Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to (Finance Manager & Personnel Officer). Managers and supervisors should not be passive and wait for employees to make a claim of harassment. If they observe such behavior, they must act.

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

**Bystander Intervention.** Any employee witnessing harassment as a bystander is encouraged to report it. There are five (5) standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help:

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;

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

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

### **Reporting Procedures**

If the employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Employee's Supervisor at the following address 103 Market Street, Poughkeepsie, NY 12601 and phone number (845) 471-6060 or to Finance Manager & Personnel Officer at the following address 103 Market Street, Poughkeepsie, NY 12601 and phone number (845) 471-6060.

If the person toward whom the complaint is directed is one of the individuals indicated above, employees should contact any higher-level manager in their reporting hierarchy.

Written complaints can be submitted internally using the form provided in this handbook. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

If the employee makes a complaint under this policy and has not received an initial response within five (5) business days, the employee should contact Executive Director immediately at the following address 103 Market Street, Poughkeepsie, NY 12601 and phone number (845) 471-6060.

### **Investigation Procedures**

Upon receiving a complaint, the System will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy

that is fair to all parties. To the extent possible, the System will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the System generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. The System recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

Upon completion of the investigation, the System will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The System will inform the complainant and the accused of the results of the investigation.

In the event the System determines that a violation of this policy has occurred, the System will take steps to ensure a safe work environment for the individuals who experienced the complained-of conduct. The System will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the System determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom the System determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in harassment (including sexual harassment) or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

### **Legal Protections and External Remedies**

An employee or covered individual who prefers not to report harassment to their manager or employer may choose to pursue external legal remedies. Complaints may be made to both the employer and a government agency. Aside from the internal complaint process at the System, individuals may choose to pursue external legal remedies with the following governmental entities.

#### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Exec. Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with



the New York State Division of Human Rights (NYSDHR) or in New York State Supreme Court.

Complaints with NYSDHR may be filed any time within three (3) years of the sexual harassment or within one (1) year of any other harassment. If an individual did not file at NYSDHR, they can sue directly in state court under the HRL, within three (3) years of the alleged harassment. An individual may not file with NYSDHR if they have already filed a HRL complaint in state court.

Complaining internally to the System does not extend the time to file with NYSDHR or in court.

An attorney is not needed to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

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

The NYSDHR has established a toll-free confidential hotline to provide counsel and assistance to individuals who believe they are experiencing workplace sexual harassment. Employees can call the toll-free sexual harassment hotline at 1-800-HARASS-3 Monday through Friday, 9:00 AM to 5:00 PM.

NYSDHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458; (718) 741-8400; [www.dhr.ny.gov](http://www.dhr.ny.gov).

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

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act

(codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit.

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

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

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

### **Local Protections**

Many localities enforce laws protecting individuals from harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, those who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the New York City Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit <https://www1.nyc.gov/site/cchr/index.page>.

### **Local Police Department Contact**

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime.

Employees should contact the local police department if they wish to pursue criminal charges.

This policy is aimed at providing employees and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the HRL protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes. Remember, Mid-Hudson Library System cannot remedy claimed sexual or other harassment, discrimination, or retaliation unless an employee brings these claims to the attention of management. Employees should report any conduct which they believe violates this policy.

### **SEXUAL AND OTHER HARASSMENT COMPLAINT FORM**

If you believe that you have been subjected to sexual or other harassment, you are encouraged to complete this form and submit it to the Employee's Supervisor. If you are more comfortable reporting verbally or in another manner, you may do so and can follow the guidelines set forth in the System policy. You will not be retaliated against for filing a complaint. Once a complaint is received, the System will follow the investigation process described in our policy.

#### **General Information**

Your Name / Job Title:

Your Department / Supervisor:

Preferred Communication Method (if via e-mail or phone, please provide contact info):

### **Complaint Information**

1. Please tell us who you believe has violated our policy against sexual and other harassment. What is their relationship to you (e.g., Supervisor, Subordinate, Co-Worker, Other):

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

3. Please provide specific date(s) when the alleged sexual or other harassment occurred. Additionally, please advise if the alleged sexual or other harassment is continuing?

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

*This last question is optional, but may help the investigation.*

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

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

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

I have read and I understand Mid-Hudson Library System's Non-Harassment Policy.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

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

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

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

## New York: Monitoring of Electronic Communications.

### Monitoring of Electronic Communications.

Mid-Hudson Library System reserves the right to monitor at any time any communications that use company networks in any way, including data, voice mail, telephone logs, internet use and network traffic, to determine proper use.

Employees are advised that any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems may be subject to monitoring at any and all times and by any lawful means.

No employee may knowingly disable any network software or system identified as a monitoring tool.

Additional information regarding this policy may be obtained through your supervisor.

**No Expectation of Privacy Acknowledgement.** I acknowledge and agree that I have no expectation of privacy in respect of any information (e.g., emails, telephone communications, and voice mail), whether personal or otherwise, stored on the Company's networking, telecommunications, computer and other equipment, which information may be monitored, viewed, retrieved, recovered and accessed by Company at any time without notice.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

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

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

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.