

BERNARDSVILLE PUBLIC LIBRARY  
PERSONNEL MANUAL  
*Revised December 14, 2007*

**NOTICE OF AT-WILL EMPLOYMENT**

**IMPORTANT NOTICE**

**Nothing contained in this Personnel Manual is intended to cause employees of Bernardsville Public Library to have contractual rights. The Personnel Manual is a guide to the employment policies of Bernardsville Public Library, which policies may change from time to time without notice. Your employment with Bernardsville Public Library is at-will. This means that you are free to terminate your employment with Bernardsville Public Library with or without cause or notice and Bernardsville Public Library is free to terminate your employment at any time with or without cause or notice. Although Bernardsville Public Library may choose to terminate an employee for cause, cause is not required. No representative of Bernardsville Public Library other than the Executive Director with the approval of the Board of Trustees may enter into any agreements, or make any representations, written or oral, to change your at-will employment status.**

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# **BERNARDSVILLE PUBLIC LIBRARY PERSONNEL MANUAL**

## **INTRODUCTION TO MANUAL**

This *Personnel Manual* is for you, the library employee, so that you may better understand the library mission and your role in its service plan. It is the purpose of the library to serve the community in a manner that is cordial, efficient and equitable. This *Manual* is not all-inclusive, but it does set down the obligations and rights of staff members, outlining the personnel policies of the library and the rules that each library employee is expected to follow.

Procedures for daily operation of the library are set forth in the *Policies and Procedures Manual*, which staff members are encouraged to consult regularly. Questions concerning library regulations or procedures should be addressed to the Executive Director.

Employment shall be at will, so that either party may terminate the relationship at any time. In no event shall the hiring of an employee be considered as creating a contractual relationship between the employee and the organization.

The Executive Director maintains the master copy of the *Personnel Manual* in the Executive Director's office. Changes may be approved only by vote of the Board of Trustees and will be made available to all personnel as they occur.

## **THE LIBRARY**

The official name of the library is the Free Public Library of the Borough of Bernardsville, although Bernardsville Library and Bernardsville Public Library are commonly used. It is organized as a public library under the laws of the State of New Jersey and is financed largely by the Borough. It also receives state aid, income from endowments, donations, interest, and other revenues from library operations such as fines and various fees.

## **BOARD OF TRUSTEES**

The governing board of the library is the nine-member Board of Trustees (hereafter "Board"), consisting of seven members appointed by the Mayor, plus the Mayor or the Mayor's designee and the Superintendent of Schools. The final responsibility for policies and operation of the library is vested in the Board. The meetings are open to the public.

## **EXECUTIVE DIRECTOR**

The Executive Director administers the general library operation and staff. The Executive Director is responsible to the Board and must see that Board policies and decisions are carried out. The Executive Director is the liaison between staff members and the Board.

## **EMPLOYEE RIGHTS AND RESPONSIBILITIES**

As an employee of Bernardsville Public Library, you have the right to:

- Work in a safe environment
- Proper training and orientation
- Feedback and evaluation
- Know the chain of command
- Request additional training or information
- Know your responsibilities
- Access written policies and procedures
- Resign

You accept the responsibility of:

- Upholding the goals and policies of the library
- Accepting supervision
- Fulfilling the requirements of your position
- Following procedures
- Maintaining a helpful and professional demeanor with patrons and staff
- Refraining from interfering with the responsibility of others – you are responsible for yourself and your performance and not for others unless specifically asked
- Maintaining a level of confidentiality as required by your job

## **EMPLOYMENT CATEGORIES**

The following employee categories are defined:

1. Full-time employee shall mean an employee of Bernardsville Library who works a minimum of thirty-five (35) hours per week on a regular basis.
2. Part-time employee shall mean an employee of Bernardsville Library who works less than thirty-five (35) hours per week.
3. Temporary employee shall mean an employee who is employed seasonally, or on an irregular occasional basis, or for specific projects.

At the time of hire, the Executive Director and the employee will sign a letter stating terms of employment, salary, and other pertinent information. Copies will be given to both parties.

## **GENERAL EMPLOYMENT PRACTICES**

1. Equal Opportunity and Affirmative Action: The library is committed to providing equal opportunity through its employment practices and through many activities, programs and services it provides to the community. The library will continue to make all personnel decisions without regard to race, color, ancestry, creed, national origin, sex, sexual orientation, age, marital status, religion, liability for service in the armed forces of the United States, or marital status or disability unless such disability effectively prevents the performance of essential duties required by the position and which are *bona fide* occupational qualifications and which cannot be accommodated without undue hardship.

The library shall operate within the principles of equal employment opportunity and affirmative action guidelines set forth in Federal, State and local laws and regulations.

2. The authority and responsibility for the selection and appointment of the Executive Director rests with the Board of Trustees. For each position authorized by the Board, the Executive Director will have the responsibility and the authority to hire all staff in accord with the personnel policy practices, budget, and salary guidelines of the library.
3. Every effort will be made to hire employees for positions which make the best use of their abilities and in which they will achieve personal satisfaction. In no event shall the hiring of an employee be considered as creating a contractual relationship between the employee and the organization. Employment shall be at will, so that either party may terminate the relationship at any time and for any lawful reason.
4. All positions will be advertised as appropriate to their level and be posted internally.
5. Job descriptions will be maintained for all positions.

### **Probationary Period**

The first three months of service constitute a probationary period, during which the individual is trained for effective performance on the job. Throughout this period, the Executive Director or designee discusses the employee's performance with the employee and makes recommendations for further improvement. An employee may be terminated with or without cause during his or her probationary period. An employee terminated during his or her probationary period shall be given written notice of such termination.

### **Staff Training**

New staff members will be given orientation in the general operations of the library, its objectives and history, as well as instruction concerning their own duties. All new staff members are expected to familiarize themselves with the *Policies and Procedures Manual*, which covers detailed regulations and practices of the entire system. Training is also provided on an ongoing basis. Staff members are expected to attend training as requested by their immediate supervisor or the Executive Director.

### **Salaries**

All salaries are determined by the Executive Director with input from the Board based on the approved annual budget. Employees will be paid twice monthly.

Deductions will be made as authorized by the employee and approved by the library as well as deductions required by federal, state or local law.

### **Overtime**

Under the Federal Fair Labor Standards Act (FLSA), salaried employees in executive, administrative or professional positions are exempt from overtime requirements. The Executive Director shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work their normal workweek and any additional hours needed to fulfill their responsibilities. Exempt employees are paid on a salary basis.

All other employees are classified as Non-Exempt and are subject to the provisions of the Fair Labor Standards Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved in advance by the Executive Director. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation at their straight time rate until weekly hours worked exceed forty.

For purposes of determining overtime compensation, only time actually worked is included. Vacation time, holiday time, sick time, personal time, and all other non-working time is not considered time worked for determining overtime compensation.

### **Personnel Records**

The library maintains an individual file on each employee consisting of job application, resume, letters confirming employment, letters relating to work performance, job evaluations, attendance, salary records, and other material related specifically to the individual worker.

These records are of a confidential nature and are available only to the employee or to supervising personnel on a need-to-know basis. The Board President shall have access to the Executive Director's personnel file with the Executive Director present. Employee medical records are retained separately and are kept strictly confidential.

Employees wishing to see their personnel files must contact the Executive Director for an appointment in advance. The Executive Director must witness examination and employees may not remove files from the office or remove documents from the file. Employees may receive copies of documents in their files.

It is the responsibility of each employee to notify the Executive Director of any changes in vital information including: Name, Address, Telephone Number, Marital Status, Dependent Children, Deductions to be included on W-4 form, Change in status for health care programs, Change of beneficiary on pension or life insurance policies.

Changes must be made by written notice to the Executive Director. Credit information requests via phone or in writing should be channeled through the Executive Director who will verify employment and salary only upon consent of the employee.

The official file shall include at least the following:

- The original application signed by the employee;
- Notes from any pre-employment interview and reference check;
- The original letter detailing an offer of employment and any additional correspondence concerning the employee's hiring;
- A signed acknowledgment that the employee received a copy of the employee complaint policy;
- A signed acknowledgment that the employee has received the Personnel Manual;
- A signed acknowledgment that the employee received the safety orientation;



- Annual written performance evaluations including documentation that the evaluation was reviewed with the employee;
- Counseling action plans;
- Records relating to on-the-job accidents;
- Disciplinary actions including an acknowledgment that the employee was notified of the proposed disciplinary action and was given an opportunity to respond;
- Records relating to any other employment actions including promotions, demotions, transfer, resignations, leaves, etc.; and
- Any other pertinent information.

### **Job Evaluation**

The Personnel Committee will review the performance of the Executive Director annually. The Executive Director or designee will provide a written evaluation of each employee's work. Written evaluations are discussed and then filed as part of the employee's work record.

Discretionary merit increases may be granted in the course of annual salary reviews, which are usually conducted each June. Unless otherwise specified, annual merit increases granted in June for staff hired prior to October of the previous year are retroactive to January.

If an employee's performance falls below performance standards at any time, the employee will be subject to the Employee Disciplinary Process.

Disagreement with the performance rating, or parts thereof, may be voiced and objections to an unfavorable rating may be expressed in writing to the Director within thirty days. Any timely written statement by the employee will become a part of the employee's personnel folder along with the evaluation form.

### **Employee Disciplinary Process**

If an employee's performance falls below performance standards, the employee will have an opportunity to correct the problem after an oral notification from the Executive Director. If the problem is not corrected or addressed to the satisfaction of the Executive Director, a written warning will be provided. If there is still insufficient improvement after the employee has had a reasonable opportunity to correct the problem, the employee's employment will be terminated without further notice. Overt misconduct will not have the courtesy of this process. Immediate termination of employment may be the consequence of dishonesty, insubordination, or breach of confidentiality.

The *Resolution of Problems or Claims* section of this Manual provides the procedure if an employee claims a disciplinary problem was not handled as outlined.

### **Termination of Employment**

Employees may be separated from library employment by layoff, dismissal, resignation, abolishment of position, or retirement.

A professional staff member or anyone in a supervisory or administrative position intending to resign or retire must notify the Executive Director in writing at least one month in advance. Other employees must give at least two (2) weeks' notification.

Upon termination of employment, all benefits are terminated in accordance with the current provisions of each program. Unused sick leave is not paid for upon termination. Accrued vacation time is paid for on termination, provided the employee has provided written notice as described above.

Any employee who is absent from duty for five (5) or more consecutive business days without the approval of his or her supervisor shall be considered to have resigned without proper notice. Approval of the absence shall not be unreasonably denied.

Causes for dismissal include, but are not limited to:

- Failure to fulfill responsibilities outlined in position description
- Failure to comply with directions from supervisor
- Rudeness to patrons
- Inability to learn or maintain library procedures
- Lack of cooperation with other staff members
- General inadequate performance
- Failure to comply with policies and procedures
- Diminished or lack of productivity

### **Promotions and Transfers**

When vacancies occur, it is library policy to evaluate candidates with the necessary qualifications who are on the staff. However, the library is also free to seek candidates from other sources to ensure that a vacancy is filled by the best-qualified person available. Request for promotion or transfer to a vacancy must be made to the Executive Director. Promotions are based on evidence of satisfactory performance, promise of future development, and educational, technical, and personal qualifications. Promotions are provisional for a period of three months.

## **WORKING CONDITIONS AND PRIVILEGES**

### **Hours of Work**

Full-time employees work at least 35 hours per week, not including lunch hour. Weekend and evening work is to be expected in the library profession. Exempt employees, in emergencies, are expected to put in hours as required, without overtime compensation other than schedule adjustment. *Exempt* means the employee holds a position that is excluded from the provisions of the Fair Labor Standards Act, and such employees shall be made aware of that status at the time a position is offered to them. Schedule adjustments outside of usual and customary working hours must be approved by the Executive Director.

### **Starting Time**

Employees are expected to be at their work stations, ready to work, at their scheduled starting time. In case of a discrepancy, the Circulation Desk clock will be considered the official time.

### **Meal and Break Periods**

An unpaid one (1) hour meal break is allowed for staff members who work a full day.

Each staff member is allowed a relief period of fifteen minutes during each scheduled half-day (3½ hour period) of work. This time is paid. Breaks may not be used to extend a meal period or to shorten the work day.

### **Kitchen Use**

Eating or drinking is not permitted at public desks. The kitchen is available for staff use. Staff members are expected to cooperate in sharing these facilities and in keeping this area neat and clean.

### **Children**

Permission to bring children to work must be obtained from the Executive Director in advance.

### **Staff Mail and E-Mail**

Mailboxes for staff are located in the circulation area. Staff members must check their mailboxes at least daily each day the employee works in the library. E-mail accounts are provided for all staff members and must be checked at least daily each day the employee works in the library.

### **Staff Meetings**

Staff meetings are called periodically by the Executive Director for either the whole staff or individual departments. All staff members are expected to attend staff meetings.

### **Inclement Weather**

The Executive Director or designee will decide when the library should be closed due to inclement weather, fire, national emergency, or any other situation. When possible, adequate notification of a closing will be given to all persons and/or groups likely to be affected. The Board President or designee should be notified.

## **BENEFITS OF EMPLOYMENT**

The library has established a variety of employee benefit programs designed to assist employees in meeting the financial burdens that can result from illness and disability, and to help employees plan for retirement. This portion of the Manual contains a very general description of the benefits to which employees are entitled.

This general explanation is not intended to, and does not, provide employees with all the details of these benefits. Therefore, this Manual does not change or otherwise interpret the terms of the official plan documents. Employee rights can be determined only by referring to the full text of the official plan documents, which are available for examination from the Executive Director. To the extent that any of the information contained in this Manual is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

The library reserves the right to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. Further, the library reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any benefit programs, employees must refer to the Summary Plan Descriptions, which are on file with the Executive Director.

### **Leaves**

All leaves are calculated based on the calendar year.

### **Vacation Leave**

1. After six months of employment, employees accrue vacation time monthly, meaning time is accumulated over the course of the year. Existing employees converting to fulltime status who have worked for more than one year are considered to have fulfilled their first six months of employment at the time of the conversion.
2. The Executive Director may approve a vacation request taken prior to accrual but the employee would owe any unaccrued time compensation back to the library if employment was terminated prior to being earned.
3. Employees who terminate service with proper notice will be paid for their unused accrued vacation days at a rate equivalent to their normal salary. Proper notice requirements are outlined in this Manual's *Termination of Employment* section.
4. An employee hired on or before the fifteenth day of the month shall be credited with a full month of service in computing vacation time.
5. All vacation time must be taken at the convenience of the library and must be requested and approved at least two weeks in advance by the Executive Director.
6. Vacations shall be scheduled by the Executive Director in such a manner as to ensure adequate levels of personnel to operate the library efficiently. Vacation is granted on a first-come first-served basis.

7. All vacation time must be taken within the calendar year in which it is accrued. In special circumstances, with prior approval of the Executive Director, some vacation time may be carried over a maximum of 90 days into the next calendar year.  
Exception for employees hired prior to November 2003 as follows:
  - a. Employees hired prior to November 2003 may carry over accumulated vacation days for the accrual period prior to November 2003 until December 2005.
  - b. All vacation time accrued after November 2003 is subject to all terms above.
8. All employees may also request non-compensated vacation time subject to items 5 and 6 above.

#### Executive Director

The Executive Director's vacation is set by the Board.

#### Department Heads / Managers

Department Head / Managers' vacation is set by the Executive Director based on years of relevant professional experience, following the general guidelines for full-time employees.

#### Full-time Employees

1. Full-time employees with more than six months but less than one year of continuous employment are eligible for one week of paid vacation leave.
2. Full-time employees are eligible for three weeks of paid vacation leave after 1 year of continuous employment; four weeks of paid vacation after two years of continuous employment; and five weeks of paid vacation after 5 years of continuous employment.
3. The larger part of the vacation period must be taken in weekly increments. A week is defined as the number of days in each employee's regular workweek. Employees working compressed work week schedules (usually four-day weeks) calculate four individual days in one week regardless of the number of hours worked in each day. Individual vacation days should not exceed 7.

#### Part-time Employees

1. Part-time employees are entitled to accrue the pro-rated equivalent of five (5) paid vacation days after six months of continuous employment.
2. In the first year of employment, vacation time will be based on each employee's anticipated regular schedule. After one full year, vacation time is based on the prior year's hours worked.

#### **Personal Leave**

After six months of continuous employment, full-time employees shall accrue personal leave at the rate of 1.5 days every 6 months (for a total of 3 days per year). These days are not cumulative and may not be carried over beyond the calendar year in which it is accrued. Part-time employees are not entitled to paid personal leave.

#### **Sick Leave**

1. Full-time employees shall accrue sick leave at the rate of one-half day per month of service.
2. Full-time employees may accumulate a maximum of 12 sick days at any given time. If more than 12 days are accrued, an extra one-half personal day shall be credited for that year for each day accrued. These days shall be credited in January of the following year.

Exception for employees hired prior to November 2003 as follows:

- a. Employees hired prior to November 2003 may carry over accumulated sick days for the period prior to November 2003.
  - b. All sick time accrued after November 2003 is subject to all terms above.
3. Unused sick leave is not paid for upon termination.
  4. Part-time or temporary employees are not eligible for paid sick leave.

Any employee who shall be absent on sick leave for three (3) consecutive working days may be required to submit acceptable medical evidence substantiating the illness. Any employee who has been absent on sick leave for eight (8) or more days in one (1) calendar year may be required to submit acceptable medical evidence for any additional sick leave in that year. The Executive Director or the Board may require proof of illness of an employee on sick leave whenever such requirement appears reasonable and warranted under the circumstances. Abuse of sick leave shall be cause for disciplinary action.

It is the responsibility of each library employee to notify the Readers' Services Manager (in his/her role as Scheduling Supervisor) of any absence from duty at least two hours prior to opening. If calling before library is open, first try his/her home phone – if the person does not answer leave a message and also call the direct line at the library 908-766-5390. The Readers' Services Manager is responsible to advise your immediate supervisor.

### **Disability Leave**

Any employee who meets eligibility requirements of the New Jersey Temporary Disability Insurance Program can make a disability claim under NJUI & Disability rules.

### **Bereavement Leave**

Each employee shall be entitled to up to three (3) prorated days of bereavement leave with pay for the loss of a spouse, child, parent, sibling, parent-in-law, grandparent, grandchild, or person living in the same household. Such period of time shall not be charged to vacation.

### **Family Leave**

The Federal Family and Medical Leave Act and the New Jersey Family Leave Act both apply to all public agencies. Library employees are covered per current Act requirements.

### **Other Leaves**

Leave without pay may be granted to employees for exceptional circumstances and must be approved in advance by the Executive Director. Such leave shall not be counted toward length of employment for purposed of calculating vacation time.

### **Holidays**

The library observes certain state, national, and local holidays. The Board shall establish a holiday schedule each year. A fulltime employee who is scheduled for a day off on a weekday that is observed as a holiday, is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday in the same pay period or as scheduled by the employee's supervisor.

### **Jury Duty**

All full-time employees called to serve on jury duty shall receive leave with pay for said purpose up to 15 days of service. Those excused from jury duty for particular days before the end of the term must report for work.

### **Court Appearance**

Those required to appear in court on matters relating to the library or when subpoenaed will be granted time off with pay.

### **Health/Dental Insurance**

All full-time employees and their dependents become eligible for enrollment in the medical and dental group insurance plans on the first day of the month following completion of sixty (60) days of employment. Information about the plans will be provided on request.

The library will pay the NJ Direct15 plan premium minus the employee contribution required by the state for fulltime employees working 35 hours weekly or more. Employees may select other plans, paying the cost differential between the NJ Direct15 plan premium and the premium for the employee's chosen plan. Employees may also apply for dependent coverage at their own cost. Premiums beyond the stated library coverage shall be deducted from each paycheck.

The Board of Trustees will annually review the available plans and its contribution to employees' coverage to determine and adjust the percentage premium provided to employees for the following year.

Part-time employees working 25 hours weekly or more may apply for coverage for themselves and dependents at their expense. Premiums shall be deducted from each paycheck.

Payment of premiums by the library shall continue until the last day of the month during which employment was terminated. The employee may make his or her own arrangements with the insurance carrier for the continuation or conversion of the insurance, at his or her own expense.

Waiver of Insurance: If a full-time employee elects to waive his/her medical or dental insurance benefit, the library will compensate the employee \$1,540 annually for waiver of health benefits and \$250 annually for waiver of dental benefits, which shall be paid in monthly installments.

The library's Section 125 Plan is included as Appendix C of this Manual.

### **Pension**

A full-time or part-time employee shall be considered a permanent employee for pension benefits, unless a temporary employee by agreement. Employees must be enrolled in the NJ Public Employees Retirement System or the Defined Contribution Requirement Plan as required by the state. A premium toward a pension and group life insurance will be withheld from salary. The library shall contribute an amount annually set by the NJPERS. The employee premium is set actuarially by NJPERS and may vary from year to year. The Borough of Bernardsville administers the pension plan for library personnel and will provide a print copy upon enrollment.

A complete description of the plan is also available at the state's website.

**Job Enrichment / Staff Development**

The library encourages staff participation in professional associations. Staff members are encouraged to join the New Jersey Library Association or New Jersey Association of Library Assistants.

Attendance at professional workshops, meetings and seminars must be requested in advance and approved by the Executive Director. Attendance at professional meetings is generally considered "working time" with limits set by the Executive Director dependent on budget, schedules, and distance from the library.

Staff members who attend such meetings shall be reimbursed in the following manner, as the budget allows, upon submission of receipts to the Executive Director:

1. Registration fee
2. Transportation expense (parking, tolls, mileage at current federal reimbursement rate) with prior approval of Executive Director
3. Meals, if not included, to a maximum of the American Library Association's current per diem meal allowance
4. Lodging at reasonable cost approved in advance by the Executive Director.

Staff training is also provided on an ongoing basis. Staff members are expected to attend training as requested by his/her immediate supervisor or the Executive Director.



## STAFF GUIDELINES

### **Borrowing Privileges**

Staff use and reading of new books is encouraged. Books may be borrowed by staff members, volunteers, and by trustees and may be renewed (provided there are no reserves) without fine. This does not apply to family or friends of either staff or trustees. Staff members may borrow audiovisual materials without charge. New books and AV materials should be on the shelves as soon as possible, and such books and materials in the hands of an employee must be returned quickly.

### **Courtesy**

Courtesy and a spirit of service are the first requisites of a staff member. Library personnel are expected to present a helpful and professional attitude to the public at all times. Each staff member has his or her position and responsibilities in the library and should deal with the public in an appropriate manner.

Complaints by patrons should be answered pleasantly and to be the best of the employee's ability. The *Policies & Procedures Manual* may be helpful in handling complaints. If the complaint cannot be handled satisfactorily, the Executive Director should be called.

### **Conduct**

Business-like conduct is required at all times. Personal differences should never be discussed, nor a patron left waiting while some dispute is settled. Every staff member is a public relations officer for the library, and each has an important part to play in developing and maintaining good public relations.

Visiting with friends or acquaintances and discussion of personal affairs are not appropriate while staff members are on duty at a public desk.

### **Telephone Use**

Necessary personal telephone calls should be handled in the kitchen, not around public areas.

### **Dress Code**

Employees are expected to dress appropriately for their position. Reader's Services staff members shall dress in a casual professional manner. It might be appropriate for Children's Services staff members to dress more appropriately for their audience. Consult the Executive Director if there is uncertainty regarding appropriate attire.

### **Library Code**

The library exists for the benefit of members of the community. Those who accept a position in the library assume an obligation to maintain professional standards of behavior in relation to the Library Board of Trustees, the library, all fellow workers, and the public. Staff members must avoid situations in which personal interests might be served or financial benefits gained at the expense of the library.

### **Policy Against Harassment**

Bernardsville Public Library does not and will not tolerate harassment of employees. The term "harassment" includes, but is not limited to, slurs, jokes and other verbal, graphic, or physical

conduct relating to an individual's race, color, sex, religion, national origin, sexual preference, citizenship, age, disability, veteran status, or other status protected by applicable law. "Sexual harassment" also includes sexual advances, requests for sexual favors, unwelcome or offensive touching, and other verbal, graphic, or physical conduct of a sexual nature.

Whatever form it takes, harassment (either sexual or otherwise) is insulting and demeaning to the recipient and will not be tolerated in the workplace. All Bernardsville Public Library employees, visitors, patrons, vendors or any other party having business with Bernardsville Public Library must comply with this policy and take appropriate measures to ensure that such conduct does not occur.

**Prohibited Conduct:** Harassment based on an individual's race, color, sex, religion, national origin, sexual preference, citizenship, age, disability, veteran status, or other status protected by applicable law is strictly prohibited. Sexual harassment occurs when one person harasses another solely because of the person's sex. This type of sexual harassment may involve unwelcome sexual demands or overtures, but it may also take the form of other harassing conduct not necessarily sexual in nature. The following are some examples of harassment:

- Physical contact such as hugging another or placing one's arm around the other;
- Sexual flirtations, advances, and propositions;
- Sexually degrading words used in reference to an individual;
- Comments on the speaker's own sexual abilities or those of co-workers;
- Display of offensive pictures or objects such as posters or calendars which are of a sexual nature;
- Teasing, jokes and remarks of a sexual nature;
- Comments of a sexual nature on, or staring at, an individual's physical attributes;
- Questions about sexual conduct;
- Repeated requests for a date after prior requests have been refused, or the proposed invitee has stated that he or she is not interested in such social contact;
- Pressure for sexual favors; and
- Other harassment of a non-sexual nature that is engaged in due to the gender of the individual.

The above list is not exhaustive, but merely illustrates examples of behaviors that may be interpreted as sexual harassment. Teasing, degrading or demeaning comments or conduct because of other criteria protected by law are strictly prohibited as well. You should also be aware that neither the Executive Director nor any supervisor has the authority to suggest to you that your continued employment or further advancement will be affected in any way by entering into (or refusing to enter into) any form of personal relationship with the Executive Director or supervisor. Sexual harassment is prohibited whether the harasser is male or female, and whether the harassment is opposite sex or same-sex harassment. There is no excuse or justification for the conduct that the individual was only "joking."

**Investigation:** If you feel that you are being harassed in any way by a co-worker or by a patron or vendor, you should immediately notify the Executive Director or the President of the Board of Trustees. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must also report it to the Executive Director, or, if necessary or if the harassment involves the Executive Director, the President of the Board of

Trustees. There will be an immediate investigation of the allegation, and the Executive Director, or if appropriate, the Board of Trustees, will take prompt and appropriate action, including the imposition of discipline up to and including discharge. No retaliatory measures will be taken against any employee who in good faith complains of harassment. Under no circumstances must the employee report the harassment to an individual who he or she is accusing or harassing.

Confidentiality: To the maximum extent possible, Bernardsville Public Library will maintain the confidentiality of harassment complaints. However, the investigation of such complaints will generally require disclosure to the accused individual and to other witnesses in order to gather pertinent facts.

### **Workplace Violence Prevention**

Bernardsville Public Library also has a workplace violence prevention policy, which is as follows:

Prohibited Conduct: Threats or acts of violence that involve employees, their families, friends or property as well as patrons of Bernardsville Public Library are not permitted. Even jokes about violence will not be tolerated. Behavior such as "horseplay", pushing or shoving are also not permitted.

No weapons are allowed in the Bernardsville Public Library workplace. This includes the Bernardsville Public Library parking lot and any other adjacent property. Weapons include guns, knives, clubs or any other device, implement or substance that could harm an individual.

Investigation: Any threat or violent behavior must be reported immediately to the Executive Director, or, if necessary, or if the conduct involves the Executive Director, the President of the Board. All threats should be taken seriously. All reports will be investigated quickly and kept confidential. Any employee who violates the violence prevention policy will be subject to discipline, up to and including termination.

### **Americans with Disabilities Act Policy**

In compliance with the Americans with Disabilities Act and the New Jersey Law Against Discrimination, Bernardsville Public Library does not discriminate based on disability. Bernardsville Public Library will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines.

The Executive Director shall initiate an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations that do not create a hardship. Accommodations include modifications to facilities, equipment and work procedures, auxiliary aides, services and permanent reassignment to vacant positions. Employees who are reassigned to a different position shall receive the salary of their new position. Accommodations shall not be unduly expensive, extensive and disruptive or fundamentally alter the nature of the operation. The Act does not require Bernardsville Public Library to offer permanent "light duty", relocate essential functions or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc. To be eligible for accommodations, individuals must (1) be able to perform the essential function of the position, (2) not create a real safety hazard to themselves, co-employees or the

public, and (3) be otherwise qualified for the position in that they possess the prerequisites including education, experience, training, skills, licenses or certificates and other job-related requirements. All decisions with respect to accommodations shall be made by the Executive Director or Library Board of Trustees as appropriate.

### **Contagious or Life Threatening Illnesses Policy**

Bernardsville Public Library encourages employees with contagious diseases or life-threatening illnesses such as cancer, heart disease, Hepatitis C and HIV/AIDS to continue their normal pursuits, including work, to the extent allowed by their condition. As in the case of other disabilities, the Bernardsville Public Library shall make reasonable accommodations in accordance with legal requirements to allow qualified employees with contagious or life-threatening illnesses to perform the essential functions of their jobs as long as they are able to meet acceptable performance standards.

Medical information shall be treated confidentially. Bernardsville Public Library will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action. Employees with questions or concerns about contagious or life-threatening illnesses are encouraged to contact the Executive Director.

### **Drugs and Alcohol Policy**

Bernardsville Public Library recognizes that the use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is intoxicated or under the influence of alcohol or drugs during working hours shall be immediately suspended and subject to termination.

Employees using prescription drugs that may affect job performance or safety must notify their supervisor, who is required to maintain the confidentiality of any information regarding an employee's medical condition.

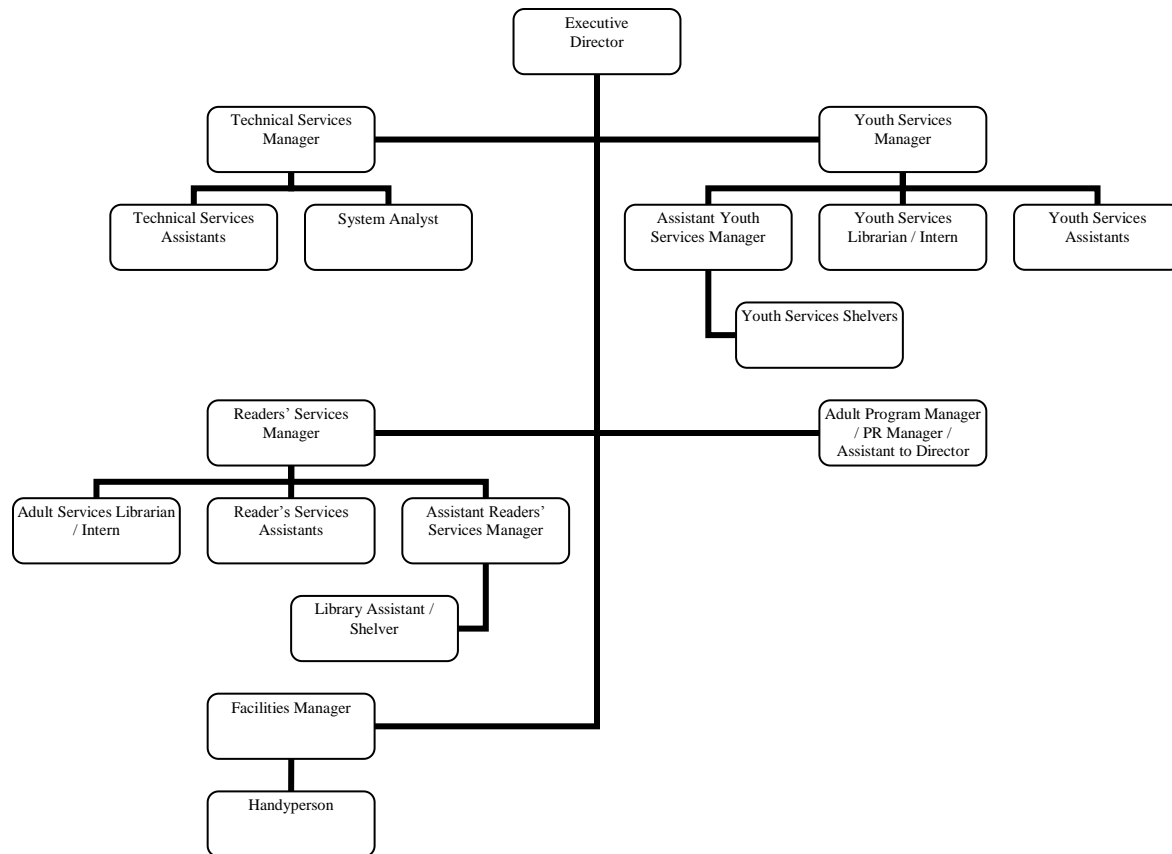
#### Medical Examination of Employee

The library may require a medical examination of any employee by a medical expert selected by the library, and may require further periodic examinations when justified by business need and as allowed by law. The library will pay for all medical examinations required.

Upon receipt of the medical report, the library may take such action as is necessary and appropriate with regard to the continued employment of said employee. Determination will be made on the basis of the medical information received and the impact upon the employee's ability to perform the essential functions of the job, with or without reasonable accommodation subject to applicable law.

## Organizational Chart

This chart explains the reporting relationships in the library.



## Authority Chain

When there is an immediate situation for which an employee does not have sufficient authority to handle, the employee shall refer the problem to his/her immediate supervisor and/or the Executive Director. If the immediate supervisor is not available and the Executive Director is also absent from the library, another staff member (as outlined below) will make decisions on issues that cannot await the Executive Director's return. This person will make the determination to call the Board President if there is an issue they feel they cannot resolve.

When the immediate supervisor is not available, the staff member closest to the top of the list below, who is present in the library at the time, shall be the person in authority.

- Executive Director
- Reader's Services Manager
- Adult Programming Manager
- Technical Services Manager
- Youth Services Manager

If none of these people is available, reach one of them at home in the same order.

## **Resolution of Problems or Claims**

Occasions may arise where an employee feels that there is a problem which has not been fairly or adequately handled. For these occasions, it is necessary that a policy be established for discussion and resolution of problems. Every problem should be thoroughly discussed by the employee and the Executive Director. If the issue has not been resolved through this process, the employee may submit a grievance in writing to the Library Personnel Committee of the Board, with a copy to the Executive Director. (Board contact information may be found in the *Policies & Procedures Manual*.) Since it is intended that most, if not all, grievances can and should be settled without the necessity of reference to the Board, no grievance will be considered by the Board which has not first proceeded through the above steps.

A grievance which has not been agreeably settled by the Personnel Committee will, at the employee's request and at the discretion of the Board, and in his or her presence, be presented to the Board of Trustees for consideration and action.

Bernardsville Public Library shall not take any retaliatory action or tolerate any reprisal against an employee for any of the following:

- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

The employee must bring the violation to the attention of Bernardsville Public Library. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature. Under the law, the employee must give Bernardsville Public Library a reasonable opportunity to correct the activity, policy or practice.

## **Patron Issues**

In any public building, problems relating to patron conduct may occasionally arise. Staff members should discourage loud conversation or refusal to obey library regulations by patrons politely, but firmly.

In the event of questions in this area, staff members may refer to *Patron Rules of Conduct* which is posted for staff members and for the public and available in the *Policies and Procedures Manual*.

All staff members are expected to use their discretion with offenders and may ask the persons involved in arguments or other disruptive behavior to leave—even if the Executive Director is not available. It is important for staff members to apply patron rules of conduct in an even-handed and objective way, and not in a manner intended to benefit or disfavor any person or group in an arbitrary manner.

If serious problems arise, staff members should not hesitate to call the police.

### **Patron Emergencies**

If a patron is taken sick at the library, staff members should call the emergency squad and the police. Staff members may give an adhesive bandage to a patron, but may not apply the bandage. Disposable rubber gloves (stored at the circulation desk on the shelf under the cash register) should be worn by a staff member before touching an ill or injured person. Staff members must not transport ill patrons. Staff members involved shall file a written incident report with the Executive Director.

If an unattended minor is at the library at closing, staff members must call the police. Staff members must not transport minors.

### **Reporting Accidents; Personal Injury; Occupational Illnesses**

An employee who is injured in the performance of his duties or who suffers from a work-related illness shall immediately report the accident or illness to his/her supervisor who shall complete a form provided for such reports. The completed accident report form shall then be submitted to the Executive Director.

### **Reporting Accidents; Property Damage**

An employee involved in an accident where damage to either Borough-owned property or private property is involved shall immediately report such accident to his supervisor and shall also file a written incident report of such accident with the Executive Director.

### **Nepotism**

Immediate relatives shall not be hired, promoted or transferred to a full-time or regular part-time position where:

- One relative would have the authority to appoint, remove, discipline or evaluate the performance of the other;
- One relative would be responsible for auditing the work of the other; or
- Other circumstances exist that place the relatives in a situation of actual or perceived conflict of interest.

For purposes of this policy, “immediate relative” includes spouse or significant other, child, parent, stepchild, sibling, grandparent, daughter-in-law, son-in-law, grandchild, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee’s or Trustee’s household.

### **Code of Ethics**

Employees must endeavor to retain the respect and confidence of people in the community, including observing a code of ethics. This code includes, but is not limited to:

- Employees may not participate in political activities while working or in a manner that implies library endorsement or while representing the library in any capacity.
- Employees may not engage in any activity that is in conflict with the performance of their duties at the library. A conflict is determined at the discretion of the Executive Director and/or Board of Trustees.
- Employees may not use their position either directly or indirectly to secure privileges or advantages from or for anyone.

- Employees may not accept or offer any gift or favor under circumstances from which it might be inferred that the purpose was to influence the performance of duties.
- Employees may not knowingly act in any way that might reasonably be expected to create an impression of suspicion or distrust among the public.
- Employees may not use or allow the use of library property or personnel for any purpose other than officially approved activities.
- Employees may not use or allow the use of information gained through employment, which has not been made available to the general public, for furthering a private interest.
- Library Board of Trustees members, Friends of the Library Board members and Bernardsville Library Foundation Board members may not hold paid staff positions at the library.

### **Military Leave**

Obligations toward employees who are members of the National Guard or a reserve component of the Armed Forces of the United States are governed by The Uniformed Services Employment and Reemployment Rights Act (UNSERRA) of 1994. An overview of this legislation can be found on the internet at <http://www.dol.gov/vets/programs/fact/vet97-3.htm>. An employee who is a member of the National Guard or other component of the organized militia of the State of New Jersey may access applicable statutes on the internet at <http://www.njleg.state.nj.us>.

### **E-Mail, Voice Mail and Internet Usage Policy**

Access to e-mail, voice mail and the Internet has been provided to library employees for the benefit of the library and its patrons. Every employee has a responsibility to maintain and enhance the library's public image and to use all library computer systems in a productive manner for library business. To ensure that all employees are responsible, productive users and are protecting the library's public image, the following guidelines have been established for using these systems.

#### Confidentiality, Privacy and Monitoring

All library computer and phone systems, including e-mail, voice mail and internet connections, are the property of the library. All documents, information and data created, stored and/or copied to the library's computer and/or phone systems are the property of the library and may not be copied or in any form transmitted to any third party other than in the ordinary course of business on behalf of the library. Employees using the library's computer and phone systems are cautioned that e-mail, voice mail and internet systems do not provide complete confidentiality and library employees have no right to privacy when they use these systems. The library has the right to access, monitor and disclose the contents of any file or electronic or voice mail message composed, sent, received or viewed on library computer or phone systems for any business purpose, including but not limited to breaches of security, violations of library policy or other computer system or e-mail or voice mail misuse.

#### Acceptable Uses of the Internet

Employees accessing the Internet are representing the library. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Databases may be accessed for information as needed for library business. E-mail may be used for business contacts.

#### Unacceptable Uses of the Internet

The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-library business or any use of the Internet for personal gain is strictly



prohibited. Use of the Internet must not disrupt the operation of the library network or the networks of other users. It must not interfere with employee productivity.

#### E-Mail Communications

All employees are responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have the sender's name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. A generic signature of name, title, and contact number should be included in your e-mail communications. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language may be transmitted through the system. Employees are prohibited from expressing personal opinions through use of the library's Internet names and connections.

Notwithstanding the library's right to read and retrieve any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval from the Executive Director. Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer passwords and login names must be submitted to the Executive Director. No codes may be used that are unknown to the library.

#### Security

All messages created, sent or retrieved over the Internet are the property of the library. The library reserves the right to access and monitor all messages and files on the computer or phone systems as deemed necessary and appropriate. The confidentiality of any messages should not be assumed. Even when a message is erased, it is possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All communications, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

#### Harassment

Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's personal characteristics, including protected categories, may be transmitted.

#### Violations

Violations of any guidelines listed above will be presented to the Executive Director and may result in disciplinary action up to and including termination. If necessary, the library will advise appropriate legal officials of any illegal violations.

### **Workplace Documents and Other Products**

Any document or information created by employees on working time or on behalf of the library is the property of the library. All print information on library stationery is all considered to be the property of the library, no matter what the original intent of the information.

APPENDIX A

Bernardsville Public Library  
**Position Descriptions**  
*Revised June 26, 2012*

Position descriptions follow for each of the positions listed below. The person currently holding each position is listed below.

Position	Person
Adult Program Manager	Madelyn English
Adult Services / Reference Librarian	Vacant
Assistant Readers' Services Manager	Sarah Fisher
Assistant to the Director	Madelyn English
Assistant Youth Services Manager	Anne Post
Executive Director	Karen Brodsky
Facilities Manager	Pat Kennedy-Grant
Handyperson	Felipe Labastida
Librarian Intern	Felicia Ballard
Library Assistant / Shelver	Vacant (Temporary)
Local History Committee Liaison	Pat Kennedy-Grant
Public Relations Manager	Madelyn English
Readers' Services Assistant	Margaret Harvey Evelyn Fischel Annette Manthey Chieko McClester Mary Jo Oakley Susan Popper Kathy Redling Ryan Weber
Readers' Services Manager	Pat Kennedy-Grant
System Analyst	Jim Droney
Technical Services Assistant	Ryan Weber
Technical Services Manager	Rosalie Baker
Youth Services Assistant	Felicia Ballard
Youth Services Manager	Lia Carruthers
Youth Services / Reference Librarian	Vacant
Youth Services Summer Shelver	Skye Gavurnik

APPENDIX B

**ACKNOWLEDGEMENT OF MANUAL RECEIPT**

I have received a copy of the Bernardsville Public Library Personnel Manual and affirm that I will become familiar with the information and work rules contained in it. If there is anything that I do not understand, I will request an explanation from the Executive Director.

I understand that the purpose of this Personnel Manual is to inform me about Bernardsville Public Library's policies and rules, and that nothing contained in this Personnel Manual or any other communication by the Executive Director or any supervisor, whether written or oral, constitutes an employment contract between Bernardsville Public Library and myself. I understand further that my employment is at-will and can be terminated with or without cause and with or without notice at any time, at either my option or Bernardsville Public Library.

I understand that all information presented to me in this Personnel Manual is subject to change or variance at the discretion of Bernardsville Public Library.

**RESERVATION OF RIGHTS TO CHANGE WITHOUT NOTICE**

The policies contained in this Personnel Manual are to be considered as guidelines. They are not intended to create, nor are they to be construed to constitute a contract, express or implied, between Bernardsville Public Library and any employee.

Bernardsville Public Library reserves the right to modify, change, disregard, suspend or cancel at any time, without prior written or verbal notice, all or any part of the Manual's contents as circumstances may require. Any such changes, deletions or modifications shall apply to existing as well as future employees, without continued employment being the consideration between Bernardsville Public Library and the employee. No one other than the Board of Trustees may alter or modify any of the policies in this Manual. No statement or promise by the Executive Director or anyone else may be interpreted as a change in policy nor will it constitute an agreement with an employee.

Dated: \_\_\_\_\_

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

Employee Name: \_\_\_\_\_