



# Mesa County LIBRARIES

# 2014

## EMPLOYEE HANDBOOK MESA COUNTY LIBRARIES

Adopted by the Library Board of Trustees - Effective March 27, 2014

## **ABOUT THE EMPLOYEE HANDBOOK**

**This handbook is designed to acquaint you with the Mesa County Public Library District (the Library) and provide you with information about working here. The handbook is not all-inclusive, but is intended to provide you with a summary of some of the Library's guidelines. This edition replaces all previously-issued editions.**

**EMPLOYMENT WITH THE LIBRARY IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE LIBRARY, WITH OR WITHOUT ADVANCE NOTICE, FOR ANY REASON. THE LIBRARY HAS THE SAME RIGHT TO TERMINATE WITH OR WITHOUT ADVANCE NOTICE, WITH OR WITHOUT CAUSE. The language used in this handbook and any verbal statements made by management or the Board of Trustees are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for a specific duration. No representative of the Library, other than the Board of Trustees, by majority vote, has the authority to enter into an agreement of employment for any specified period, and such agreement must be in writing, signed by the President of the Library Board and the employee.**

**No property rights are created using this handbook.**

**No employee handbook can anticipate every circumstance or question. After reading the handbook, if you have questions, please talk with your immediate supervisor or the Human Resource Manager. Also, the need may arise to change the guidelines described in the handbook, except for the at-will nature of the employment. The Library, therefore, reserves the right to cancel or modify the guidelines without prior notice.**

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## TABLE OF CONTENTS

WELCOME .....	1
BACKGROUND INFORMATION .....	1
EMPLOYMENT .....	2
Equal Employment Opportunity .....	2
ADA Accommodation .....	2
Harassment-free Working Environment .....	2
Respectful Workplace .....	2
Unlawful Harassment .....	4
Sexual Harassment .....	5
Procedure .....	6
Complaint Procedure .....	7
Library Property .....	7
COMPENSATION .....	9
Pay Period—Time Reporting Procedures .....	9
Payroll Deductions .....	10
Compliance with Fair Labor Standards Act .....	11
Workweek .....	11
Overtime .....	11
Compensatory Time .....	11
Meal Breaks .....	12
Fair Labor Standards Act Exempt Positions .....	12
Exempt Staff Work Schedules .....	12
Exempt Employees and Compensatory Time .....	13

Travel Time .....	13
Employee Status .....	15
I-9 Compliance .....	15
<b>BENEFITS .....</b>	<b>16</b>
Group Health, Dental and Vision Insurance.....	16
Long-Term Disability Insurance.....	16
Life Insurance.....	16
Health Reimbursement Account (HRA) .....	16
Employee Assistance Program (EAP).....	17
Flexible Benefit/Spending Plans.....	17
Retirement Plan .....	17
Social Security/Medicare .....	17
Educational Assistance.....	17
Voluntary Plans.....	17
<b>LEAVE .....</b>	<b>18</b>
Vacation Leave .....	18
Paid Holiday Leave .....	20
Sick Leave.....	21
Family and Medical Leave (FMLA).....	22
Colorado Family Care Act .....	28
Time Off without Pay (Non-Benefited Employees).....	28
Unpaid Leave of Absence (Benefited Employees).....	28
Parental Involvement Leave .....	29
Domestic Abuse Leave.....	30
Military Leave of Absence.....	31

Jury Duty and Time Off for Civic Duties .....	31
Statutory Leaves .....	31
JOB PLACEMENT .....	33
Nepotism Policy .....	33
Appointment to Acting Capacity .....	33
GENERAL CONDITIONS OF EMPLOYMENT .....	34
General Policy .....	34
Fraud Policy .....	34
External Meetings/Trainings .....	34
Local Travel Expense Reimbursement .....	35
Civic/Charitable Work .....	35
Confidentiality .....	35
Personnel Files .....	36
Confirmation of Employment .....	36
Personal Data Changes .....	36
Attendance and Punctuality .....	36
Unapproved Absence .....	37
Grooming and Attire .....	37
Rest Periods .....	38
Anniversary Date .....	38
Outside Employment .....	38
Change of Dependents .....	39
TECHNOLOGY/COMMUNICATION .....	40
Use of the Library's Electronic Services .....	40
Offensive or Obscene Usage .....	40

Copying onto Personal Computers .....	40
Electronic Resources Access .....	40
Use of Personal Electronic Devices for Work Purposes .....	40
Electronic Communication .....	41
Unauthorized Use .....	41
Use of Social Media .....	41
UNACCEPTABLE CONDUCT .....	43
Non-Exclusive List .....	43
SEPARATION FROM THE LIBRARY .....	45
Involuntary Termination.....	45
Confirmation of Employment Following Termination.....	45
HEALTH AND SAFETY.....	46
Workers' Compensation .....	46
Job-Related Injury or Illness .....	46
Emergency Closing .....	47
Emergency Closure.....	47
Notification .....	48
Compensation.....	48
Partial Day Closure .....	48
Returning to Work .....	48
Driving on Library Business .....	49
Personal Vehicle Use.....	49
Traffic Violations.....	49
Distracted Driving.....	49
Vehicle Accident Procedure.....	50

Drugs and Alcohol .....	50
WARNING ABOUT MARIJUANA.....	50
Employee Drug and Alcohol Testing .....	50
Categories of Substance Testing .....	51
Post-Accident Testing .....	52
Tobacco Restrictions .....	53
Workplace Violence Prevention.....	53
MISCELLANEOUS .....	55
Children of Employees.....	55
Tools and Equipment .....	55
Conflict of Interest .....	55
Political Activity.....	55
Acceptance of Gifts and Gratuities by Employees under Colorado’s Ethics in Government Amendment .....	55
Fundraising Activities .....	57
Solicitation .....	57



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## WELCOME

Mesa County Public Library District (MCPLD) is committed to providing the best possible working conditions for employees. We encourage an open door atmosphere whereby problems, complaints, suggestions or questions are handled with courtesy and consideration from management and administration.

At Mesa County Libraries, we strive to ensure an environment of trust, mutual respect, learning, and innovation.

## BACKGROUND INFORMATION

**THIS HANDBOOK IS NOT AN EMPLOYMENT CONTRACT**; however, it does contain the adopted policies of the Library Board of Trustees. It is the intent of the Board that these policies be followed and communicated to all employees. Please read this handbook carefully.

The Board of Trustees may review, update, change, modify, eliminate or add to these provisions as laws and conditions change.

## EMPLOYMENT

### **Equal Employment Opportunity**

The Library is an equal opportunity employer and will not unlawfully discriminate on the basis of age over 40, gender, disability, religious preference, race, color, national origin, political preference, genetic information, sexual orientation or any other legally-protected status with respect to job application procedures, employment, advancement, discharge, compensation, job training or any other term, condition or privilege of employment. It is our intention that all qualified applicants are given equal opportunity and that selection decisions are based on job-related factors.

### **ADA Accommodation**

The Library will make reasonable accommodation for qualified individuals with known disabilities, unless doing so would result in an undue hardship to the Library. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training. Employees requesting such accommodation(s) should discuss it with their supervisor and/or Human Resource Director.

### **Harassment-free Working Environment**

The Library is committed to maintaining a positive working environment free of harassment.

### **Respectful Workplace**

A fair, collaborative, inclusive and respectful workplace is a vital prerequisite to the Library's achieving its public service goals and preserving its reputation for excellence.

Therefore, the Library embraces the concept of a *Respectful Workplace* and is committed to promoting an environment where employees respect each other regardless of their roles or levels of responsibilities, or the nature or extent of their contributions.

### **Everyone Is Responsible For a Respectful Workplace**

**Employees:** All employees, regardless of role or status, are responsible for behaving respectfully and for refraining from disrespectful behaviors that violate other relevant Library policies.

All employees, regardless of their role or status, are also responsible for:

- Recognizing when they or others are being subjected to disrespectful behavior;
- Addressing the behavior directly with the person engaging in disrespectful or abusive conduct;
- Bringing the situation to the attention of a supervisor or the next person in the chain of command (if a supervisor is the issue) for prompt resolution;

- Making a complaint.

**Supervisors:** In addition to their personal responsibilities as employees, supervisors are responsible for:

- Encouraging the reporting of instances of disrespectful behavior;
- Immediately addressing all disrespectful behavior once reported or observed;
- Taking the situation seriously and promptly investigating the extent and nature of the problem

**Administration:** In addition to their personal responsibilities as employees and as supervisors, Library Administration bears the primary responsibility for maintaining a workplace environment free from disrespectful behavior, and they are expected to act on this responsibility whenever necessary.

### **Examples of Respectful Behavior**

Every employee of the Library has the right to work in a respectful workplace. In order to promote and sustain a workplace where all employees are treated with respect and dignity, regardless of their status or position, each employee is expected to abide by these values and standards of interpersonal behavior, communication and professionalism:

- We respect and value the contributions of all members of our community, regardless of status or role in the organization;
- We treat one another with respect, civility, and courtesy;
- We work honestly, effectively and collegially with each other;
- We respond promptly, courteously, and appropriately to requests from others for assistance or information;
- We use conflict management skills, together with respectful and courteous verbal communication, to effectively manage disagreements among one another;
- We encourage and support each other in developing our individual conflict management skills and talents;
- We have an open and cooperative approach in dealings with each other, recognizing and embracing individual differences;
- We recognize that differing social and cultural standards may mean that behavior that is acceptable to some may be perceived as unacceptable or unreasonable to others;
- We abide by applicable rules, regulations, policies and bylaws and address any dissatisfaction with, or violation of, policies and procedures through appropriate channels;

- We demonstrate commitment to a culture where all of us cooperate and collaborate in using best practices to achieve high work-related outcomes;
- If we are in leadership positions, we model civility for others and clearly define expectations for how we treat each other, and are responsive to complaints when they are brought forward.

### **Examples of Disrespectful Behavior**

Consistent with this and other relevant Library policies, all employees at Mesa County Libraries are expected to refrain from disrespectful behavior. Examples of disrespectful behavior can include, but are not limited to, the following:

- Use of threatening or abusive language, profanity or language that is intended to be, or is perceived by others to be, demeaning, berating, rude, or offensive;
- Making threats of violence, retribution, litigation, or financial harm; shouting or engaging in other speech, conduct or mannerisms that are reasonably perceived by others to represent intimidation or harassment;
- Using racial or ethnic slurs; demonstrating racial, gender, sexual orientation, or cultural bias;
- Making or telling jokes that are intended to be, or that are reasonably perceived by others to be, crude or offensive; teasing, name calling, ridicule or making someone the brunt of pranks or practical jokes;
- Using sarcasm or cynicism directed as a personal attack on others;
- Spreading unsubstantiated rumors or gossip;
- Making actual or threatened inappropriate physical contact;
- Throwing instruments, tools, office equipment, or other items as an expression of anger, criticism, or threat, or in an otherwise disrespectful or abusive manner;
- Making comments or engaging in behavior that is untruthful or directed as a personal attack on the professional conduct of others;
- Engaging in any pattern of disruptive behavior or interaction that could interfere with the workplace or adversely impact the quality of services

### **Unlawful Harassment**

The Library prohibits sexual harassment and harassment because of age, race, gender, color, religion, national origin, disability, political preference, genetic information sexual orientation, or any other legally-protected status. Unlawful harassment includes unwelcome verbal or physical conduct based on a protected status that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Harassment based on an individual's age, race, gender, color, religion, national origin, disability, political

preference, genetic information, sexual orientation, or any other legally-protected status will not be tolerated. Prohibited behavior includes, but is not limited to, the following:

- Written form, such as cartoons, e-mail, posters, drawings, web logs (blogs) or photographs.
- Verbal conduct, such as epithets, derogatory comments, slurs or jokes.
- Physical conduct, such as assault or blocking an individual's movements.

This policy applies to all employees, including managers, supervisors, co-workers, and all non-employees such as patrons, volunteers, vendors, consultants, etc.

## **Sexual Harassment**

In accordance with the Library's policy of nondiscrimination, sexual harassment by any Library employee, male or female, toward another employee, temporary agency worker, temporary employee, volunteer, library customer or visitor is strictly prohibited. Additionally, sexual harassment by a library customer, vendor, consultant or library volunteer toward a library employee, temporary agency worker, volunteer, or temporary employee is strictly prohibited. All claims of sexual harassment will be promptly and thoroughly investigated and corrective action taken as warranted by the result of the investigation. Employees engaging in sexual harassment will be subject to disciplinary action, up to and including termination.

### **Definition of Sexual Harassment**

Sexual harassment is a form of sex or gender discrimination. Sexual harassment consists of unwelcome conduct that is severe or pervasive and is based on sex. It may include sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- submission to the conduct is made either an explicit or implicit term or condition of employment; or
- submission to or rejection of the conduct is used as a basis for making employment decisions; or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment; or
- unwelcome verbal or physical non-sexual conduct that denigrates or shows hostility toward a person because of his or her gender, when the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment also constitutes sexual harassment.

**Examples:** Conduct which may constitute sexual harassment includes, but is not limited to:

- Unwelcome sexual advances or repeated flirtations;
- Unwelcome intentional touching of another person or other unwanted intentional physical contact;
- Unwelcome whistling, staring or leering at another person;
- Asking unwelcome questions or making unwelcome comments about another person's sexual activities, dating, personal or intimate relationships or appearance;
- Displaying or circulating pictures, posters, objects or written materials (including, but not limited to, graffiti, cartoons, photographs, pinups, calendars, magazines, novelty items) that are sexually suggestive or that demean or that show hostility to a person because of that person's gender;
- Sexually explicit or offensive jokes and innuendo;
- Offering or implying an employment-related reward (such as a promotion or raise) in exchange for sexual favors or submission to sexual conduct;
- Threatening or taking negative employment action (such as termination, demotion, denial of leave of absence) if sexual conduct is rejected;
- Unwelcome sexually-suggestive or flirtatious gifts;
- Sexually-suggestive or flirtatious letters, notes, e-mail or voice mail;
- Conduct or remarks that are sexually suggestive or that demean or show hostility to a person because of the person's gender, including pranks, jokes, teasing, obscenities, obscene or rude gestures or noises, slurs, epithets, taunts, negative stereotyping, threats, blocking of physical movement.

## **Procedure**

### **Reporting Procedure**

In some instances, bringing the offensive behavior to the attention of the alleged offender is all that is necessary to solve the existing or potential problem. An employee who believes he or she has been subjected to sexual or other harassment is encouraged to act promptly by telling the person that the conduct is unwelcome and asking the person to cease the conduct. However, there are times when this may not be advisable. In those cases the employee should contact the Human Resource Manager or the Library Director.

Taking the complaint to one of these individuals is preferable to discussing the matter with co-workers. The Library does not want to encourage rumors, and discussions with co-workers may result in an employee receiving inadequate or inaccurate advice or engaging in defamation. The Library can only assist employees in these matters if the Manager/Director with the authority to take action are properly and promptly informed.

**Retaliation**

This policy also prohibits retaliation against employees who honestly bring sexual or other harassment complaints or who assist in investigating charges. There will be no retaliation for bringing forth a complaint in good faith or for assisting in the investigation of a complaint.

**False Reporting**

Employees deliberately making false claims of sexual or other forms of harassment are subject to disciplinary action, up to and including termination. Employees who refuse to cooperate in the investigation of these claims also may be disciplined.

**Complaint Procedure****General Complaints**

To resolve general work-related complaints not involving violations of the Library's policy on unlawful discrimination or harassment, or other suspected unlawful conduct, the employee should first seek assistance from her/his immediate supervisor. If the supervisor is unable to or fails to resolve the employee's complaint, the employee should submit the complaint to the next level of management in writing, stating the efforts that were made to resolve this complaint with the immediate supervisor. If those efforts also do not result in resolution, the employee may report their concerns to additional levels of management.

**Complaints of Unlawful Conduct**

Any complaint of violations of the policy on unlawful discrimination or harassment, and any complaint of workplace violence or other illegal conduct must be reported to the Human Resource Manager or the Library Director. The complaint shall be made in writing and include details regarding the nature of the conduct, place, time and date, and identity of any witnesses. The complaint will be investigated. Employees must cooperate fully with the investigation and provide honest and complete responses. No employee will be retaliated against for reporting conduct that the employee honestly believes is in violation of the Library's policy on unlawful discrimination or harassment or is unlawful conduct. Dishonestly or maliciously reporting false information, however, is against policy and may result in discipline or discharge. After investigation, any employee determined to be engaging in unlawful conduct shall be subject to disciplinary action or discharge, depending on what the Library deems, in its discretion, is appropriate under the circumstances.

**Library Property**

All office and public spaces, equipment and property are the Library's property and employees are not allowed to appropriate for personal use (e.g. telephone, desks and lockers). Searches may be conducted under reasonable grounds.

Employees may not remove documents from the Library without prior authorization from their supervisor/manager. Employees will use such documents only for Library business and will



return such documents to the Library upon completion of the task or project for which the documents were used or destroy copies made for use on the project. Upon termination, the employee will return all documents to the Library and destroy any copies as directed by the Library. The Library retains the sole discretion to determine whether destruction or return is appropriate in each situation. See the Technology/Communication Section of this Handbook for guidance on the use of electronic documents.

## COMPENSATION

### **Pay Period—Time Reporting Procedures**

- Each pay period begins at 12:01 a.m. every other Saturday morning and ends at midnight two Fridays later. A schedule of pay periods, pay dates, and holidays for the year will be posted on the Wiki in December.
- Approved employee payroll reports are to be completed by the supervisor noon Monday after the end of the pay period.
- On each payday, detailed paycheck information will be made available through the Library District's current electronic provider.
- Direct deposit is the Library District's preferred option for distributing employee earnings. However, a pay card option is available.
- If you believe that an improper deduction or addition has been made to your earnings, you should immediately report this information to your direct supervisor, or to the Finance Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed. You must report immediately to the Business Office when you have been overpaid.

### **Non-Exempt Employees**

- All non-exempt employees are paid for actual number of hours worked. Actual hours must be reported on the time clock software, including time recorded for leaving and returning from meal breaks, and vacation leave hours, as appropriate.
- Employees are responsible for submitting and approving, in a timely fashion, their hours worked and leave time.
- All employee time is to be recorded in the time clock software and is to be designated by recording the number of hours used by the employee by adding a shift on the time clock software.
- Compensatory time off, as approved by the supervisor in advance, is to be designated by the employee adding a shift on the time clock software.

### **Exempt Employees**

- All exempt employees are expected to be present on site or at other work assignments at least 40 hours per week.
- Under certain circumstances, compensatory time off may be granted to exempt employees.
- Vacation, holiday, or sick leave is to be designated by recording the number of hours used, when adding a shift on the time clock software.
- Exempt employees are responsible for approving, in a timely fashion, their leave taken.

## Payroll Deductions

- **The following mandatory deductions are withheld from the pay of employees:**

- Federal Withholding
- State Withholding
- FICA
- Medicare
- Retirement contribution
- Garnishment of wages, if applicable

- **Deductions for Property Not Returned at Time of Termination.**

You may be entrusted during your employment with valuable property that belongs to the Library. You are responsible for returning this property to the Library upon request or at the time of termination of employment, whichever is first. The Library has the right to withhold your final pay check for up to 10 days in order to audit the return of all property and to determine the value of any property not returned.

- Deduction from Final Pay Check. The Library will deduct from your final pay check the value of any of the Library's property that is not returned within this 10-day audit period, to the fullest extent permitted by law.
  - Damages and Penalties. Employees are responsible for paying to the Library the balance of any amount owed for property not returned to the Library. Employees who steal the Library's property may be liable to the Library for three times the value of the property not returned, plus the Library's costs and attorney's fees incurred in obtaining a judgment for the damages and penalties, pursuant to Colorado's civil theft statute (§18-4-405).
- **The following optional deductions are at the employee's cost, upon the employee's written authorization:**
    - Dependent Health Insurance premium
    - Dependent Dental Insurance premium
    - Dependent Vision Insurance premium
    - Employee or Dependent Supplemental Dental Plan
    - Flexible Benefits Plan
    - Deferred Compensation – amount and limits vary with age of employee
    - Grand Junction Federal Credit Union
    - United Way of Mesa County
    - Short-Term Disability (for employees who are  $\frac{3}{4}$  FTE or greater)
    - Off-the-Job Accident Insurance
    - Group Term Life Insurance
    - Whole Life and ten-year renewable term Life Insurance
    - Long Term Care Insurance
    - Personal Cancer Indemnity Plan
    - Personal Hospital Intensive Care
    - Hospital Confinement Indemnity Plan
    - Personal Recovery Plan
    - Personal Sickness Indemnity Plan
    - Personal Long-Term Care Plan
    - Personal Accident Indemnity Plan

- Personal Vision Plan

## **Compliance with Fair Labor Standards Act**

The Library abides by the provisions of the FLSA.

An exempt employee is an employee who is not eligible for overtime pay and a non-exempt employee is eligible for paid overtime at one-and-one-half times' their regular rate of pay for all hours worked in excess of 40 hours per workweek.

It is the responsibility of the supervisor to establish and clarify all expectations of work schedules with the employee, regardless of their FLSA classification.

The Library makes every effort to schedule its employees such that the need for employees to work overtime is minimized. However, the Library reserves the right to require employees to work overtime when the need arises. No employee should start work earlier or cease work later than her/his scheduled times without the prior supervisory authorization. Working unauthorized overtime hours may result in disciplinary action, including termination.

### **Workweek**

The workweek will consist of seven 24-hour periods, which will include the hours of 12:01 a.m. Saturday until midnight Friday night.

### **Overtime**

Compensation for hours worked in excess of 40 hours in a workweek will be paid for at time-and-one-half of a non-exempt employee's regular hourly rate. A non-exempt salaried employee is paid overtime on the fluctuating workweek basis, meaning that the overtime premium for hours worked in excess of 40 hours in a workweek is computed by dividing the salary by the number of hours worked that workweek and paying .5 times this amount for each overtime hour.

### **Compensatory Time**

- Compensatory time off at the rate of one-and-one-half times the amount of overtime worked may be taken by non-exempt employees instead of overtime pay. Supervisor, in conjunction with the Human Resource Manager, will determine that an employee is eligible for the use of compensatory time instead of being paid at one and one half times their hourly wage. The employee's supervisor and the employee must agree before the overtime hours are worked that the overtime hours will be compensated with compensatory time off in lieu of overtime pay
- A non-exempt employee who has accrued compensatory time off and who wishes to use this time off must get the approval of her/his supervisor to take time off. Supervisors should make every effort to accommodate the request as soon as reasonably possible. Employees who have accrued compensatory time must deplete this accrual before using paid vacation or personal leave.

- Accrued compensatory time is not to be in excess of 40 hours. When a staff member terminates employment, the accrued compensatory time is to be paid at the staff member's current rate of pay.

### **Meal Breaks**

- Employees scheduled to work at least 5 hours a day are scheduled for a meal break of one-half hour minimum. Meal breaks are non-work periods for which employees are not compensated.
- Employees must take their entire meal break unless specifically authorized by their supervisor to work through all or part of the meal break. Employees who are required to work through their meal break will report this time as time worked.
- Security personnel, if required to stay on-site for their meal break, will be compensated for one half-hour as time worked.
- Employees are encouraged to take their meal breaks in an area away from their normal workspace.

### **Fair Labor Standards Act Exempt Positions**

The following positions are exempt from the overtime provisions of the FLSA:

- Library Director
- Public Services Director
- Development Director
- Finance Director
- Human Resource Manager
- Head of Information Services
- Head of Youth Services
- Head of Collection Management
- Head of Public Services
- Head of Literacy Services
- Head of Branch Services
- Facilities Supervisor
- Technology Services Manager

### **Exempt Staff Work Schedules**

There are circumstances when fluctuation from the employee's typical work schedule is allowable; however, the needs of the workplace must always be considered before such scheduling is permitted. These instances must be discussed between the employee and the supervisor prior to implementation of any newly-adjusted work schedule

Situations where exempt employees routinely work (or communicate to their supervisor the need to work) a substantial amount of additional time are indications of workload or scheduling imbalance. These situations should be reviewed by both the employee and the employee's supervisor to make corrections.

## **Exempt Employees and Compensatory Time**

- FLSA allows, in some cases, for exempt employees to earn compensation time for work performed over and above their regular duties. Compensatory time should be reserved for times when an exempt employee's schedule is lengthened for a **prolonged time period** (consecutive weeks, months) due to a temporary change in workload or work on a major project, versus the occasional time worked outside the regularly-scheduled workday or week.
- Supervisor discretion permits granting of compensatory time off to an exempt employee on a case-by-case basis.
- Examples of prolonged or special projects for which exempt employees may earn compensation time include:
  - Special duties as assigned, over and above the employee's regular job duties; e.g., installing new servers, building moves.
- Compensatory time is not paid upon termination of an exempt employee's employment.

## **Travel Time**

### **Local travel from branch to branch**

- All travel time from employee's assigned branch to another branch is considered time worked.

### **Local travel within the community**

- All business-related travel time within the community is considered time worked.

### **Other local travel**

- All travel time from a branch manager's home in pre-approved remote communities to the Central Library is considered time worked.
- For all other staff, travel from home to work or work to home, regardless of location, is not paid time.
- Exceptions maybe approved by the supervisor in advance.

### **Travel away from home community**

- All travel time away from the home community during regular working hours, or during hours on an employee's regularly scheduled day off which corresponds to their regular working hours, is considered time worked, whether driver or passenger on private or public transportation.
- All travel time involved in a one-day trip away from the home community is considered time worked, whether driver or passenger on private or public transportation. (Example: An employee with regular work hours of 8:00 a.m. to 5:00 p.m. is sent to Denver with instructions to take a 7:00 a.m. flight, completes work by 4:30 p.m. and returns on plane by 6:00 p.m. – all

this is work time, less travel to and from airport and normal meal deduction time.

- When required to drive, all travel time away from the home community is time worked at any hour of any day.
- When an employee is a passenger on private or public transportation on a trip away from the home community involving more than one day, the travel time which occurs outside of the employee's regular working hours, whether on a workday or non-workday, is not counted as time worked.
- All job-related work performed while traveling is counted as hours worked whether as a driver or passenger.

### **Salary for Exempt Employees**

It is the Library's policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all managers from making any improper deductions from the salaries of exempt employees. Deductions from salaries which are permissible:

- **Personal Absences.** The Library may deduct for full-day absences for personal reasons other than sickness or disability. The Library may also deduct for partial day absences for personal reasons from a bona fide vacation leave plan.
- **Absences for Illness or Injury.** The Library may deduct for full day or partial day absences due to illness or injury, if bona fide sick pay/disability plans are in place.
- **Absences for FMLA Leave.** The Library may deduct for full-day absences taken as FMLA leave and partial-day absences for hours taken as intermittent or reduced-schedule FMLA leave.
- **Offsets.** The Library may offset employees' pay for amounts received by the employee for jury fees, witness fees, or military pay.
- **Infractions of Safety Rules.** The Library may deduct for penalties imposed when salaried employees violate safety rules of major significance.
- **Infractions of Workplace Conduct Rules.** The Library may suspend exempt employees without pay for full days for infractions of written workplace conduct rules. This deduction is meant to cover only suspensions for "serious workplace misconduct," such as sexual harassment or drug and alcohol violations.
- **First or last weeks of employment.** The Library may make partial week payments during an employee's first or last weeks of employment.

- **Absence.** The Library may require exempt employees who miss partial days or partial weeks to apply paid leave time to such absences or the Library may deduct for full days not worked in the work week.

If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor, or to the Human Resource Manager. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed. You must immediately report to the Business Office when you have been overpaid.

## Employee Status

**Full-Time Employee** - an employee normally scheduled to work at least 40 hours per week.

**Three Quarter-Time Employee** - an employee normally scheduled to work at least 30 hours, but less than 40 hours per week.

**Half-Time Employee** - an employee normally scheduled to work at least 20 hours, but less than 30 hours per week.

**Part-Time Employee** - an employee normally scheduled less than 20 hours per week.

**Temporary Employee** - an employee who is hired in a job established for a temporary period or for a specific assignment.

## I-9 Compliance

The Library employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Control Act of 1986.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. A list of acceptable documentation for establishing identity and employment eligibility is available on the Form I-9. Certain documents presented and specific life events may require a re-verification of documents and/or identity,

Former employees who are rehired must also complete the form if they have not completed an I-9 with the Library within the past three years or if their previous I-9 is no longer retained or valid.

The Form I-9 will be retained in accordance with federal and state retention guidelines. More specific information on the Form I-9 is available from the U. S. Citizenship and Immigration Service Web site at [www.uscis.gov/i-9](http://www.uscis.gov/i-9).



## **BENEFITS**

Each benefit plan provided or offered to eligible employees is governed by its own document. Employees should refer to the specific benefit plan document, available from the Human Resource Manager, for details. In the event that the policy in this handbook conflicts with the benefit plan, the benefit plan is controlling.

All full-time and three quarter-time employees are eligible for benefits. Employees who were at half-time status prior to January 1, 2008 are also eligible for benefits. Half-time employees who were hired after January 1, 2008, employees who were previously full-time or three quarter-time and who have changed their status to less than three quarter-time, and part-time employees are not eligible for benefits. Half-time non-benefited employees and part-time employees who do not work a regularly scheduled 30 hour work-week are eligible to work up to 40 hours per week without becoming benefits-eligible as long as their hours do not exceed 1559 hours in a calendar year.

New employees are eligible for benefits the first of the month following 28 days of employment. When an employee's status is changed from part-time non-benefited to benefited, they will become benefits-eligible the first of the month following 28 days of employment at their new status.

### **Group Health, Dental and Vision Insurance**

The Library provides health, dental, and vision insurance to all eligible employees. The Library pays a portion of the premium, and this amount is determined during the yearly budget cycle. Participation in the Library wellness program can offset an amount of the employee's portion of the monthly premium expense. Dependent and spouse coverage may be purchased at the employee's expense through payroll deduction. Employees are eligible for participation in this plan beginning the first of the month following 28 days of employment.

### **Long-Term Disability Insurance**

The Library provides long-term disability insurance to all eligible employees. Employees are eligible for participation in this plan beginning the first of the month following 28 days of employment.

### **Life Insurance**

The Library provides life insurance to all eligible employees. Employees are eligible for participation in this plan beginning the first of the month after the first four weeks of employment.

### **Health Reimbursement Account (HRA)**

The Library currently provides HRA to supplement medical deductibles and qualified out-of-pocket medical expenses. Employees are eligible for participation in this plan beginning the first of the month following 28 days of employment.

## **Employee Assistance Program (EAP)**

Employees and immediate family members may access confidential and voluntary assistance through contracted EAP services. This service is designed to assist those who may be faced with dynamic challenges of financial concerns, legal issues, alcohol or drug problems, marital problems, illness of a family member, emotional worries, dependent care needs, etc. Eligible family members are defined for the purpose of this benefit as a spouse, domestic partner and dependent children who reside with the employee. Employees and eligible family members are eligible for participation upon hire.

## **Flexible Benefit/Spending Plans**

The Library provides an employee with the opportunity to take advantage of current tax laws through the use of flexible benefits/spending plans. These benefits allow employees to deduct childcare expenses, medical expenses and medical insurance premiums from their before-tax salary. Employees are eligible for participation in this plan beginning the first of the month following 28 days of employment.

## **Retirement Plan**

The Library participates in the Colorado County Officials and Employees Retirement Association (CCOERA). All eligible employees are required to join the retirement plan beginning the first of the month following 28 days of employment. Both the Library and the employee make contributions of equal percentage of the employee's pay. Employees may make an additional contribution of deferred compensation, as allowed by § 457 of the Internal Revenue Code.

## **Social Security/Medicare**

All Library employees are covered by the Federal Social Security (F.I.C.A.) program. Social Security payroll deductions begin on the employee's first day of employment. The percentage deducted is determined by federal law.

## **Educational Assistance**

The Library offers educational assistance to all eligible staff members, as set forth in the Educational Assistance Policy, who are interested in pursuing educational programs that support the Library's mission.

Educational programs that qualify for educational assistance consideration include: Master of Library and Information Science (MLIS) and other degrees (graduate or undergraduate).

## **Voluntary Plans**

The Library offers group life, short-term disability and off-the-job accident insurance on a voluntary basis, at the employee's expense. Premiums may be paid through payroll deduction. Employees are eligible for participation upon hire.

## LEAVE

All full-time and three quarter-time employees are eligible for paid leave. Employees who were at half-time status prior to January 1, 2008 are also eligible for paid leave. Half-time employees who were hired after January 1, 2008, employees who were previously full-time or three quarter-time and who have changed their status to less than three quarter-time and part-time employees are not eligible for paid leave. Half-time non-benefited employees and part-time employees who do not work a regularly scheduled 30 hour work-week are eligible to work up to 40 hours per week without becoming eligible for paid leave as long as their hours do not exceed 1559 hours in a calendar year.

### **Vacation Leave**

- Vacation leave is offered by the Library primarily as an opportunity for employees to take time away from the job to refresh themselves. Employees are encouraged to use this time.
- Beginning the first of the month after 28 days in a benefits-eligible status of employment, vacation leave will accrue in the following manner:

Length of Service	FTE	Accumulated Per Pay Period	Hours Per Year
Beginning the first of the month after 28 days of employment until the end of nine years	Full	4.62	120
	$\frac{3}{4}$	3.50	90
	$\frac{1}{2}$ *	2.30	60
Ten years and over	Full	6.20	160
	$\frac{3}{4}$	4.60	120
	$\frac{1}{2}$ *	3.10	80

*\* Employees who were at half-time status prior to January 1, 2008 are eligible for vacation leave. Employees who were hired after January 1, 2008 and who work less than 30 hours per week are not eligible for vacation leave.*

- Vacation hours will be credited at the end of pay period and cannot be used until recorded.
- All full-time and three-quarter time employees are required to take one full week of vacation leave per year.
- Maximum Vacation Accumulation— Full-time employees may accumulate a maximum of 120 hours vacation leave; three-quarter time employees, a maximum of 90 hours; and half-time employees who were hired before January 1, 2008 a maximum of 60 hours. Full-time employees completing ten years of service may accumulate a maximum of

160 hours; three-quarter-time employees a maximum of 120 hours; and half-time employees who were hired before January 1, 2008 a maximum of - 80 hours. When an employee's accrued vacation reaches the maximum allowed, accrual will cease until the hours are reduced to below the maximum. Exceptions to this policy must be requested in advance in writing to the Human Resource Manager who will solicit approval from the Library Director.

- When an employee's status changes from full-time to three-quarters- time and the employee's vacation leave accumulation is above the maximum hours for their new status, the employee will be required to reduce their accumulated vacation to the level allowed within 6 months.
- When an employee's status changes from benefited to non-benefited, vacation leave accrual and sick leave accrual will be paid out within a period of 2 months
- Depending upon the needs of the Library, and with approval of the Library Director, the employee may be paid in lieu of vacation for hours in excess of the allowed maximum accumulation only in the instance of a change in FTE status.
- Paid vacation may be used, at the employee's discretion, provided vacation leave requests are approved by the employee's supervisor. Vacation time for non-exempt employees is not to be taken in less than one-quarter-hour (15 minute) increments.
- Paid vacation may be extended in the event of an emergency (for which the use of sick leave is not appropriate), provided that the employee notifies the Human Resource Manager of the emergency and the employee has accumulated vacation leave available.
- In the event a holiday occurs when an employee is on paid vacation leave, the holiday hours will not be charged against the employee's accumulated vacation leave.
- In the event that an employee is hospitalized or confined as a result of injury, illness or disability while on paid vacation, the time will first be charged to the employee's accumulated sick leave, provided the employee has accumulated sick leave available. Documentation of illness, injury, or disability may be required.
- If an employee is required to attend Military Reserve or National Guard Camp during scheduled vacation, the vacation may be rescheduled in the future or the employee may opt to receive accrued vacation pay.
- Requests for vacation will be submitted to the employee's supervisor as far in advance of the proposed vacation as possible. The supervisor has the right to approve vacation leave for employees at times that will least interfere with the efficient operation of the Library. Vacation may not be approved in excess of an employee's accumulated time.
- Employees may be required to use accrued vacation leave at times and for reasons specified by the Library.
- Accumulated but unused vacation leave will be paid upon termination of employment with the Library at the employee's then current rate of pay.

## **Paid Holiday Leave**

Upon employment, all full-time and, three-quarter time employees are eligible for paid holiday time. Full-time employees are paid for eight hours, three-quarter-time employees are paid for six hours and half-time employees who were hired prior to January 1, 2008 are paid for four hours. Employees who were hired after January 1, 2008 and who work less than 30 hours per week are not eligible for paid holiday leave.

Library employees who are eligible receive eleven paid holidays each year, in accordance with the following schedule:

New Year's Day	Federal Holiday Schedule
Martin Luther King Day	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	Federal holiday schedule
Labor Day	1 <sup>st</sup> Monday in September
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Eve Day	December 24
Christmas Day	December 25
Personal Holiday	Employee's choice with supervisory approval

- Employees may use their personal holiday or vacation time for any reason, including without limitation, religious holidays not listed above. The personal holiday must be scheduled with their supervisor.
- If a holiday occurs during an employee's regularly-scheduled day off, another day must be taken off with pay. If the employee is a non-exempt employee, the day off must be scheduled during the pay period in which the holiday occurs. Exempt employees are encouraged, but not required, to take the day off during the same workweek. Supervisors are responsible for scheduling days off.
- Beginning the first of the month after four full weeks of employment, employees may use their personal holiday within the calendar year, with their supervisor's approval.

## Sick Leave

Purpose: Sick leave may be used for an employee's or employee's immediate family member's illness, injury, disability, doctor appointment, or blood donation. Immediate family, for the purposes of this sick leave policy, is defined as spouse, same-gender domestic partner, child, stepchild, foster child, parent, step-parent or foster parent, but not a parent-in-law or child-in-law. For purposes of this policy, an adult who regularly shares a household with another adult will also be considered a family member.

- **Accumulation:** Paid sick leave begins the first of the month after 28 days in a benefits-eligible status of employment, and is accrued as follows:
  - Full-time employees - 8 hours per month (3.70 hours per pay period)
  - Three-quarter-time employees - 6 hours per month (2.80 hours per pay period)
  - Half-time employees hired prior to January 1, 2008 – 4 hours per month (1.85 hours per pay period)
- **Maximum:** Maximum sick leave accumulation is 960 hours for full-time employees, 720 hours for three-quarter time employees, and 480 hours for half-time employees hired prior to January 1, 2008., When this maximum is reached, no additional sick leave is accrued until some sick leave has been used bringing the accrued leave below the maximum.
- **Length:** Length of sick leave is limited by accumulated time available. It is the employee's responsibility to keep her/his supervisor informed on a regular basis during an absence charged to sick leave.
- **Donation:** A benefits-eligible employee whose sick and vacation leave accruals are exhausted, and who is unable to return to work, whether for personal illness or to care for qualified family members, may receive a total of up to one month's donated sick leave from co-workers. Exceptions to the maximum allowed may be made on a case-by-case basis by the Library Director. Full-time employees may donate any sick leave they have accrued over 120 hours, three-quarter-time employees may donate sick leave in excess of 90 hours, and half-time employees who were hired prior to January 1, 2008 may donate sick leave in excess of 60 hours. Donations are strictly voluntary.
- **Physician's Release:** A supervisor may require a physician's statement certifying the employee's inability to return to work and estimating the length of time the employee will remain unable to return to work. A release-to-work statement from a physician may be required before work can be resumed.
- **Unused Sick Leave:** Upon termination, resignation, retirement or death, an employee's accumulated sick leave will be converted to cash and paid on the final paycheck at a rate of one regular hour for each four hours of accumulated sick leave. Unused sick leave of less than four hours will be forfeited.
- **Wellness Conversion:** Employees may convert up to 32 hours (prorated for part time) of Sick Leave for one Wellness Day off. Up to 96 hours (prorated for part time) in one

calendar year may be converted with supervisor approval. One hundred (100) hours must remain in accrued balance.

## **Bereavement Leave**

Leave with pay may be taken at the time of death of an employee's family member. All full-time and three quarter-time employees are eligible for paid bereavement leave. Half-time employees who were hired prior to January 1, 2008 are also eligible for paid bereavement leave. Employees who were hired after January 1, 2008 and who work less than 30 hours per week are not eligible for paid bereavement leave.

- Up to 5 days (40 hours) for full-time employees and pro-rated accordingly for all other benefits-eligible staff in the event of the imminent death or the death of an immediate family member. Immediate family members shall be defined as: spouse or partner or person residing in the home; also parent, spouse/partner's parent, child (the definitions of "parent" and "child" include stepparent/stepchild, foster parent/foster child, and any person who stood *in loco parentis* to the employee as a child), or a child's spouse or partner, employee's grandchild, sibling of the employee or the sibling's spouse or partner.
  - Employees seeking additional time off may request the use of accrued vacation time or a leave of absence without pay.
- One day of paid leave (8 hours) for full time employees and pro-rated accordingly for all other benefits-eligible staff on the death of other close family members. Up to two additional days (16 hours) for full time employees and pro-rated accordingly for all other benefits-eligible staff of paid leave may be granted if the funeral is a distance greater than a 250 mile radius. Other close family members shall be defined as: aunt, uncle, grandparent or any other relative who has a closer than ordinary relationship with the employee or the employee's spouse/partner to be determined by the employee's supervisor to qualify as a close family member.
  - Employees seeking additional time off may request the use of accrued vacation time or a leave of absence without pay.

## **Family and Medical Leave (FMLA)**

Eligible employees shall be granted a total of 12 weeks of FMLA leave during a calendar 12-month period for one or more of the following:

- Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
- Because of the placement of a son or daughter with the employee for adoption or foster care;
- In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition. A "son or daughter" is defined by the FMLA regulations as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence;

- Because of a serious health condition that makes the employee unable to perform the functions of the position of the employee;
- Because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. "Qualifying exigency" is defined by the FMLA Regulations at 29 CFR §825.126. "Covered active duty" means in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of Title 10, United States Code.

A "week" is equal to the average weekly hours worked by the employee during the 12 weeks prior to the start of the leave.

In any case in which husband and wife are both employed by the Library, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during the calendar 12-month period, if such leave is taken for reasons set forth in subparagraph 3.a or 3.b, or in order to care for a sick parent under subparagraph 3.c.

**Service Member Family Leave.** Subject to meeting certification requirements by the health care provider, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the covered service member.

a. "Covered service member" means:

- (1) A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- (2) A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

b. "Next of kin of a covered service member" means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions,



brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When such designation has been made, the designated individual shall be deemed to be the only next of kin.

- c. The leave described in this paragraph shall be available during a single 12-month period. During the single 12-month period, an eligible employee shall be entitled to a combined total of 26 workweeks of leave under FMLA benefits and Service Member Family Leave. The "single 12-month period" begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered service member during this "single 12-month period," the remaining part of his or her 26 workweeks of leave entitlement to care for the covered service member is forfeited.
- d. Where husband and wife are both employed by the Library, the aggregate number of workweeks of leave to which both husband and wife may be entitled for service member family leave may be limited to 26 workweeks during the single 12-month period if the leave is service member family leave or a combination of such leave and FMLA leave. If the leave taken by husband and wife includes leave for other FMLA reasons, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks for that FMLA purpose.

Reference to FMLA leave in this policy includes Service Member Family Leave, unless stated otherwise.

**Serious Health Condition.** A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; any period of incapacity requiring absence from work, school or other regular daily activities of more than three calendar days, that also involves continuing treatment by a health care provider; continuing treatment by a health care provider for a chronic or long term health condition that is incurable or so serious that if not treated would likely result in a period of incapacity of more than three calendar days; or prenatal care.

**Serious Injury or Illness.** "Serious Injury or Illness" in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in paragraph 4.a., means a qualifying (as defined by the Secretary of Labor)

injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

**Intermittent / Reduced Schedule.** In general, FMLA leave shall not be taken by an employee intermittently or on a reduced schedule basis unless the eligible employee and the Library agree otherwise. Intermittent and reduced schedule leave is available only for a medical necessity that can be best accommodated through an intermittent or reduced leave schedule. If an employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the Library may require such employee to transfer temporarily to an available alternative position for which the employee is qualified that has equivalent pay and benefits, and which better accommodates the recurring periods of leave.

**Notice of Need for FMLA Leave.** In any case in which the necessity for FMLA leave is foreseeable, the employee shall provide the Library with at least 30 calendar days' notice before the date the leave is to begin, or as much notice as is practical. In any event, notice should be provided the same day or the next business day after the employee becomes aware of the need for leave. The notice should be in writing and must make the Library aware that the employee needs leave for one of the reasons described above and the anticipated timing and duration of the leave.

**Notice of Leave Due to Active Duty of Family Member.** In any case in which the necessity for leave is due to a qualifying exigency relating to a service member (subparagraph 3.e above) the employee shall provide such notice to the Library as is reasonable and practicable.

**Certification of Need for Leave.** The Library may require that a request for leave involving a serious health condition or to care for a service member be supported by a certification issued by a health care provider of the eligible employee, son, daughter, spouse, parent or next of kin of the employee, as appropriate. The certification shall state:

- a. The date on which the serious health condition commences;
- b. The probable duration of the condition;
- c. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
- d. For purposes of leave under subparagraph 3.c., a statement that the Employee is needed to care for the child, spouse or parent and an estimate of the amount of time the employee is needed;
- e. For purposes of leave under subparagraph 3.d, a statement that the employee is unable to perform the functions of the employee's job position;

- f. In the case of certification for intermittent leave, or leave on a reduced schedule, for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment, the medical necessity for the intermittent or reduced schedule leave for the employee's own serious health condition or to care for another with a serious health condition.
- g. Any other information permitted by the FMLA to assist the Library in evaluating the leave request.

The Library may require that the employee use the Medical Certification Form provided by the Library. The Library may also require, at its own expense, that the employee obtain a second opinion from a health care provider designated or approved by the Library.

**Continuation of Health Insurance Benefits.** Employees on FMLA leave are entitled to a continuation of any group health insurance benefits to which they are normally entitled and reinstatement to the same or equivalent position. The Library will pay its normal contribution to the health insurance premiums of employees who are on FMLA leave, but the Library's obligations (if any) to contribute to health insurance premiums and to restore the employee to similar employment terminates when FMLA leave is exhausted or when the employee gives the Library unequivocal notice of intent not to return to work, whichever occurs first. The employee may then have the right to continue benefits, at employee's own costs, pursuant to Title 10 of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). Employee must make arrangements with HR Director for how employee will pay his or her share of premiums while on leave or under COBRA.

**Loss of Insurance Benefits.** The employee's failure to pay his or her share of the premiums may result in loss of coverage. Should the employee fail to pay their share of premiums during their leave period, the Library may elect to pay the employee's share as an advance against future wages in order to maintain coverage while the employee is on FMLA leave. In this event, the Library has the right to deduct the amount advanced from the employee's paycheck upon return to work. This right to pay the employee's premium by the Library is solely at the Library's discretion and this policy does not give the employee any right to demand that the Library pay the employee's portion of the insurance premium.

**The Library's Right to Recover Insurance Premiums.** The Library may recover from the employee the Library's portion of premiums paid during any period of unpaid FMLA leave if the employee fails to return to work, as defined by the Act, after the employee's FMLA leave entitlement has expired, unless the reason that the employee does not return is due to: (1) the continuation, reoccurrence of or onset of a serious health condition that would entitle the employee to family and medical leave (either affecting employee or immediate family) or (2) other circumstances beyond the control of the employee.

**Medical Recertification.** Employees on leave because of a serious health condition are required to furnish medical recertification from their health care provider every 30

days affirming their continuing need for leave, unless the medical certification states that the employee will be unable to work for a longer designated period. In all cases, recertification will be required at least every six months. Employees on leave are also required to furnish the Library with periodic reports (at least every 30 calendar days) of employee's intent to return to work. If the circumstances of an employee's leave changes, and employee is able to return to work earlier than the date originally indicated, Employee will be required to notify the Library at least two work days prior to the date the employee intends to report for work.

**Fitness for Duty.** Before the employee may return to work following FMLA leave as a result of the employee's own serious health condition, the employee must provide the Library with a certification issued by a health care provider stating that the employee has the ability to perform the essential functions of the job, based on a list of the essential functions specified by the Library.

**Extension of Leave.** If for any reason the Library grants employee additional leave after the employee has exhausted all FMLA leave, such leave shall be unpaid discretionary leave not subject to the rights and obligations of the Family and Medical Leave Act. It shall not require the Library to pay any portion of employee's health insurance premiums and shall not guarantee employee's return to the same or equivalent position upon return to work. The Library has no obligation under this policy or the Act to grant leave in excess of the period specified by the FMLA.

**Use of Paid Leave during FMLA.** Employee is required to exhaust employee's accrued sick leave, vacation leave, and personal holiday leave, if any, during FMLA leave. FMLA leave is, otherwise, unpaid leave. The total period of absence considering all accrued leave and family leave used for reasons covered by this Family and Medical Leave policy cannot exceed 12 weeks in a 12 month period for FMLA, or 26 weeks in a single 12 month period for Service Member Family Leave.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. After 30 days of unpaid FMLA leave, vacation leave and sick leave will not accrue. Holidays, funeral leave, or employer's jury duty pay are not granted during unpaid FMLA leave.

**Forms.** Forms are available through Human Resource Manager for requesting FMLA leave and for fulfilling Medical Certification requirements.

**Termination During Leave.** Employees on FMLA leave generally have a right to return to the same position or an equivalent position with equivalent pay, benefits and other terms and conditions of employment. However, this does not entitle the restored employee to accrual of any seniority or employment benefits during any period of leave, or any right, benefit or position of employment other than that which the Employee would have been entitled to, had the employee not taken the leave. This means that an employee on FMLA leave may be laid off or terminated during the leave period at will, the same as any other employee, so long as the lay-off or termination is not because of the employee's legitimate use of FMLA leave.

**Key Employee Exception.** The Library may deny restoration of a “Key Employee” following FMLA leave as described in paragraph 19, and also if (I) such denial is necessary to prevent substantial and grievous economic injury to the operations of the Library; (ii) the Library notifies the Employee of the intent of the Library to deny restoration on such basis at the time that the Library determines that such injury would occur; and (iii) in any case in which the leave has commenced, the Employee elects not to return to employment after receiving such notice. A “Key Employee” is a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the Library within 75 miles of the employee’s worksite.

## **Colorado Family Care Act**

The Colorado Family Care Act provides that in addition to the leave that an employee is entitled to under the FMLA, Colorado employees are entitled to up to twelve weeks of leave in a 12-month period to care for a person with a serious health condition, as defined above, who is the employee’s partner via a civil union or an employee’s registered domestic partner.

This leave is not FMLA Leave. Further, the Library will require employees requesting leave under the CFCA to provide documents establishing that they have registered with the State of Colorado

## **Time Off without Pay (Non-Benefited Employees)**

Any non-benefited employee’s written request of time off without pay for two calendar weeks or less is to be approved by the employee’s supervisor. Time off in excess of two calendar weeks requires a written request to the Human Resource Manager, and must be approved in advance by the Library Director. Unpaid time off cannot be used to extend a period of absence beyond three months and the employee is eligible to take time off in excess of two weeks only after six (6) months of continuous employment. Period of absence may be extended at the discretion of the Library Director.

If a non-benefited employee is taking time off without pay for illness or injury, before the end of the three months of leave, the Human Resource Manager will initiate an interactive dialogue with the employee about whether additional leave is necessary as a reasonable accommodation for ADA under the specific circumstances.

## **Unpaid Leave of Absence (Benefited Employees)**

All vacation leave and personal holiday leave must be used first before unpaid leave may be granted. Any benefits-eligible employee’s written request for personal leave without pay of five calendar days or less is to be approved by the employee’s supervisor. Unpaid leave in excess of five (5) calendar days requires a written request to the Human Resource Manager, and must be approved by the Library Director (or Board of Trustees if the request is from the Library Director). Unpaid personal leave unrelated to illness, disability or injury cannot be used to extend a period of absence beyond three months and the employee is eligible to take unpaid leave in excess of five calendar days only after twelve (12) months of continuous employment.

## **Illness or Injury**

For employees who are not eligible for FMLA leave, all accumulated sick leave, vacation leave and personal holiday leave must be used first before unpaid leave may be granted for illness or injury of employee or family member (as defined in Sick Leave).

While on unpaid leave for illness or injury of employee or family member, employees are required to report periodically to their supervisor, at least every thirty (30) days, regarding the status of the medical condition and their intent to return to work. Employees may be required to provide satisfactory medical evidence substantiating their need for continued leave or release to return to work.

Before the end of the three months' leave, the Human Resource Manager will initiate an interactive dialogue with the employee about whether additional leave is necessary as a reasonable accommodation for ADA under the specific circumstances.

## **Benefits/Leave Accrual**

For any leave of absence without pay in excess of thirty (30) calendar days, except leave covered by FMLA, premiums paid by the Library for benefits will be suspended.

- Employees who elect to retain medical/dental or other insurance must pay the total premium cost during their leave.
- Contributions made by the Library and mandatory contributions made by the employee to the employee's retirement account will not continue during unpaid leave of absence.

For any leave of absence without pay in excess of thirty (30) calendar days, all accumulation of accrued leave will cease.

Holiday leave, bereavement leave, or employer's jury duty pay are not granted on unpaid leave.

The anniversary date will be adjusted upon the employee's return to work to reflect the absence.

## **Report to Work**

Failure to report to work within two days of the expiration date of the leave or to communicate with the Human Resource Manager for a request for an ADA accommodation may result in the employee's termination.

The employee's same or equivalent job is not guaranteed.

## **Parental Involvement Leave**

Eligible employees may use accrued paid leave to attend academic activities for school aged children. To be eligible, an employee must work in a nonexecutive or nonsupervisory capacity and be the parent or legal guardian of a child enrolled in either public or private school grades K-12 or certain nonpublic home-based educational programs. Employees can take leave for the following academic activities: parent-teacher conferences and meetings about special education services, response to intervention, dropout prevention, attendance, truancy; or disciplinary issues.

## **Use of Leave**

Full-time employees may take up to a maximum of 18 hours in an academic year to attend such activities. Part-time benefit-eligible employees may take leave on a prorated basis. Employees may not take more than six hours of leave in any one-month period and leave may not be taken in increments of longer than three hours.

## **Paid Leave Substitution**

The Library requires employees to use accrued paid vacation or personal holiday leave while taking Parental Involvement Leave. Further leave may not be provided where an employee has exhausted accrued paid leave. Employees may make up the time that they are out during the same workweek if scheduling the absence creates minimal conflict.

## **Notice Requirements**

Except in emergencies, employees are required to provide at least one calendar week's advance notice of the need for leave. Employees must provide written verification of the academic activity from the school or school district. In emergencies, employees are required to provide notice and written verification from the school as soon as possible after learning of the need for leave. Employees are required to make a reasonable attempt to schedule academic activities outside regular work hours.

## **Limitations on Leave**

The Library may limit the ability of an employee to take Parental Involvement Leave in cases of emergency or in other situations where the employee taking leave may endanger a person's health or safety or in a situation where the absence of the employee would result in a halt of service or production.

## **Domestic Abuse Leave**

Colorado law requires most employers with fifty or more employees to provide leave to eligible employees who are victims of domestic abuse (C.R.S. § 24-34-402). The leave can be up to three working days in a twelve-month calendar period.

The Library requires the employee to exhaust any and all vacation leave, personal holiday leave, and sick leave available to the employee. To be eligible for this leave, the employee must meet one of the following criteria:

- The employee is a victim of domestic abuse, or
- The employee is a victim of stalking, or
- The employee is a victim of sexual assault, or
- The employee is a victim of any crime, the underlying factual basis of which has been found by the court on the record to include an act of "domestic violence" as defined in C.R.S. § 18-6-800.3(1).

An eligible employee may take leave for any of the following reasons:

- Seeking a civil restraining order to prevent domestic abuse.

- Obtaining medical care or mental health counseling or both for her/him or for her or his children to address physical or psychological injuries resulting from the act.
- Making her or his home secure from the perpetrator of the act or seeking new housing to escape said perpetrator.
- Seeking legal assistance to address issues arising from the act and attending and preparing for court-related proceedings arising from said act or crime.
- Unless it is a case of imminent danger to the health or safety of the employee, an employee seeking such leave from work must provide the Library with appropriate advance notice. Documentation of the need for leave may be required by the Library.

## **Military Leave of Absence**

Employees who are inducted into the U.S. Armed Forces or who are reserve members of the U.S. Armed Forces or National Guard will be granted leaves of absence for military service, training or other obligations in compliance with state and federal laws. Employees are requested to notify their supervisors as soon as they are aware of the military obligation.

If you have questions regarding the Library's military leave policy, applicable state and federal laws and continuation of benefits, contact the Human Resource Manager.

## **Jury Duty and Time Off for Civic Duties**

Jury duty is a civic obligation. Employees (including part-time, temporary and non-benefited part-time) called to report on a jury panel or required to serve on a jury will have the necessary time off with pay, provided the employee reimburses the library in an amount equal to the pay received as juror.

Time spent by the employee in reporting for jury duty or serving on a jury is not counted as hours worked, for purposes of computing overtime, and payments to the employee for time spent on jury duty do not have the effect of increasing the employee's regular rate of pay.

Employees who are not party to the action are authorized leave with pay to testify or appear in court, if subpoenaed for court appearances. Non-exempt employees requiring time off to appear in court as a party or in the absence of a subpoena will have the time charged as authorized leave without pay or charged to their accumulated vacation leave, at the discretion of the employee. Exempt employees who are absent for less than a full day must use accrued vacation.

Voting is an important responsibility we all assume as citizens. We encourage you to exercise your voting rights in all municipal, state and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, arrangements should be made with the supervisor no later than the day prior to Election Day.

## **Statutory Leaves**

### **Civil Air Patrol Mission Leave**

Any employee (except employees hired on a temporary basis), who is a member of the Civil Air Patrol, Colorado Wing, and who is called to duty for a Civil Air Patrol Mission is entitled to an unpaid leave of absence for the time when the employee is engaged in the mission, not



to exceed a total of fifteen work days in any calendar year. The leave shall be allowed only if the employee gives evidence to the Library of the satisfactory completion of the Civil Air Patrol service.

This period of leave shall in no way affect the employee's rights to other paid leaves for which the employee is eligible, bonuses, advancement, or other employment benefits or advantages relating to and normally to be expected for the employee's particular employment. Leave is allowed only if the employee returns to his or her job as soon as practicable after being relieved from service for the Civil Air Patrol Mission. The employee satisfying these requirements and all statutory requirements set forth in CRS §28-1-102 through §28-1-106 shall be entitled to return to the same or a similar position as held before leave began.

### **Emergency Volunteer Service Leave**

Any employee (except Casual Employees hired only on a temporary basis), who is a "Qualified Volunteer" and is called to service by a "Volunteer Organization" for the purpose of assisting in a "Disaster" as these terms are defined by CRS §24-32-2202 through §24-32-2228, is entitled to an unpaid leave of absence for the time spent assisting, not to exceed a total of fifteen work days in any calendar year. In order to be eligible for this leave, the employee must comply with all requirements of these statutes, including, without limitation, providing the Library with proof that he or she is a Qualified Volunteer.

Leave need not be granted if the employee is designated a "Essential Employee" by the Library or if granting the leave would result in more than 20% of the Library's employees being on Emergency Volunteer Service leave on any work day. This period of leave shall in no way affect the employee's right to other paid leaves for which the employee is eligible, bonuses, advancement, or other employment benefits or advantages relating to and normally to be expected for the employee's particular employment. Leave is allowed only if the employee returns to his or her job as soon as practicable after being relieved from Emergency Volunteer Service. The employee satisfying the statutory requirement shall be entitled to return to the same or a similar position as held before leave began.

## JOB PLACEMENT

The Library's Board of Trustees is responsible for hiring and discharging the Library Director. Other matters of employment are the responsibility of the Director, subject to the approval of the Board. The Director may delegate some personnel decisions, e.g., hiring to fill a vacant position.

### **Nepotism Policy**

The Library District's policy is to hire, promote and transfer employees on the basis of individual merit, and to avoid favoritism, unlawful discrimination or conflict-of-interest in making such decisions. Therefore, applicants will not be hired, nor employees promoted or transferred if one family member would:

- directly or indirectly exercise supervisory, appointment or dismissal authority or disciplinary action over another family member;
- audit, verify, receive or be entrusted with moneys received or handled by another family member;
- have access to the employee's confidential information, including payroll and personnel records.

For the purposes of this policy, family members are defined as: mother, father, son, daughter, sister, brother, spouse, domestic partner, aunt, uncle, nephew, niece, grandmother, grandfather, grandchild, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, or sister-in-law.

In the event employees become related as family members working under the above conditions, one of the employees must transfer or leave employment with the Library District, or the Library may terminate or reassign the employees at any time.

For purposes of this policy, an adult who regularly shares a household with another adult will also be considered a family member.

### **Appointment to Acting Capacity**

When a vacancy occurs which requires immediate filling, in the opinion of the Director, and it is not feasible to make an immediate regular appointment, the Director may appoint, for a period of up to six months, an employee from another position to fill the vacant position in an acting capacity.

The individual's pay is adjusted as if it were a regular appointment, but not less than the pay attached to the employee's regular position.

Upon expiration of the acting appointment, the individual will return to the previous position and pay. And, the employee's previous pay must be adjusted, if the employee would normally have received an adjustment in the regular position during the period of temporary appointment. The employee's anniversary date will not be affected. The employee's at-will status is not affected by the appointment.

# GENERAL CONDITIONS OF EMPLOYMENT

## **General Policy**

The Library expects each employee to perform the duties of the job assigned, to work with other employees and the public, and to know and understand the personnel and operating policies of the Library.

## **Fraud Policy**

- All employees are expected to report any suspicious activity that looks like dishonesty or fraud.
- Managers, and others as appropriate, are expected to recognize and detect fraud in their sphere of influence.
- Library administration will introduce/maintain necessary procedures to prevent fraud.
- Library Administration will investigate all instances of suspected fraud, report them to the appropriate authorities and assist the police in any official investigation, and take steps to recover any misappropriated assets.

## **External Meetings/Trainings**

### **Travel/Training Expense Reimbursement**

#### **Meals**

The Library will reimburse expenses for meals at the following costs\* as supported by itemized receipts when:

1. The meal is not included in the price of a seminar or conference registration
2. The meal is not provided by the place of lodging

*Breakfast	up to \$12
*Lunch	up to \$15
*Dinner	up to \$25

If the average cost of a specific geographical region is higher than these amounts, exceptions may be made upon approval of the Library Director.

Reimbursements for food shall not include the purchase of snacks, alcoholic beverages or desserts.

Reimbursement may include a gratuity of up to eighteen (18%) percent of the food expense.

If unable to pay for meals while traveling, staff may submit a request for advance of travel funds no less than two weeks before travel occurs.

### **Expense Reporting**

Employees without a credit card must submit ***Expense Reimbursement Requests*** during the week after incurring the expenses, or upon returning to their work site, whichever is sooner. Failure to submit expense reports within thirty (30) days, will disqualify the employee from receiving reimbursement for expenses incurred while traveling on library business. Reimbursements in the month of the December are to be submitted by the 15<sup>th</sup> of January of the next year.

### **Hours counted toward training**

All trainings, lectures, meetings, etc. must be approved in advance by employee's supervisor in order to qualify for reimbursement and be counted as working time.

### **Independent Training**

If employees, by their own initiative, attend an independent school, college, or trade school, including correspondence school, or training programs which correspond to courses offered by independent institutions of learning after hours, attendance time can be considered hours worked with prior approval if the course is job-related and the Library contributes toward the tuition.

## **Local Travel Expense Reimbursement**

Approved expenses from local travel will be reimbursed at the mileage rate currently set by the Library Director. Local travel may include travel from one branch to another, to a branch from Central Library, business errands, meetings, or trainings, etc.

Mileage reimbursements are completed through regular payroll processing and are to be submitted monthly. Reimbursements for the last quarter of the year are to be submitted by the 15<sup>th</sup> of January of the next year.

## **Civic/Charitable Work**

If it is at the direction of the Library Director, civic/charitable work is counted as time worked while the employee is required to be on the premises of the civic/charitable work site. Voluntary hours are not counted as hours worked.

## **Confidentiality**

The Library is committed to patron privacy and confidentiality. Statute and professional ethics guide the Library's policy regarding these matters.

- Every library user must be treated with the utmost respect and concern for privacy. Under no circumstances should staff members discuss library users or transactions outside of a professional context.
- Staff should never make personal comments about users in public areas of the library.
- Staff should safeguard printed materials containing patron information by limiting access to and shredding documents once they are no longer needed. Caution should be used when transmitting patron information via electronic means. Always collect and transmit the minimum amount of information needed to successfully conduct library business.

## **Personnel Files**

All personnel files of Library employees are maintained by, and are under the control of, the Human Resource Manager. Copies of all personnel actions, including written reprimands, are in the employee's file. These files are of a confidential nature and will not be made available to anyone without a court order, except for the following individuals:

- Employees may request to review their own file during business hours, in the Human Resource office. The Human Resource Manager or Director of Finance will respond within one (1) working day of the request. Employees may not view confidential job references.
- Supervisors and/or their supervisors may review files of the employees they supervise.
- The Human Resource Manager and those employees involved in fiscal matters may review any pertinent information, such as payroll pensions, workers' compensation or risk management information on a need-to-know basis.
- The Library's designated attorney may review any pertinent information when essential for purposes of investigation, prosecution or defense. An employee's attorney may review the employee's personnel file, with the employee's written consent.

## **Confirmation of Employment**

All confirmations of employment regarding employees of the Library will be provided by the Human Resource Manager. All supervisors must first refer any requests for employment reference checks to the Human Resource Manager.

## **Personal Data Changes**

Employees are required to promptly fill out a Personal Data Change Form when there is a change in the employee's address, telephone number, name, dependents, marital status, or status of any required license or certification, which can be obtained from, and must be submitted to the Human Resource Manager. The form may also be obtained from the internal staff wiki.

## **Attendance and Punctuality**

Reliable and punctual attendance is an essential job function for every employee. Employees are expected to be at their job on time each business day. If employees are unable to report to work or will be late to work for any reason, they must notify their supervisor as soon as possible, but no later than the start of the scheduled work day. If unable to speak to their supervisor directly, the employee must contact their supervisor's supervisor after leaving a message for their immediate supervisor. If a message is left, the supervisor will call back the employee to speak with them regarding their absence. This verbal notification of absence is required for each day until the employee's supervisor approves the entire extended leave.

- Abuse of leave, falsifying the need for leave, or excessive absence or tardiness will result in discipline or discharge even though the employee may not have used all accrued leave benefits.
- The Library has the right to require employee to provide proof of the need or reasons for any absence or tardiness. This proof may include, without limitation, a medical provider's statement of the need for absence and a statement regarding fitness to return to duty after any absence for medical reasons.

## **Unapproved Absence**

Any employee failing to report to work for two (2) consecutive working days without obtaining approval or authorization for the absence will be terminated.

Excessive unauthorized absences will be deemed as voluntary termination

## **Grooming and Attire**

Mesa County Libraries encourage employees to dress appropriately for their job functions. It is very important for employees to be well groomed, neat, and to convey an approachable and positive image to the Mesa County community.

### **Attire**

Daily duties with the Library District are usually in a public services work environment, although there may be situations requiring more professional attire, such as attending civic functions, teaching or attending classes and workshops, conducting press interviews, and so on. Some library job assignments are not in the public services realm and therefore may have a more casual dress expectation. In all instances, an employee's supervisor can offer guidance on appropriate attire for job functions.

Because the Library District wishes to provide a work environment that is free of safety hazards, offensive behavior, and discriminatory or harassing behavior based on a protected status, below are listed some guidelines that may answer questions of what is expected for library work attire.

- Open-toed shoes are not allowed.
- Bare midriffs, low-cut blouses, tank tops, fish-net or see-through materials, very short skirts or shorts, exposed undergarments, or other revealing garments are not allowed.
- For safety purposes, flip-flop sandals and soft-upper water/climbing/hiking shoes are not allowed.
- An observable lack of undergarments is not allowed.
- While collared shirts or tailored blouses are preferred, T-shirts are acceptable if they otherwise comply with this guideline. Clothing must be clean, tatter-free and must not have logos, pictures, or slogans that are illegal, obscene, profane, offensive, or that contain slurs or other statements related to a protected status (for example, race, sex, national origin, religion, age, disability, military, union, political or marital status).

### **Body Art and Jewelry**

In order to provide a pleasant library setting for all patrons and employees, tattoos, body piercing, cosmetics, and jewelry must be modest and not distracting. Body art that is distracting must be covered while at work, and jewelry that makes noise or is distracting must be removed or hidden from public view.

### **Nametags**

Nametags are provided for all staff members. It is expected that all employees wear their nametags while at work, regardless of whether or not they are working at a public desk.

### **Reasonable Accommodation**

Reasonable accommodation will be made for an employee's dress and grooming requirements mandated by a disability or religious belief when such accommodation does not create a safety hazard, interfere with the performance of essential job functions, or otherwise create an undue burden on the Library. Requests for reasonable accommodation must be made to the Human Resource Manager.

### **Violation**

Any employee whose appearance does not meet these standards is subject to discipline or discharge. Also, non-exempt employees may be sent home without pay to correct the violation.

If an employee has questions or complaints relating to dress and grooming that are not handled to the employee's satisfaction by their supervisor or that the employee does not feel comfortable discussing with their supervisor, report the concerns to the Human Resource Manager. These guidelines are subject to the Library Director's interpretation.

### **Rest Periods**

Employees may have a fifteen-minute paid rest period during each four hours of the working day. Rest periods are not to be taken at the beginning or end of a workday or meal break, and unused periods do not accrue, and are forfeited without additional pay.

### **Anniversary Date**

The first (1st) day of the month marking the anniversary of the date of hire for each employee. Employees hired on or before the fifteenth (15th) of the month have the first of that month as their anniversary date. Employees hired after the fifteenth (15th) of the month have the first of the following month as their anniversary date. Anniversary dates may be adjusted to reflect extended leave of absences

### **Outside Employment**

Employees involved in or contemplating outside work should discuss the issue with their supervisor. Employees may hold a job with another company or engage in a business venture as long as the supplemental job does not create any actual conflict or the appearance of a conflict of interest with the Library or violate any local, state or federal laws. Any supplemental job must not affect an employee's ability to meet job and attendance requirements, perform competently, or accept overtime hours.

## **Change of Dependents**

Any change of dependents or marital status which will change the withholding status must be reported to the Human Resource Manager by submission of a corrected W-4 form. Employees who have a change in marital status or domestic partnership which alters benefits or leave eligibility are to contact the Human Resource Manager within five (5) calendar days of the official change.



## TECHNOLOGY/COMMUNICATION

### **Use of the Library's Electronic Services**

The Library has e-mail, Internet access, computers, voice mail, telephones, cell phones and various other devices that record verbal or written messages. These devices are owned or leased by the Library and are for its business purposes. They are provided to enhance productivity and work-related information sources for the performance and fulfillment of job responsibilities. These electronic devices and services are not for excessive personal use by employees.

### **Offensive or Obscene Usage**

Employees shall not use cell phones, pagers, voice mail, e-mail, the Internet or other computer features or electronic devices for obscene, offensive, harassing or any other type of communications that are against the Harassment policy, against the law, or otherwise not in the best interests of employee who is harassed by another employee or outsider sending any electronic communications that are threatening or offensive or who is exposed to the display of offensive Internet information, should report this to Human Resource Manager or the Library Director.

### **Copying onto Personal Computers**

Employees shall not copy the Library's computer data or programs onto employee's personal computer or other computers not owned or leased by the Library, without prior written permission from the Library Director.

### **Electronic Resources Access**

All information regarding access to the Library's electronic resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential. Library information may not be disclosed to non-Library personnel with the exception of authorized IT provider personnel.

### **Use of Personal Electronic Devices for Work Purposes**

For purposes of this policy and this Handbook, the term "electronic device" includes any cell phone, personal digital assistant (PDA), tablet, laptop, personal computer or other electronic device upon which documents or other information may be stored or accessed.

The Library may give employees access to Library email, other Library electronic systems, and/or Library information in electronic form. Employees may not download any data to a personal electronic device without prior authorization from their supervisor. Further, employees will only use such data for Library business and will completely delete such downloaded data upon completion of the task or project for which the data was stored. Employees will not use cell phones or other personal electronic devices for long-term storage of Library documents or other files. Upon termination, the employee will delete from any personal device or return all electronic files to the Library as directed by the Library. The Library, at its sole discretion, shall determine whether deletion or return is appropriate in each situation.

## **Electronic Communication**

Electronic mail and texting during work time are to be used for business purposes. While personal electronic communication is permitted, it is to be kept to a minimum. Personal email accessed from personal e-mail accounts on the library's computers will be subject to the same privacy rules as business communications. Using personal devices to conduct Library business is subject to discovery in litigation.

Non-exempt employees should access their library electronic communications while on library time and avoid use of their library e-mail account while on personal time.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's electronic communications.

Under the Colorado Open Records Act, the Library is obligated to inform employees that their correspondence on electronic communications may be subject to public inspection (C.R.S. § 24-72-204-5).

Employees should use discretion when sending electronic communications. Do not write anything in an electronic communication that is inappropriate to say to another in a face-to-face conversation. Use electronic communications for informational content only; difficult conversations or sensitive topics are not appropriate for electronic communication.

Electronic communication is not to be used to solicit funds for any fundraising endeavors not authorized by the Library Director.

## **Unauthorized Use**

Employees may not attempt to gain access to another employee's personal file of electronic communications or send a message under someone else's name without the latter's express permission.

Under no circumstances may the Library network and computing resources be used to circumvent existing security controls to damage the integrity or disrupt the use of the Library information resources

Staff computers are not allowed to be used by anyone who is not employed, designated as an authorized library volunteer by the Library or authorized IT provider personnel.

## **Use of Social Media**

### **Use of social media during paid time**

Public communications concerning the Library, employees of the Library, and any other affiliates of the Library must not violate any guidelines set forth in this handbook (for example, the policies regarding unlawful discrimination, any form of harassment, inappropriate conduct, and illegal activities.) Additionally, employees must abide by any social media application's terms of service or other rules and regulations.

Official representation of the Library in social media must be approved by appropriate Library management. Only authorized employees may use the Library's social media on behalf of the Library.

### **Private use of social media on personal time**

If an employee's posting relates directly or indirectly to the library, employees must make clear that the views expressed within the posting are their own and not those of the Library. And an employee is also responsible for the content that they post on social media.

Employees shall not use any Library logo or other Library branding within the posting.

Employees are prohibited from making discriminatory, defamatory, libelous, or slanderous statements within a posting when discussing the Library, co-workers, or members of the Board of Trustees.

## UNACCEPTABLE CONDUCT

### **Non-Exclusive List**

The list below contains examples of conduct that is considered below minimum standards and unacceptable. **This list is not all inclusive and does not in any way change the fact that employment with the Library is at-will.** This means that the Library has the right to terminate employment for reasons not listed or for no reason. Always use common sense and good judgment to perform the job assigned in a manner that is in the best interests of the Library.

### **Unacceptable conduct includes, but is not limited to:**

- Insubordination;
- Disloyalty to the Library;
- Failure to follow and adhere to the Respectful Workplace Guidelines;
- Agitation against the Library or other employees that is or may be harmful to morale or work performance and is not a protected concerted activity;
- Violation of a statute or Library rule which results or could result in damage to the Library's property or interests or could endanger the life, health or well-being of the employee or others;
- Unethical or other conduct which has an adverse effect on the employee's job or otherwise conflicts with the Library's business interests;
- Divulging of confidential information that could or does damage the Library's interests;
- Failure to observe safety or other work rules;
- Falsification of records or reports or other acts of misleading by omission or by misrepresentation;
- Removal or attempted removal of the Library's property from the premises without prior and proper authority;
- Off-the-job use of not medically prescribed intoxicating beverages to a degree resulting in interference with job performance, or the employee smelling of alcohol on the job;
- On-the-job use or possession of intoxicating beverages;
- Testing positive for intoxicating beverages (at Colorado legal level for DWI or DUI) or controlled substances during work hours;
- Possessing or using illegal drugs or controlled substances at any time while employed by the Library unless the use is in accordance with a prescription provided by a licensed medical provider to the employee;
- Theft, fraud, or other act of dishonesty;

- Incarceration after conviction of a violation of any law or incarceration that interferes with performance of job duties;
- Loss of license, certification, credential, or other professional designation that is essential to job performance or otherwise makes the employee unqualified for the job;
- Assaulting or threatening to assault another person; engaging in horseplay on the job or on the Library's premises; engaging in any act of violence or threat of violence toward any other employee, supervisor, customer, or other person, which conduct occurs on the job or has an adverse impact on the work place.
- Willful neglect or damage to the Library's property or interests; failure to properly safeguard, maintain, or account for the Library's property when this obligation is part of the job;
- Rudeness, insolence, harassing, or offensive behavior toward a customer, vendor, supervisor or co-worker, or other person while on the job or that adversely affects the work place;
- Careless or shoddy work;
- Taking unauthorized vacations or other leave, or failing to return at the end of an authorized vacation or leave;
- Refusal to work a different shift, or overtime, or to perform any reasonable work request;
- Unexcused or excessive absenteeism or tardiness;
- Sleeping on the job;
- Failure to meet job performance standards;
- Unlawfully possessing a firearm or other dangerous weapon on the Library's premises or at any time while on duty or while acting within the course or scope of employment;
- Any conduct or performance that does not meet library management's expectations;
- Violation of any policy in this Handbook.

## SEPARATION FROM THE LIBRARY

### **Involuntary Termination**

Final paychecks will be issued to the departing employee on the payday following the current pay period. Any final wages, accrued leave and accrued compensatory time will be computed and will be paid out on the Library's normal pay date cycle.

### **Confirmation of Employment Following Termination**

All confirmations of employment and reference check requests regarding former employees of the Library will be provided by the Human Resource Manager. Other employees must refer any request for employment confirmation to the Human Resource Manager.

## HEALTH AND SAFETY

The Library strives to create a workplace that promotes health, safety and wellness and treats these as a top priority. In addition, the Library takes great pride in offering an environment that promotes healthy choices and opportunities for employees to engage in a variety of activities/programs that address nutrition, physical fitness, stress management, health education, lifestyle choices, and promote healthy habits.

Each of us has a responsibility to work safely by reporting unsafe work practices, safety concerns, or safety hazards within the Library, and by staying alert to our surroundings and personal behaviors that could pose a safety risk. The Library is committed to addressing these concerns and implementing preventative measures so the likelihood of accidents and injuries is reduced.

The Library is equally invested in employee health and wellness, and may offer programs that address physical fitness, nutrition, stress management, education, personal wellness and changing unhealthy habits. The health and wellness program adapts to the needs of the employees, and your input is critical for personal success.

The Library will endeavor to provide safe and comfortable working conditions, keeping in mind applicable state and federal regulations and guidelines, and given the fact that our purpose is to provide library service and materials to the general public.

Employees observing a potentially hazardous working condition will, if they cannot correct it, report the condition to their immediate supervisor, who will, if needed, take corrective action. If corrective action is not possible, the supervisor will report the condition to the Safety Coordinator.

### **Workers' Compensation**

The Library provides, at no expense to the employee, Workers' Compensation insurance protection in accordance with the laws of the State of Colorado. If an employee is injured while on the job, the employee may be eligible to receive compensation for time missed and medical expenses, in accordance with all applicable laws governing Workers' Compensation.

The Library will send the employee to a medical provider selected by the employee from the list of company-designated medical providers. If the employee is disabled for more than three days, the employee may be entitled to weekly compensation, pursuant to applicable law. The amount the employee may be eligible to receive is based upon a percentage of the employee's earnings. Employees must report every accident, injury or work-related illness to their supervisor immediately.

#### **Job-Related Injury or Illness**

- Employees must notify their supervisor (or another manager if the supervisor is not available) and or safety personnel immediately following a job-related injury. Written notice of the job-related injury or job-related illness must be given to your supervisor or the Human Resource Manager immediately but no later than four days after the accident or discovery of an illness.

- Failure to report within four days may jeopardize your compensation.
- If the injury results from your use of alcohol or controlled substances, your workers' compensation disability benefits may be reduced by one-half.
- Employees must notify the Human Resource Manager, Security, or Business Office AND their supervisor (or another manager if the supervisor is not available) IMMEDIATELY following a job-related accident or exposure even if it does not appear to require medical attention. The Employee Report of Accident/ Exposure/ Injury Form must be fill out and given to your supervisor or the Human Resource Manager within four days after the accident or discovery of an illness.
- If an employee is injured on the job and is sent to a medical provider by the Library District, or sent by the Library District for a checkup, or a health certificate is required, time spent waiting and in treatment at the medical provider's office is time worked. (Subsequent trips to the doctor outside of work hours, even though treatment is for an injury sustained at work, are not hours worked.)
- Employees injured on the job who are billed or pay cash for prescribed drugs should forward bills and/or receipts to the Human Resource Manager for review.
- Specifics as to leave and pay under the workers' compensation plan are available from the Human Resource Manager.
- An approved medical provider's written statement is necessary to certify the employee's ability to resume work.

## **Emergency Closing**

Although the Library will make every effort to remain open for business on scheduled workdays, there may be instances where conditions make it impossible to do so. These include, but are not limited to, severe weather, declared state of emergency, utility disruptions, natural disasters and terrorist actions. In all cases, employee safety will be the primary consideration. The following information will set forth the Library and employee obligations regarding reporting to work, use of leave and pay issues when circumstances impact the Library's ability to be open for business. Employees should familiarize themselves with the following procedures and print a hard copy of the procedures in case the MCPLD server is down due to power/technical failure.

### **Emergency Closure**

The Library will follow the guidance related to the status of local government offices and school districts closures. The library may close if the electricity is out, severe weather has made roads unsafe or a state of emergency has been declared. The decision to close the library will be made by the Library Director or a Library Director's appointee in the Director's absence.



### **Notification**

Supervisors will make every effort to contact direct reports in order to confirm the closure decision. If in doubt as to the closure of the library, employees are instructed to contact their direct supervisor. Employees who arrive at work before being notified by their supervisor of the closure will not be paid and will be expected to leave the premises unless approved by their supervisor to remain.

### **Compensation**

Exempt employees will be paid their normal weekly salary for any workweek in which any work is performed. Given the nature of exempt jobs, it is assumed that at least some work will continue (e.g., checking e-mail, voicemail, etc.) during situations where the Library is otherwise closed. However, if that is not the case, and a work week passes where no work is performed, such individuals will be expected to take vacation or will be deemed to be on unpaid leave if vacation leave accrual balance is at zero.

Non-exempt employees may use vacation leave, take unpaid leave or, at their supervisor's discretion, make up hours within the workweek. If there is a long-term closure, the Board of Trustees will make a decision regarding pay for unworked time.

### **Partial Day Closure**

In the event of inclement weather, power outage, or other emergency, Management or Security staff may determine that the Library will close mid-day. On-duty employees will be paid their normal pay for the day. This is true whether the closure is due to early closing or late opening, in accordance with procedures specified above.

### **Returning to Work**

Employees who are late or who choose not to report to work when the Library is otherwise open will be subject to the provisions of the attendance/tardiness policy.

Those who cannot return to work at the end of the Library closure because of extenuating circumstances relating to the emergency must arrange additional time off with their manager. If the employee has no vacation leave available, a request for an unpaid leave of absence must be arranged.

Depending upon which branch is closed, alternative work locations/ arrangements may be made for employees to return to work. Some work from home may be approved by the supervisor.

## **Driving on Library Business**

Employees who drive on Library business will follow the rules below:

Every employee who drives on Library business will possess a valid Colorado Driver's License.

Use of seatbelts and other safety devices is mandatory for all occupants of the vehicle.

No employee will drive on Library business if their driving privileges are under suspension or are revoked. The employee will inform their supervisor of any such suspension or revocation upon receiving notice of such action.

Motor vehicle record (MVR) checks are obtained on all applicants as a condition of post-offer/pre-hire and on an annual basis for employees whose job description includes driving on Library business. Any employee whose job requires the employee to drive on behalf of the Library, and who has a driver's license suspended or revoked, may be demoted, suspended or terminated. An employee's driving record is considered unacceptable if it shows any one of the following:

- Three (3) or more moving violations within the last three (3) years;
- One (1) DWAI (Driving While Ability Impaired) within the last two (2) years
- One (1) DUI or DUID (Driving Under the Influence of Drugs) within the last five (5) years which includes drugs that are illegal or lawfully obtained prescription drugs.

If an employee's MVR shows either of the above, their MVR will be reviewed by the Human Resource Manager and the Library Director to determine what action will be taken, up to and including termination.

### **Personal Vehicle Use**

Employees who drive their personal vehicle on any library time/business must provide current proof of automobile liability insurance with limits and carrier acceptable to the library.

It is the employee's responsibility to notify their vehicle insurance company that they may be driving in pursuit of business.

### **Traffic Violations**

Employees must comply with all traffic laws. The Library is not responsible for any traffic violations or parking tickets acquired by violation of city ordinance, state or federal laws regarding driving habits or operation of employee's motor vehicle. Any ticket issued is the employee's responsibility, even if the ticket is issued while conducting business of the Library District.

### **Distracted Driving**

Use of cell phones while driving on library business is strictly prohibited – this includes most functions of the cell phone, including, but not limited to: phone calls, text messaging/SMS, e-mail, MMS, Internet use, camera use, etc.

Use of cell phones for listening to music, to audio books and to GPS directions are allowed if those functions are not manipulated while the employee is driving.

Use of electronic devices – including, and not limited to, laptops, PDAs, cameras or pagers – while driving is strictly prohibited

Voice mail must handle all calls while driving, and calls may only be returned when parked.

Passengers making or taking calls for the driver is permissible provided the interaction does not affect the driver's performance.

Employees who are in possession of a library-provided cell phone while driving on personal time must follow these rules in order to avoid MCPLD becoming liable if an accident occurred.

## **Vehicle Accident Procedure**

Employees driving on library business will immediately report all accidents, however minor, to the proper law enforcement agency and, as soon as possible, to the Human Resource Manager and/or the Safety Coordinator.

## **Drugs and Alcohol**

To ensure a safe and productive work environment the Library prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs, controlled substances, or drug paraphernalia on any Library premises or worksites. This prohibition includes Library-owned vehicles, or personal vehicles being used for Library business or parked on Library property.

No employee shall report to work or be at work with alcohol, marijuana or with any detectable amount of prohibited drugs in the employee's system. (A detectable amount refers to the standards generally used in workplace drug & alcohol testing). Employees may consume alcoholic beverages when their normal duties place them in social job-related situations where alcoholic beverages are available or supplied, *as long as the consumption of such alcohol is consistent with the safe and responsible performance of the employee's job duties and is approved by management.* This would include attendance at private functions held at the library.

An employee shall, when drugs are prescribed by a medical professional, inquire of the prescribing professional whether the drug prescribed has any side effects which may impair the employee's ability to safely perform the employee's job duties. If the answer from the medical professional is "yes," the employee shall obtain a statement from the medical professional indicating any work restrictions and their duration. The employee shall present that statement to her/his supervisor. The supervisor shall determine the employee's fitness for duty.

### **WARNING ABOUT MARIJUANA**

Although the Colorado Constitution and Colorado statutes have decriminalized certain uses of marijuana, Colorado does not require employers to accommodate the use of marijuana by their employees, and it permits organizations to restrict an employee's use of marijuana.

Further, both medical and recreational uses of marijuana are still illegal under federal law. Testing positive for marijuana will result in disciplinary action or discharge from employment.

### **Employee Drug and Alcohol Testing**

To promote a safe and productive workplace, the Library may conduct the following types of Drug/Alcohol test for all employees:

- Reasonable Suspicion
- Post-accident
- Return-to-Duty/Follow-up Testing

The kinds of substances tested for will include the following substances or their metabolites:

- Alcohol
- Amphetamines
- Barbiturates
- Benzodiazepines
- Cocaine
- Marijuana, including Medical Marijuana
- Opiates
- Phencyclidine (PCP)

The strong public interest in safety outweighs the limited intrusion on employees of testing for drugs/alcohol use in accordance with this policy.

### **Categories of Substance Testing**

- Post-Offer Testing:

NOTE: The following testing provisions apply to applicants for positions of Security Officer, Facilities Supervisor, Maintenance Worker, or any other position deemed safety-sensitive position by the Library Director.

*All persons seeking the positions of Security Officer, Facilities Supervisor, or Maintenance Worker or other positions deemed safety-sensitive position by the Library Director for employment with the Library shall undergo post-offer drug testing. Applicants will be informed that, as a condition of employment, they must pass a drug-screening test.*

- Applicants who test positive will be notified that they have not met the standards for employment and of their right to request a re-test of the urine sample by a second certified lab.

- Reasonable Suspicion Testing:

An employee will be asked to submit to tests for alcohol and/or illegal drugs when the employee is reasonably suspected of being impaired in the performance of his or her job.

- Reasonable suspicion testing may result from one of the following examples, but is not limited to the following:
  - Specific, personal and articulable observations concerning the appearance, behavior, speech or performance of the employee; or
  - Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the supervisor(s) /manager(s) to believe that the employee's functioning is impaired; or
  - Other physical, circumstantial, or contemporaneous indicators of impairment.
- When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager will notify the Human Resource Manager before making arrangements to transport the employee to the collection site, and will arrange for the employee's transport home.
- The employee will continue in a paid status pending the receipt of drug testing results by the Library.

### **Post-Accident Testing**

An employee may be required to submit to a drug and/or alcohol test after an on-the-job accident.

- An accident for purposes of this policy is defined as an incident or occurrence in which:
  - a person dies, or;
  - the employee requires medical treatment, and there are additional indicators of drug or alcohol use or;
  - it involves use of a Library District vehicle, and there are additional indicators of drug or alcohol use or;
  - it involves an employee in a personal vehicle accident while on-the-job, and there are additional indicators of drug or alcohol use.
- An employee who is involved in an accident must immediately report the accident to his/her supervisor/manager and the Human Resource Manager or Safety Coordinator.
- If the Human Resource Manager deems that drug and alcohol testing is appropriate, the employee's supervisor will be notified. The supervisor will order the employee to submit to a urine and/or breath test. The

supervisor will arrange to transport the employee to the collection site and will arrange for the employee's transport home.

- The employee will continue in a paid status pending the receipt of drug testing results by the Library.

## **Tobacco Restrictions**

The Library wants to promote a healthful and clean work environment for employees and visitors. The following is based on common workplace courtesy and the expressed interest of employees to restrict use of tobacco products in the workplace.

Employees can use tobacco products outdoors off of library property and only during regularly-scheduled breaks and meal periods. The duration or number of breaks from work cannot be extended in order to use tobacco products. Employees may use tobacco products on public sidewalks on the perimeter of library property as long as the sidewalk is beyond 15 feet of any entryway to the library facility.

- The Colorado Clean Indoor Air Act prohibits smoking inside any place of employment and in any entryway. In compliance with this Act, the Library prohibits employees from using tobacco products inside the Library's facilities and outside the facilities within 15 feet of any entryway to the facilities.
  - Any employee who uses tobacco products outside shall not leave debris (cigarette butts, wrapping paper, matches, etc.) on the Library's property or adjacent properties.
  - Violators will be subject to discipline or discharge.

## **Workplace Violence Prevention**

The Library is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the Library has adopted the following guidelines to deal with intimidation, harassment or other threats of (or actual) violence that may occur during business hours or on its premises.

All full-time and part-time employees, temporary workers temporary staffing agency workers and volunteers are covered under this policy.

All employees, including temporary employees and volunteers, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the Library without proper authorization.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the security staff and then to your immediate supervisor or any other member of management. This includes threats by other employees, as well as threats by patrons, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a security staff member. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or to see what is happening.

The Library will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, the Library may suspend employees pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

## MISCELLANEOUS

### **Children of Employees**

Children under the age of twelve (12) may occasionally accompany their parent to the worksite for limited periods of time with prior approval from the employee's supervisor. Accompanying children's presence should not interfere with job duties, services, other staff, and general library operations.

### **Tools and Equipment**

The Library District normally provides employees with the necessary tools and equipment for them to do their job. Employees are accountable for assigned tools and equipment. Employees should report any malfunctioning equipment to their immediate supervisor.

### **Conflict of Interest**

Library District employees must be aware of the importance of ethical conduct. Conflict of interest occurs when an employee or a family member of an employee holds a substantial interest in, or participates in the management of, a firm, organization or individual which conducts, or seeks to conduct, business with the Library District. The Library District administration reserves the right to determine when an employee's activities represent a conflict with the Library District's interests, and to take appropriate action.

### **Political Activity**

Library District employees may participate in political activity, if such activity is limited to off-duty hours and does not involve the use of Library District property. Such activity must not impair their ability to carry out duties as a Library District employee. If employees whose employment is in connection with federally-funded activities then they are generally limited in political activity. Check with the Library Director before becoming involved in such an activity.

### **Acceptance of Gifts and Gratuities by Employees under Colorado's Ethics in Government Amendment**

Library employees must avoid the appearance of favoritism in all of their dealings on behalf of the Library. All Library employees are expected to act with integrity and good judgment, and to recognize that the acceptance of gifts, even when lawful, may give rise to concerns about favoritism.

The following guidelines shall be followed to implement the requirements of Colorado's Ethics in Government Amendment (Amendment 41) in accord with this policy.

#### **Guidelines**

Article 29 of the Colorado Constitution, titled Ethics in Government, and § 24-18.5-101(5) of the Colorado Revised Statutes set forth rules designed to ensure that public employees "avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated." Colo. Const. art. XXIX, § 1. The rules apply to government employees at almost every level of government in Colorado.



Pursuant to the amendment, government employees shall not accept or receive any gift or other thing of value that has a value or cost greater than fifty dollars (\$50) in any calendar year from a person, without the person receiving lawful consideration of equal or greater value in return from the employee.

These guidelines offer guidance on some of the most common questions regarding gifts.

- **What is a Gift or Thing of Value? General Rule.**

Although “gift” and “thing of value” are not formally defined in the Amendment, the terms include, but are not limited to, gifts, loans, rewards, promises or negotiations of future employment, favors or services, honoraria, travel, entertainment, or special discounts. Thus, anything of value received by an employee for which the employee has not provided adequate consideration in return is deemed a gift unless an exception applies.

- **What is Not a Gift? Specific Exceptions Under the Amendment**

- An unsolicited item of trivial value less than fifty dollars (\$50), such as a pen, calendar, plant, book, notepad, or similar item;
- An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- Unsolicited informational material, publications, or subscriptions related to the recipient’s performance of official duties;
- Admission to, and the cost of food or beverages consumed at, a reception, meal, or meeting by an organization before whom the recipient appears to speak or to answer questions as part of a scheduled program;
- Given by an individual who is a relative or personal friend of the recipient on a special occasion; and
- A component of the compensation paid or other incentive given to the recipient in the normal course of employment.

- **What is Not a Gift? Other Exceptions**

- Scholarships
  - Scholarships are not considered a direct or indirect benefit to the public employee.

- Honoraria
  - Honoraria generally may be accepted by employees for speaking before business or civic groups or writing for publications. Honoraria of more than \$50 are permissible, provided that the speech or publication is not part of the covered employee's duties, public resources or government time are not used in its preparation, the amount of the honoraria is reasonably related to the services being performed, and neither the sponsor of the speech nor the source of the honoraria is a person or entity with whom the covered employee has had or expects to have dealings in his or her official capacity.
  
- Prizes
  - Prizes are permissible, as long as the competition was fair and open to everyone similarly situated and not given based on the covered employee's employment status.
  - It is not a violation for government employees to accept cash prizes from professional organizations in their fields of employment, assuming that the prize is available to all individuals similarly situated.
  
- Raffles, Lotteries, and Silent Auctions
  - Raffles, lotteries, and silent auctions are considered not to be a violation of the public trust and permissible, if lawful consideration is paid and in the cases where not, as long as the public employee has an equal opportunity to win as other entrants, participation is permissible.

## **Fundraising Activities**

Library District employees may not engage in fundraising activities on Library District time, except with the approval of the Library Director.

## **Solicitation**

Buying and selling of commercial goods or personal services on Library District time is prohibited.

