

EMPLOYEE HANDBOOK

2021 EDITION

Dear Buffalo & Erie County Public Library Employee:

Your appointment to your position as a Buffalo & Erie County Public Library (B&ECPL) employee carries with it certain duties, responsibilities, rights and privileges. This **Employee Handbook** is designed to inform you in detail of many of the personnel policies and procedures that apply to all B&ECPL employees. I urge you to read this handbook thoroughly. It is designed to help you to be more successful in your job.

This handbook is furnished to summarize briefly what you may expect from your employment with the Buffalo & Erie County Public Library and some of the things your department will expect of you. It is also meant to answer some of the more common questions asked by both newer and more established employees in B&ECPL service.

We are pleased you have joined our team and wish you a rewarding and fulfilling public service career.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jean Jakubowski". The signature is written in black ink and is positioned above the printed name of the director.

Mary Jean Jakubowski, Director

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INTRODUCTION

This 2021 edition of the Buffalo & Erie County Employee Handbook supersedes any previous handbooks issued to B&ECPL employees. The policies, procedures, and rules described in this handbook are subject to change, modification, or suspension. New policies, procedures, and rules will be disseminated to the holders of this handbook as applicable. Many of the conditions and procedures that cover B&ECPL employment are specifically authorized or required by Law, statute, or collective bargaining agreement. Examples include, but are not limited to, the New York State Civil Service Law; New York State Public Officers Law; New York State General Municipal Law; County Law; the Erie County Charter; the Erie County Administrative Code; the “Rules for the Classified Civil Service of the County of Erie...,” and all other state and federal laws that apply to all employment, both public and private. The “Rules for the Classified Civil Service of the County of Erie...” have the force and effect of law, are published periodically by the Erie County Personnel Department, and are available on the Human Resources page of the Intranet under Civil Service.

Laws, statutes, and work rules change over a period of time. For these reasons this handbook is specifically meant only to supplement these other sources. Anything contained herein that might inadvertently be in conflict with any law, statute, or labor agreement will be void. In case of a conflict, the applicable legal source will take precedence. This handbook does not grant any employee, whether “at will” or union, with any rights other than those provided by New York State or Federal laws.

This handbook is not intended to be comprehensive or to address all B&ECPL policies or all the possible applications of, or exceptions to, the policies, procedures, and rules described herein. Employees should also consult the Buffalo & Erie County Public Library Personnel Policies and Procedures (available on the Intranet), their collective bargaining agreement (if applicable), or Human Resources (HR). If at any time you have a question regarding a topic contained in this handbook, you may contact a representative from Human Resources. Not all policies contained herein may apply system-wide. Certain policies approved only by the B&ECPL System Board for application at the B&ECPL libraries within the City of Buffalo will state same. Contract Library employees should speak to their supervisor to determine what policies their employer has adopted.

BUFFALO & ERIE COUNTY PUBLIC LIBRARY

In 1953, the Buffalo Public Library, the Grosvenor Library, and the Erie County Public Library merged by New York State special legislation to create 1 federated organization: the Buffalo and Erie County Public Library (B&ECPL). In 1992, the B&ECPL asserted its independence from Erie County under New York State Law in a court case that secured administrative and financial authority previously held by officials of Erie County government.

As of January 2021, the B&ECPL has 37 libraries and 1 bookmobile operating throughout Erie County. These libraries are operated by 23 independent Boards of Trustees and 23 separate hiring authorities under the Civil Service Law.

The Buffalo & Erie County Public Library System Board of Trustees oversees the Central Library, 8 branches in the city of Buffalo, and the Library on Wheels. It consists of 15 members who serve 5 year terms on a rotating schedule. The director of the B&ECPL serves as administrative, executive, and fiscal officer of the B&ECPL under the supervision and jurisdiction of the Board of Trustees.

There are 22 Boards of Trustees which oversee the 29 contracting libraries (libraries outside of the city of Buffalo). They annually contract with the System for services, including circulation technology, programming, and materials, among others. The system provides funding for almost all of the operations of member libraries while the local municipality or membership association provides for the library building and capital needs.

For over 175 years, the Buffalo & Erie County Public Library has provided excellent library programs and services that meet the ever-changing needs of Erie County's residents.

Mission

Connecting our diverse community with library resources that enrich, enlighten and entertain.

Vision

The Vision of the Buffalo & Erie County Public Library is to be deeply rooted in the community: promoting partnerships; fostering the development of a literate and informed citizenry through free and equal access to cultural, intellectual, recreational, and informational resources; planning for the future; and making the most effective use of taxpayer funding.

Core Values

Core values represent an organization's highest priorities, deeply held beliefs, and fundamental driving forces. Core values define what an organization believes and how it resonates both internally and externally.

R.E.A.D. (*Respect, Excellence, Accessibility, Dependability*)

Respect

Practice civility and inclusion in our actions and attitudes; value, support and respect all customers and staff

Excellence

Strive for superior performance and to maximize user experience through collaboration, teamwork, training and enthusiasm

Accessibility

Ensure availability and ease of access to library services for all people

Dependability

Provide library services in a consistent, reliable, trustworthy and responsible manner

Adopted by B&ECPL System Board of Trustees December 19, 2013; amended November 21, 2019.

Principles

The Buffalo & Erie County Public Library will:

1. Provide open, equal and free access to information in accordance with the American Library Association's "Library Bill of Rights."
2. Deliver timely, confidential, and customer-oriented service to meet the informational, recreational, and educational needs of the community.

3. Promote lifelong learning by encouraging all children and adults in their enjoyment of reading and discovery.
4. Contribute to the region's economic vitality by assisting individuals, businesses, and government as they pursue better jobs and economic growth.
5. Create and maintain an environment that attracts, develops, and encourages a diverse and skilled staff.
6. Listen to the entire community in pursuit of the Library's Mission.
7. Manage resources effectively and be accountable to its funding sources.
8. Pursue the private and public funding necessary to fulfill the Library's Mission.

Adopted by B&ECPL System Board of Trustees December 17, 1998.

UNION MEMBERSHIP

In accordance with the Public Employees Fair Employment Act (Taylor Law), union membership is not a requisite for employment. However, any employee who is eligible for union membership and whose title is not designated as Managerial or Confidential may join a union if they so choose. The B&ECPL will neither encourage nor discourage membership in any union or with any certified employee representative.

Further, we quote a standard "PLEDGE AGAINST DISCRIMINATION AND COERCION" from a current bargaining agreement:

"The employer agrees not to interfere with the rights of employees to become members of the Union, and there shall be no discrimination, interference, restraint, or coercion by the employer or any employer representative against any employee because of Union membership or because of any employee activity in an official capacity on behalf of the Union."

Currently 4 bargaining units exist within the B&ECPL: American Federation of State, County and Municipal Employees, Local 1095, Council 66, AFL-CIO (AFSCME); Clerical and Maintenance Union of the Buffalo & Erie County Public Library - Contracting Libraries, NYSUT-AFT (CMU); Civil Service Employees Association, Inc., Local 1000 A.F.S.C.M.E, AFL-CIO, Erie Unit of Local 815 (CSEA); and Librarians Association of the Buffalo & Erie County Public Library.

Employees should contact the respective union representative for information on joining the union. Human Resources will advise an employee of which bargaining unit their current position is assigned to.

In accordance with all bargaining agreements, the B&ECPL is required to deduct union dues from the pay of each employee who signs a membership dues check off authorization card. The B&ECPL will forward all amounts so deducted to the appropriate bargaining agents, together with a list of the names of the persons from whose pay deductions have been made and the deductions from each.

CENTRALIZED HUMAN RESOURCES

In May 2001, the B&ECPL implemented Centralized Human Resources (CHR) to manage its human resources more efficiently and cost effectively. Under CHR, each year the 22 contract library Boards of Trustees enter into a contract with the B&ECPL to manage their human resources. CHR offers cost-saving benefits, reduces liability, affords library directors additional time to focus on service, and facilitates consistent System-wide policies and procedures. Accordingly, the human resources for all libraries within the current B&ECPL System are managed by the Human Resources Department at the Central Library.

PERSONNEL FILES

Under Centralized Human Resources there shall be only 1 official personnel file for each employee. This official file will be maintained by Human Resources. It will contain written materials pertinent to the employee's work status and employment, including disciplinary records. These employee files are considered confidential and access to them is restricted. The contents of an employee's personnel file are governed by New York State and Federal Laws, as well as any collective bargaining agreements if the employee is a member of a union.

IDENTIFICATION CARDS

Any employee of the Central Library or Buffalo City Branches who is issued an official B&ECPL issued identification card (ID card) must report to work wearing their ID card and must wear it at all times in a visible

manner at or above the waist throughout their work day. The ID card serves as both a means of employee identification and access for the employee to enter designated work areas using the B&ECPL Access Control system. A B&ECPL issued ID card is required for entering the Central Library and applicable Buffalo Branch libraries, before or after normal hours of operation, for selected designated door access, and at all times from the Oak Street employee entrance at the Central Library.

It is the employee's responsibility to seek replacement for any card that is lost, stolen, or mutilated. Employees must notify Security immediately upon loss of card and request a replacement. Employees will be charged for the cost of a new ID card. A replacement fee will be charged to the employee's library card account.

ID cards must be returned to Human Resources when an employee terminates their employment for any reason.

PROBATIONARY TERMS

Every original appointment to a permanent position in the Competitive, Non-Competitive and Labor Classes are subject to satisfactory completion of a probationary period of not less than 8 nor more than 26 weeks. All promotional Competitive Class titles require probationary periods. Time served under provisional or temporary appointment *does not count* toward completion of probation under that specific title.

A probationer's services may be terminated anytime between the 8th and 26th week after 1 week's written notice to the probationer. Upon request, a probationer being terminated shall be granted an interview with the department head or specified designee.

Competitive Class probationary employees who are not retained in their positions upon completion of their probationary periods may petition the Commissioner of Personnel to reinstate their names to the eligible lists for their titles. Such requests must be in writing and will be considered upon their individual merits.

Employees should refer to their collective bargaining agreements for additional information.

PART-TIME EMPLOYMENT

A “part-time” employee shall be defined as an employee who works less than 20 hours per work week in any library or combination of libraries within the B&ECPL System.

Unless otherwise negotiated through the process of collective bargaining, the B&ECPL will strictly adhere to said definition of “part-time” and not cause any part-time employee to work more than 19 hours in any given work week in any library or combination of libraries within the B&ECPL System.

DUAL EMPLOYMENT

Unless otherwise negotiated through the process of collective bargaining, no full-time, regular part-time, seasonal or part-time employee may serve concurrently in another position within the B&ECPL System without the written approval of the System Library Director.

Dual or multiple appointments will not be approved in the same department or in different departments, branches, or contracting libraries absent extenuating circumstances. Should circumstances warrant consideration of a temporary secondary appointment and approval of the System Library Director is granted, the following guidelines shall apply:

1. A temporary appointment to a secondary position shall not exceed 3 months.
2. All efforts must be made to ensure that the part-time employee does not exceed 19 hours per week when the hours performed under each position are combined.
3. There can be no conflict in hours, nor will dual compensation be paid by the library to the employee for the same hours.
4. Said employee must be scheduled at least 30 minutes between work shifts if they must travel from 1 location to another.

The Library Director will not approve appointment to any secondary employment which would be subject to the time and one-half pay provisions of the Federal Fair Labor Standards Act.

The Library Director will not approve any secondary appointment, unless such temporary appointment is vital to the operation of the department.

REASSIGNMENT WITHIN TITLE AND GRADE

Applicants are normally interviewed and hired to fill a specific position in a specific work unit, under a specific title. This does not confer upon an incumbent a permanent claim to that position in that particular work unit. While efforts are made to provide continuity of operations and personnel in each work unit, the needs of departments and the circumstances of the individual may change over a period of time. An employee may be reassigned to another operation or work unit, or even to a different department within the hiring authority.

COMPETITIVE CLASS TRANSFER

Employees with permanent status in Competitive Class positions can transfer to positions under the same titles in another library or Erie County department. Such transfers require the permission of the head of the department to which transfer is sought, the Commissioner of Personnel (if to a County department), and the employee being transferred. Transfer under the same title between library/departments does not affect the Civil Service status of transferees in any way. They may be permitted to transfer accrued benefits with them to the new library/department. Such use or transfer of benefits should be worked out with the respective departments prior to the actual transfer, so as to avoid possible misunderstandings or confusion.

Transfers may be made either intra-departmentally (within the same department), or inter-departmentally (between 2 separate departments), as indicated in the first paragraph of this section. There are provisions to cover each type of transfer in the several collective bargaining agreements. Please refer to the appropriate agreement(s) if you contemplate requesting either type of transfer.

REMOVAL AND OTHER DISCIPLINARY ACTION

The orderly and efficient operation of B&ECPL business and services requires that all employees observe certain minimum standards of behavior and performance. The rules listed below are to ensure proper conduct by all employees so that employees' health, safety, and property are protected and the delivery of necessary services is not interrupted.

Unsatisfactory work performance or violation of the rules will result in disciplinary action.

The B&ECPL endorses the policy of progressive discipline for represented employees. Normal steps in this process are oral warning, written warning, suspension from duty, and finally discharge. The policy of progressive discipline does not necessarily apply for more serious violations or offenses, where immediate discharge or suspension, in line with due process, may be required.

Rules:

General work rules that apply are listed below and are arranged in 3 groups, by type or seriousness of violation. The list is not all-inclusive. Every possible situation for which discipline may result cannot be set forth in a list. The following acts are prohibited:

GROUP A

(Violations may result in immediate discharge)

1. Fighting, provoking a fight, or disorderly conduct of any kind, specifically including, but not limited to, striking a member of the public or co-worker.
2. Drinking, possessing alcoholic beverages or narcotic substances (other than medical prescriptions) on B&ECPL premises, or reporting to work under the influence of alcohol or drugs.
3. Immoral conduct or indecency of any kind.
4. Violation of any criminal law or the commission of an offense which involves moral turpitude.
5. Threatening, intimidating, or coercing any fellow employee or member of the public in any manner, including violations of the B&ECPL's Workplace Violence Policy.
6. Willful or deliberate violation of safety rules and practices which could endanger you, a co-worker, or any member of the public.
7. Insubordination or failure to follow the reasonable direction or order of a supervisor. **NOTE:** Even if you have reservations concerning a specific order or direction, carry it out as directed, unless doing so would create a definite health hazard to another or would result in an illegal action. If, after having carried out the order/direction, you still seriously question its appropriateness, file a grievance concerning the action and have the matter settled through appropriate channels.
8. Deliberate restriction or interference with the work performed by your

- department or work unit or that performed by another person.
9. Destruction or theft of property, tools, or equipment belonging either to the B&ECPL or to any other employee or person.
 10. Falsification of or making any material change to any B&ECPL or County record, letter, or document submitted to the B&ECPL or County.
 11. Falsification of any time record, including swiping an identification card, punching a time card, or signing or making an entry on any sign in/sign out time sheet for anyone other than yourself.
 12. Failure to report to work without authorization for extension after expiration of an approved sick leave or other leave of absence.
 13. Unauthorized use and/or removal of B&ECPL property, records, or any other materials from B&ECPL premises.
 14. Unauthorized possession of firearms, explosives, or other weapons, either on employee's person or on B&ECPL premises.
 15. Sale of drugs or intoxicants on B&ECPL premises.
 16. Soliciting or accepting any financial or non-financial reward in return for special consideration in the purchase or providing of goods or services or the awarding of any contract.
 17. Gambling on B&ECPL premises.
 18. Leaving an essential work post premises during working hours without notifying your supervisor and receiving specific authorization to do so.
 19. Engaging in acts of discrimination or retaliation in violation of the B&ECPL's Equal Employment Opportunity & Anti-Harassment Policy or Sexual Harassment Prevention Policy or otherwise engaging in acts that violate the B&ECPL's harassment policies.
 20. Engaging in acts of bullying in violation of the B&ECPL's Bullying Policy.
 21. Engaging in acts in violation of the B&ECPL's Workplace Violence Policy.
 22. Failure to report to work for a period of time without following procedures for reporting sick, requesting leave, etc.
 23. Misrepresentation or false information reported on a job application or application for benefits, including, but not limited to, health insurance.

GROUP B

(Violations that may result in suspension. Gravity of a single violation or repeated violations of either a single rule or combination of rules may also result in discharge.)

1. Horseplay of any kind; this action can result in serious injury.
2. Abuse of tools or equipment belonging either to the B&ECPL, Erie County, or another employee.
3. Leaving the *work premises* during working hours without permission of the supervisor.
4. Leaving the *work area* during working hours without permission of the supervisor.
5. The circulation of malicious or slanderous rumors, documents, or remarks concerning any employee, the B&ECPL, its services, or bargaining agents.
6. Gambling of any nature on B&ECPL premises, including the unauthorized sale of lottery or raffle tickets, betting slips, etc. **NOTE:** Sale of New York State Lottery tickets by licensed vendors such as candy and sundries stands operated by the blind are exempt from this rule.
7. Posting of any material on B&ECPL bulletin boards without B&ECPL permission. Additionally, altering, defacing, or removing authorized notices appearing on B&ECPL bulletin boards.
8. Personal use of B&ECPL materials, tools, or equipment without proper permission.
9. Performing personal business during B&ECPL working hours.
10. An unreasonable number of absences, repeated failure to report absences, or any unauthorized absence.
11. Sleeping during working hours.
12. Repeated unauthorized extension of rest breaks or lunch periods.
13. Repeated and excessive tardiness.
14. Neglect of job duties or responsibilities.
15. Transporting, picking up, or delivering unauthorized passengers, or any other unauthorized use of B&ECPL vehicles for personal business.
16. Negligence, carelessness, or willful acts which result in damage to B&ECPL property or to the property of another employee or member of the public.
17. Incompetence or inability to perform assigned work.
18. Discourteous treatment of the public or co-workers, or any other conduct that does not warrant public trust.
19. Failure to follow job instructions, directions, or B&ECPL or departmental policies and procedures.
20. Using abusive, profane, or threatening language to a supervisor or a fellow employee or otherwise threatening, intimidating, or coercing any other employee or member of the public.

21. The unauthorized use of any login, password, or access code to gain access to a computer, voice mail, or other B&ECPL information system.
22. Using the B&ECPL's email system or accessing the internet during working hours for non-B&ECPL business, other than incidental use.
23. Excessive personal phone calls or texting on personal cell phones during working hours.

GROUP C

(Violation may result in written reprimand or repeated violations may result in other disciplinary action, such as suspension or even discharge.)

1. Leaving work area early, prior to wash-up or quitting time.
2. Failure to use safety equipment which is provided.
3. Failure to report any personal injury to the supervisor.
4. Repeated failure to punch own time card, to sign in or out on sign-in/sign-out sheets, or to swipe identification card in swipe card reader.
5. Failure to maintain reasonable productivity and workmanship.
6. Misuse of B&ECPL time such as loitering in halls, rest rooms, or cafeterias, interfering with other employees' work routines, engaging in prolonged conversations which are not work related, etc.

NOTE: Employees should refer to their collective bargaining agreement for more specific guidelines regarding discipline.

LAY-OFF/RETRENCHMENT

For Competitive Class Positions

All layoffs are in accordance with Section 80 of the Civil Service Law and with the provisions of applicable collective bargaining agreements. A Competitive Class employee's retention rights are based on seniority, which dates from the first date of permanent appointment in the classified service. Those with temporary or provisional appointments who have not previously had permanent status with continuous service since are not entitled to re-call or to re-instatement under Civil Service Law.

Section 80 governs lay-off of permanent employees in the Competitive Class. For these employees, the lay-off unit is the library/appointing authority to which they work. If they cannot "bump" within the library/appointing authority from which they are laid-off, their names are then put on preferred lists according to seniority for recall, as positions

become available within the hiring authority from which they were laid off.

For Non-Competitive and Labor Class Positions

The collective bargaining agreements prescribe the method for lay-off of Non-Competitive and Labor Class employees. The agreements describe the “bumping” procedures in detail, along with the methods for determining retention rights for other than Competitive Class employees.

NOTE: Some collective bargaining agreements provide that a person whose job is affected and who has enough seniority to “bump” another can elect to take lay-off rather than exercise bumping privileges. Persons laid-off through no fault of their own are usually entitled to Unemployment Compensation benefits. Eligibility for Unemployment Insurance may be affected if a person voluntarily elects this lay-off rather than “bump”. Employees should check with the New York State Department of Labor before considering this option.

Preferred lists are established only for Competitive Class titles under the provisions of Civil Service Law. They should not be confused with Recall Lists, which are based on seniority and are established in accordance with the provisions of collective bargaining agreements.

RESIGNATIONS

All resignations shall be in writing. If no effective date is specified in a resignation, it shall take effect upon delivery to or filing in the office of the appointing authority. If an effective date is specified in a resignation, it shall take effect on the date specified. However, if a resignation is submitted while the employee is on leave of absence without pay, the resignation, for the purpose of determining eligibility for reinstatement, shall be deemed to be effective as of the date of the commencement of such absence. Notwithstanding the provisions of this section, when charges of incompetency or misconduct have been or are about to be filed against an employee, the appointing authority may elect to disregard a resignation filed by the employee and to prosecute those charges; and, in the event that the employee is found guilty of those charges and dismissed from the service, the termination will be recorded as a dismissal rather than a resignation.

A resignation may not be withdrawn, canceled, or amended after it is delivered to the appointing authority without the consent of the appointing authority.

REINSTATEMENT

To Competitive Class Positions

Permanent Competitive Class employees who have resigned from their positions may be reinstated by the appointing authority without further Civil Service examination.

Any request for reinstatement must be initiated by the applicant and must be submitted in writing directly to the appointing authority. Reinstatement may be granted to the position from which employee resigned, if vacant, or to different position(s) for which the employee was eligible for transfer or reassignment at the time of resignation. Reinstatement after separation for more than 1 year requires the approval of the Commissioner of Erie County Personnel.

To Other than Competitive Class Positions

For resignation and re-instatement to other than Competitive Class positions and/or titles, employees should refer to their collective bargaining agreement.

ATTENDANCE & RECORDING ATTENDANCE

Employees must accurately record their attendance at work by completing their designated electronic timesheet. Employees must record their time when arriving to work at the beginning of the workday, when leaving for and returning from meal periods, and when leaving work at the end of the workday.

Employees must request leave using the Employee Leave Request form (PO-19) or Request for Leave of Absence Form (PO-18) as appropriate and attach completed form(s) to the printed version of their electronic time sheet.

Abuses of time and attendance rules are grounds for disciplinary action, and any falsification of time records, including the recording of time for

someone other than yourself, will be considered a serious offense and grounds for immediate termination.

Any day that an employee must be absent from their scheduled shift they must report the impending absence to their department head or specified designee prior to the start of the scheduled shift. The specific amount of advance notice required is governed by the respective bargaining agreements, where applicable.

Advance notice is essential in order to ensure that necessary shift coverage can be maintained and that work can be re-scheduled to prevent missed deadlines or other possibly serious consequences of the absence.

Employees not covered by a collective bargaining agreement must report absence no less than 30 minutes prior to the start of their shift.

WORK SCHEDULES

Hours of work for all B&ECPL employees must comply with Federal and State Wage and Hour Laws. For unionized employees, collective bargaining agreements may also set rules pertaining to hours of work.

Within these parameters, it is the responsibility of each department head either personally or through specified designee(s) to formally establish the specific working hours for each of the department's employees, and to set up and maintain adequate controls to assure that such working hours are regularly observed and that they meet the department's requirements.

It is important for employees to recognize that the libraries are open varying hours to meet the needs of patrons. Accordingly, a "traditional" (for example, Monday to Friday, 9 am to 5 pm) schedule may not be appropriate for many libraries. Schedules should be reflective of the open hours of the library and/or department where the employee is assigned.

Should the employer deem it necessary to change an employee's previously established regularly scheduled hours of work, the employer will adhere to any notification requirements contained in the applicable collective bargaining agreements.

Employees should refer to their collective bargaining agreement where applicable for more detailed information regarding hours of work.

BREAK AND LUNCH PERIODS

The B&ECPL will abide by Federal and State laws and the provisions of respective collective bargaining agreements pertaining to break and lunch periods.

All employees who work a minimum of 4 hours per day shall be entitled to one 15 minute break period. Employees who work 8 hours per day shall be entitled to a 15 minute break during the first half of the work day and a second 15 minute break during the second half of the work day.

Unless otherwise provided for in a collective bargaining agreement, employees scheduled to work more than 6 continuous hours in a single shift are to be provided with a minimum of one half hour unpaid lunch period. Employees should refer to their collective bargaining agreements where applicable to determine lunch period entitlement.

TARDINESS POLICY

All employees are required to be at their work stations at their designated start times. Failure to do so is considered tardiness, as is early leave or late return from lunch or break periods and departure from the work station prior to the designated quitting time.

1. Daily time and attendance records must be maintained accurately for each employee for actual hours worked, and for actual lunch breaks.
2. Time and attendance is part of an employee's annual performance evaluation. Chronic tardiness may be the basis for a less favorable evaluation, including the denial of a salary increment.
3. A "dockage" from salary does not excuse tardiness. Therefore, chronic and excessive tardiness shall also be grounds for disciplinary action up to and including termination.

EMERGENCY CLOSINGS

In the event the B&ECPL System Library Director (or specified designee) declares the closing of certain B&ECPL libraries' operations and/or

services due to any uncontrollable emergency, employees who have reported to work may leave work unless they have been designated as essential. Resulting time off from work shall be treated as set forth in the collective bargaining agreement or benefits package for the employees so affected. Employees should refer to their collective bargaining agreement or benefits package for specific guidelines.

PAY DAYS

The B&ECPL pays its employees bi-weekly. Pay days are on Friday. If that day is a holiday, the pay day is the preceding work day. B&ECPL makes every reasonable effort to pay those persons working second and third shifts on the day prior to the day that first-shift employees are paid.

SALARY PLAN

An employee's salary is determined based on which job group their title is allocated and which union (if applicable) they are represented by.

The applicable Civil Service Commission determines which job group a title is allocated to, to ensure consistent and equitable pay. Nearly every B&ECPL title has been formally assigned to a job group or has been assigned an hourly rate.

The salary ranges for each job group and the overall salary plan are administered by the County Personnel Department. Modifications to the

plans, as applied to employees covered by union contracts, are negotiated with the collective bargaining agents.

Employees who receive flat salaries and employees in seasonal or non-regular employment are excluded from the regular salary rules.

MERIT INCREMENTS

Employees are awarded merit increments upon the recommendation of the department head. Such recommendation is based upon the supervisor's and the department's review of the employee's performance during the increment period. For specific information on merit increments or

information regarding longevity, employees should refer to their bargaining agreement.

DIRECT DEPOSIT

The Library offers a direct deposit program for all employees. The program allows employees to directly deposit their paycheck into any ABA participating bank or credit union in the United States (maximum of 5 banks). The direct deposit form can be found on the Intranet.

FLEXIBLE BENEFITS

Employees may participate in a Flexible Benefits Program approved under Sections 125 and 132 of the Internal Revenue Code. This program allows employees to reduce their Federal, State, and Social Security tax bases for miscellaneous qualified medical, dependent care, adoption, health insurance premium, and parking expenses by using pretax dollars to cover these expenses, within a set limit. Enrollment forms are distributed to all employees in November of each year. For more information, employees should contact Human Resources.

SICK LEAVE

Employees may accrue unused sick leave up to the maximum allowed in their collective bargaining agreements or in policies designated for Managerial/Confidential and non-represented employees. Accrued unused sick leave provides very valuable “insurance” against unexpected loss of earnings during illness or injury.

In cases of absence due to illness or injury for 5 or more consecutive days, unless otherwise stated in employee’s collective bargaining agreement, employees must provide a statement from their attending physicians showing incapacity and inability to perform their duties. Following such illness or injury, employees must present a statement from their physician demonstrating ability to return to work prior to their return.

Every use of sick leave requires a written application for approval of use of leave (PO-19), which must be approved by the employee’s

supervisor. Anticipated sick leave should be requested and approved in advance. Unanticipated sick leave should be approved promptly upon return to work.

Sick leave shall not be granted in less than 1 hour increments.

REPORTING SICK LEAVE

Each day that absence is necessary under the sick leave provisions and established practices, employees must report to their department heads (or the specified designee of the department head) within 30 minutes before the start of the employee's shift, except where otherwise stated in the employee's collective bargaining agreement. The daily call-in report should include, insofar as possible, the general nature of the illness or injury (or in the case of illness in immediate family, the relationship and nature of illness) and the anticipated return date.

It is essential that the call-in be made directly to the department head or specified designee(s); call-in reports of absence to any other employee shall not be deemed proper notice. Information regarding employee illnesses and injuries is confidential and will only be shared with others who have a legitimate business that need to know. In cases of serious injury or accident, it is acceptable for a family member to report on behalf of the employee.

Daily call-in is required each and every day, except:

1. When illness is of anticipated short duration not exceeding 5 days, employees must state, at time of initial call-in, the anticipated duration of absence. If they fail to do so, they are expected either to report to work the following workday or call in on a daily basis. Employees shall call in the day before their previously reported anticipated return date and report their present status.
2. When absence is the result of accident or serious illness and at the time of call-in there is no indication of duration of absence, it is expected that the employee or member of family will report more definite information secured from the attending physician regarding the apparent nature of illness or injury and anticipated return date within 3 days after the initial call-in.
3. When absence is the result of accident or serious illness and the attending physician indicates that an employee cannot return to work

until a specified time, the employee is expected to return to duty on the date indicated.

4. When an employee calls in and reports that the attending physician has informed them that they will be unable to work indefinitely due to extended illness, the employee is expected to report a return to duty date as soon as one is determined.

Upon reporting illness/injury as stated above, employees shall promptly submit to their department head a certificate from their attending physician indicating the nature of illness and anticipated return date, if known. In the event of any change in condition or change in anticipated return date from that previously reported, a new certificate from the attending physician shall be submitted.

Employees shall be required to submit such physician certification forms, other documentation, and any other reasonably requested information relating to or supporting the use of sick leave as may be requested by their department head or specified designee(s).

ABUSE OF SICK LEAVE

Abuse of sick leave privileges shall be grounds for disciplinary action, up to and including termination. When an employee's absences are such that the B&ECPL has reasonable grounds to believe that an abuse of sick leave may exist, the employee will be notified in writing of such suspected abuse; thereafter the employee may be required, regardless of the duration of the absence, to submit a satisfactory physician's certificate or affidavit indicating the specific nature of the disability and its duration to Human Resources before such absence may be charged against the employee's accumulated sick leave balance.

EXTENDED SICK LEAVE

In extreme circumstances of catastrophic illness or injury, the B&ECPL will consider the request of a permanent employee for extended sick leave with pay, subject to the approval of the Erie County Commissioner of Personnel or the Librarian's Professional Council (where applicable). Employees should consult their respective bargaining agreements.

In accordance with various collective bargaining agreements, employees with a minimum required years of continuous service who have exhausted all leave credits because of extended illness or injury, may be granted additional paid sick leave, upon the written request of the department head and approval by the Commissioner of Personnel. No employee will be granted more than 5 months of extended sick leave benefits during the course of their B&ECPL service.

A few general rules apply to the use of extended sick leave for all B&ECPL employees:

1. Approval for such leave must be applied for separately for each month (30 days) of continuous absence, and must be approved by the department head and by the Commissioner of Personnel.
2. All accrued time must be exhausted before approval for extended leave may become effective.
3. No credits for sick leave, personal leave, or vacation shall be earned during periods of extended sick leave with pay granted in accordance with this section.

The B&ECPL and Erie County retain the right to confer with the attending physician during such extended leave, and/or to request that an employee granted such leave be examined by a physician chosen by the B&ECPL or Erie County.

FAMILY AND MEDICAL LEAVE ACT OF 1993

The purpose of this policy is to inform employees of their rights under the Family and Medical Leave Act of 1993 (FMLA), as amended.

The U.S. Department of Labor's Employment Standards Administration administers and enforces FMLA for all private, state, and local government employees and some federal employees. The law contains provisions relating to employer coverage; employee eligibility for the benefits of the law; entitlement to leave, maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and protections for employees who request or take FMLA leave. In addition, the law includes certain employer record-keeping provisions.

Entitlement to Leave

FMLA requires covered employers to provide up to 12 weeks of unpaid,

job-protected leave during a 12 month period to eligible employees for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or childbirth;
2. To care for the employee's child after birth, or for placement for adoption or foster care;
3. To care for the employee's spouse, minor son or daughter, or parent who has a serious health condition;
4. For a serious health condition that makes the employee unable to perform the employee's job; or
5. For a qualifying exigency arising from active military duty or call to active duty of an eligible employee's spouse, parent or child.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider, for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least 2 visits to a health care provider or 1 visit and a regimen of continuing treatment, by incapacity due to pregnancy, or by incapacity due to a chronic condition.

As noted above, FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member or veteran during a single 12-month period. A "covered service member" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred by the member in the 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) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Eligibility

To be eligible for FMLA benefits, an employee must have:

1. Worked for B&ECPL at least 12 months; and
2. Worked at least 1250 regular hours in the previous 12 months.

The complete FMLA Policy and Procedure can be found on the Intranet or in the Human Resources. Should any employee wish to exercise their rights under the FMLA, please consult the Intranet and/or contact HR. HR will inform you of your eligibility and provide you with the necessary paperwork, which is also available on the Intranet under Forms, Policies and Procedures.

MATERNITY LEAVE

A full-time or regular part-time employee who is unable to perform the duties of their position due to pregnancy or child birth will be granted maternity leave for the period of pregnancy disability. Maternity leave provisions may vary depending upon the employee's bargaining unit; employees should consult their collective bargaining agreement.

A few general rules apply to the use of maternity leave for all B&ECPL employees:

1. Maternity leave shall be granted for the period of employee's disability due to pregnancy, including 2 weeks prior to the anticipated due date, delivery, and normal post-delivery recuperation only.
2. The period of pregnancy disability begins the date the employee's physician states that they may no longer work, and ends 6 weeks after date of delivery. In the case of caesarean section, the period of disability ends 8 weeks after delivery date.
3. During the 7th month of pregnancy, the employee should notify Human Resources in writing that they are pregnant, what the estimated due date is, and how long they plan to be out for maternity leave.
4. If an employee qualifies for the Family Medical Leave Act (FMLA), forms will be mailed to the employee to have their physician complete and return to Human Resources. The employee should also complete Request for Leave (PO-19) forms and submit to their payroll clerk for the anticipated time of leave.
5. Sick leave may be used during the period of pregnancy disability only. In the event an employee has no accrued sick leave, they have the option to use other forms of accumulated paid leave.
6. Leave under FMLA shall run concurrent with maternity leave under this section, and accruals must be used during the FMLA time period in accordance with the B&ECPL FMLA policy.
7. If sick leave and other accrued leave are exhausted before the period of

pregnancy disability ends, the employee will be granted a Leave Without Pay. The duration of the disability and estimated date of confinement must be substantiated by a statement from the employee's physician.

8. The employee's health insurance is paid according to the provisions of their collective bargaining agreement and FMLA, where qualified.

VACATIONS

Vacations are earned and may be taken by full-time and regular part-time employees according to the schedules and rules negotiated with each bargaining unit, or according to policies established for Managerial/Confidential and non-represented employees.

A few general rules apply to the use of vacation time for all B&ECPL employees:

1. Vacation can be taken only in the minimum units provided in the collective bargaining agreements, or in policies for Managerial/Confidential and non-represented employees.
2. Vacation accruals are credited bi-weekly, as they are earned.
3. Vacation accruals must be earned before they can be taken.
4. The scheduling of vacations must be approved by the department head or specified designee in advance, and such approval is subject to the work requirements of the department or work unit.
5. While sincere efforts are made to try to schedule vacation times desired by the employee, staffing requirements of the work unit must take precedence.

PERSONAL LEAVE

Full-time and regular part-time employees of the B&ECPL may be eligible for personal leave after 1 year of continuous service. Entitlement to personal leave may vary depending on an employee's status and bargaining unit. Employees should refer to their respective collective bargaining agreement where applicable.

A few general rules apply to the accrual and use of personal leave for all B&ECPL employees:

1. An employee becomes eligible for personal leave on their anniversary date after one year of continuous service.

2. Employees shall be eligible each succeeding year of employment providing they are on a compensable salary and wage basis for at least 6 months of cumulative service in the preceding anniversary year and otherwise meet all eligibility requirements.
3. Personal leave is not cumulative from year to year. Unused personal leave credit shall be added to the employee's accumulated sick leave bank at the end of the employee's anniversary year. This addition does not extend the permissible accumulation of sick leave beyond the maximum permitted under the respective bargaining agreements.
4. Personal leave can be taken only in the minimum units provided in the collective bargaining agreements, or in policies for Management/Confidential and non-represented employees.
5. In order to ensure adequate work coverage, requests for personal leave must be submitted to the department head or supervisor by an employee on the proper form at least 5 working days in advance when the requested time is 4 days, and 3 working days in advance when the request is for 3 days or less. In cases of emergency, the normal 5 or 3 days' notice may be waived by the department head.

BEREAVEMENT LEAVE

All full-time and regular part-time employees who are on active pay status and who experience a death in their immediate family or of another relative who is an actual member of the employee's household may be entitled to bereavement leave. Employees who have a qualified death in the family will not be required to report to work for any work shift for which they would otherwise be regularly scheduled during the period of bereavement leave established by their collective bargaining agreement. The employee will receive straight time pay for any such regularly scheduled shifts not worked during this period. Employees should consult their collective bargaining agreements for additional information.

LEAVE FOR JURY DUTY

Leave of absence will be granted to employees who are called for jury duty or must attend court for other than personal reasons. Pay during jury duty is provided to the extent set forth in the respective collective bargaining agreements. Employees must present proof of the need for jury service or court attendance and proof that they were actually in attendance on the

days claimed. Employees should refer to their collective bargaining agreement for details.

Part-time employees shall be eligible to receive up to \$40 per day for each of the first 3 days of jury service for a maximum of \$120 in total. Employee shall not be paid more than they would have earned if they worked. To be eligible for this daily payment, the employee must have been scheduled to work and, due to jury service, was unable to report. If the employee was not scheduled to work that day, the employee is not eligible for payment.

MILITARY LEAVE OF ABSENCE

Employees entering active military duty are entitled to leaves of absence from their positions while engaged in, going to, and returning from military duty. The right to this leave is provided for in the Military Law and is not at the discretion of the appointing officer. This provision also applies to reservists, draftees, and volunteers equally.

Employees who are ordered to active duty in the National Guard or any reserve force are entitled to remain on active pay status for a total of 30 calendar days or 22 work days (whichever is greater) in any calendar year.

A copy of the employee's Military Orders must be submitted with all military leave requests.

CANCER SCREENING

All employees are entitled to paid, excused leave from work to undertake screening examinations for cancer. Such excused leave shall be up to 4 hours for cancer screening on an annual, calendar year basis. This paid, excused leave shall not be charged against any other leave time to which an employee may otherwise be entitled. Employees must complete a Cancer Screening form and attach documentation to demonstrate attendance for screening.

BLOOD DONATION POLICY

Periodically, the B&ECPL participates in the blood collection programs which are conducted by local agencies. In order to support these

programs, employees will be given a reasonable amount of time to make a donation. Employees must receive prior approval through their supervisor.

LEAVES WITHOUT PAY FOR OTHER REASONS

Request for leave without pay for reasons other than those discussed above shall be approved by a department head only under exceptional circumstances. Such requests must then be submitted to Human Resources, upon recommendation of the department head, and approved by the Erie County Commissioner of Personnel. Employees should contact HR and/or consult their collective bargaining agreements.

EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-HARASSMENT POLICY

The Buffalo & Erie County Public Library is committed to maintaining an environment free of discrimination and unlawful harassment.

It is the policy of the B&ECPL to provide Equal Employment Opportunity in every aspect of employment to all applicants and employees without regard to gender, race, color, national origin, ancestry, religion, creed, age, disability, familial status, marital status, pregnancy, sexual orientation, gender identity or expression, military status, genetic predisposition, arrest or conviction status, domestic violence victim status, known relationship or association with member of a protected class, or any other basis protected by federal, state or local law.

The B&ECPL will take affirmative action as called for by all applicable federal, state and local laws and executive orders to ensure that underrepresented groups are introduced into the workforce and provided promotional opportunities. Employment decisions will be made without regard to unlawful considerations.

The B&ECPL will not tolerate unlawful harassment of its employees by any supervisor, coworker, volunteer, patron, or any other person with whom employees may come into contact during work. Similarly, the B&ECPL will not tolerate its employees engaging in unlawful harassment of coworkers or of non-employees with whom they come into contact during

work, including but not limited to job applicants, vendors, contractors, patrons and volunteers.

The B&ECPL prohibits all forms of unlawful harassment. Generally, unlawful harassment includes any unwelcome conduct, whether verbal, written, physical or visual, that is based upon a person's gender, race, color, national origin, ancestry, religion, creed, age, disability, familial status, marital status, pregnancy, sexual orientation, gender identity or expression, military status, genetic predisposition, arrest or conviction status, domestic violence victim status, or any other basis protected by federal, state or local law. Such conduct is unlawful and prohibited whenever it:

1. Subjects an individual to inferior terms, conditions or privileges of employment,
2. Unreasonably interferes with an individual's work performance, or
3. Creates an intimidating, hostile or offensive working environment.

The full policy can be found on the B&ECPL website at:
www.buffalolib.org/becpl-system/policies.

SEXUAL HARASSMENT PREVENTION POLICY

The Buffalo & Erie County Public Library is committed to maintaining an environment free from sexual harassment. Sexual harassment is a form of workplace discrimination and it is against the law. The Sexual Harassment Prevention Policy is one component of B&ECPL's commitment to a discrimination-free environment. Everyone has a legal right to a workplace free from sexual harassment. All employees working in B&ECPL locations are required to work in a manner that prevents sexual harassment and are urged to report sexual harassment by filing a complaint internally with the B&ECPL. Complaints may also be filed with a government agency or in court under federal, state or local antidiscrimination laws.

The full policy can be found on the B&ECPL website at:
www.buffalolib.org/becpl-system/policies.

REASONABLE ACCOMODATIONS

The B&ECPL is committed to ensuring equal employment opportunity and equal access to services, programs and activities for all persons, including those with disabilities. It is B&ECPL's policy to provide reasonable accommodations to a qualified person with a disability to enable such person to perform the essential functions of the position for which they are applying or in which they are employed. This policy is based on the New York State Human Rights Law, Federal Rehabilitation Act of 1973 (as amended), and the American with Disabilities Act (ADA) as amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).

Reasonable accommodations will be made on a case-by-case basis. Libraries and departments are expected to have the flexibility and capacity to provide reasonable accommodations when needs arise.

Qualified individuals with documented disabilities are eligible to request reasonable accommodations. A qualified individual is a person who satisfies the requisite skills, experience, education, licenses, and other job-related requirements of the position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

Human Resources will be responsible for implementing this policy. A designated contact person in Human Resources shall follow the policy and procedures for employee requests for accommodations and shall be available to assist staff in gaining a greater understanding of the law and to clarify institutional obligations under the law to provide reasonable accommodations.

Request for Accommodation

The responsibility for initiating a request for accommodation lies with the individual with a disability. Every individual making a request for reasonable accommodation must provide sufficient documentation to support their request. Submitted documentation must be from an appropriate, qualified professional. The appropriate professional in any particular situation will depend on the disability and the type of functional limitation it imposes. Appropriate professionals include, but are not limited to, doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational

rehabilitation specialists, and licensed mental health professionals. In accordance with federal and state regulations, B&ECPL will treat disability-related information in a confidential manner.

The complete Reasonable Accommodation Policy and Procedure can be found on the Intranet. Should any employee wish to exercise their rights under the ADA, please consult the Intranet and/or contact Human Resources. HR will inform the employee of their eligibility and provide the necessary paperwork.

BULLYING POLICY

The B&ECPL will not tolerate bullying behavior in any instance. Employees found in violation of this policy may be disciplined, up to and including termination.

The B&ECPL defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by 1 or more persons against another or others at the place of work and/or in the course of employment.

Bullying may be intentional or unintentional. However, it must be noted that when an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when determining the appropriate level of discipline. As in sexual harassment, it is the effect of the behavior on the individual that is important. The B&ECPL considers the following types of behavior examples of bullying:

1. **Verbal bullying:** slandering; ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting, or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. **Physical bullying:** pushing; shoving; kicking; poking; tripping; assault or threat of physical assault; damage to a person's work area or property.
3. **Gesture bullying:** nonverbal threatening gestures; glances that can convey threatening messages.
4. **Exclusion:** socially or physically excluding or disregarding a person in work-related activities.

The complete Bullying Policy can be found on the Intranet. Should any employee wish to file a complaint under the Bullying Policy, please consult the Intranet, speak with your supervisor, or contact Human Resources.

WORKPLACE VIOLENCE POLICY

In 2006, New York State enacted legislation requiring public employers to perform a workplace risk evaluation and develop programs to prevent and minimize workplace violence. The B&ECPL is committed to providing a safe and secure environment for its employees and the customers whom it serves.

The complete Workplace Violence Policy and Incident Report Form can be found on the Intranet or in Human Resources. Should any employee wish to file a complaint under the Workplace Violence Policy, please consult the Intranet for a Workplace Violence Incident Report Form, speak with your supervisor, or contact Human Resources.

SAFETY AND HEALTH

The B&ECPL is very concerned about the safety and health of its employees. Our goal is to provide a place to work that is as free from hazards as possible.

Occupational accidents and illnesses can cause suffering and financial loss to both the employee and employer alike. Therefore, it is important for each employee to conduct him/herself in a safe manner, to abide by the established work rules and standard practices and to call to the attention of supervision either unsafe conditions or unsafe behavior by individuals. If you do not understand procedures, instructions, or the rules, you should seek clarification from your supervisor. Remember, most accidents are avoidable!

The New York State Public Employee Safety and Health Act of 1980 (PESH) provides job safety and health standards for workers. This law embraces the Federal Occupational Safety and Health Act of 1970, known as OSHA. A complimentary State statute, applicable to both public and private employees, is the New York State Toxic Substance Law, which is frequently referred to as the "Right to Know Law." Under "Right to Know," employers in New York State must inform their employees about the

health effects of toxic substances found at their work sites. An appropriate notice advising employees of their right to information about these toxic substances and the name of a B&ECPL contact person must be conspicuously posted. Toxic materials information is available through the Maintenance Department.

Safety Committee

The Safety Committee is composed of employees and management representatives and meets regularly to discuss safety and security issues.

All employees have the opportunity to make recommendations and seek information from the committee.

Employee Responsibilities

Accident prevention requires teamwork, cooperation, and commitment from everyone. This includes employees, supervisors, and department heads equally. The B&ECPL is committed to the use of proper protective clothing and equipment. Required protective clothing and equipment shall be properly used and cared for by all employees. Failure to properly care for and use these items will result in disciplinary action. Safety and health practices must and will take precedence over expediency or short cuts.

It is management's responsibility to properly instruct employees and to ensure that they know how to perform their duties in an acceptable manner. Employees are encouraged to request instruction in those tasks or in the operation of equipment with which they are not familiar. Employees should inform their supervisor immediately if they detect or even suspect an imminent danger. This term is defined by Federal regulations "as a condition where there is reasonable certainty that a danger exists that can be expected to cause death or serious physical harm immediately or before the danger can be eliminated through normal enforcement or corrective measures." Less critical conditions should also be routinely reported.

All employees should know their exact duties in case of an accident, fire, or other catastrophe. Awareness of emergency phone numbers, evacuation procedures, and knowing how to seek emergency help is the responsibility of every employee. Housekeeping plays an important role in accident prevention. It is the employee's responsibility to keep their own work areas clean and free of known hazards.

Emergency procedures for the Central Library and Buffalo Branch Libraries can be found on the Intranet.

ON THE JOB INJURY

Accidents happen. While most work related injuries are infrequent and minor, the potential for more serious injury certainly exists. The proper course of action for an injury during working hours depends on its type and severity. For any serious injury, the first step is always to get medical attention/treatment as quickly as possible. For a minor injury or accident, the supervisor should be contacted (circumstances permitting), then first aid or medical treatment should be secured as appropriate. The Employee Incident and Accident Report should be completed by the employee and the supervisor and immediately sent to Human Resources. Names and contact information of witnesses should be collected. Human Resources will file the necessary paperwork with the New York State Compensation Board and FCS Administrators, our insurance carrier.

FOOTWEAR

It is important to recognize the need to promote preventative measures that will protect employees from injuring their feet in the workplace. For safety reasons, employees who regularly transport materials should wear closed toe shoes or have closed toed shoes available at their workstation to use when transporting materials, using book trucks, etc.

SMOKING POLICY

The B&ECPL is committing to ensuring that the public has the right to transact library business in a smoke-free environment and that employees have the right to work in a smoke-free environment. This policy is based on Erie County Local Law 5 of the year 1996 and the Rules of Conduct and Central Access Ramp Policy.

Employees are prohibited from vaping, smoking cigarettes, cigars, pipes, smokeless electronic cigarettes or using tobacco products inside of the Library or within 100 feet of any entrances, exits or outdoor areas of Library property. Further, the Central Library Access Ramp is designated as a "Smoke Free" area. Smoke Free prohibits vaping, smoking cigarettes,

cigars, pipes, smokeless electronic cigarettes or using tobacco products on the Central Library Access Ramp.

DRUG FREE WORKPLACE

The B&ECPL is committed to providing a drug-free, healthful, and safe workplace. Employees shall not report to work under the influence of alcohol or illegal substances, nor shall use of said substances be allowed during their scheduled shift, including break times. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited during working hours, while at any B&ECPL facility, and while conducting B&ECPL related activities off-site. Any employee engaging in such conduct shall be discharged in accordance with applicable employee bargaining agreements.

The Employee Assistance Program offers substance abuse counseling and referral to rehabilitation programs.

WHISTLEBLOWER POLICY

This policy is for application to those libraries within the City of Buffalo (Central Library and Buffalo Branch Libraries) and Buffalo & Erie County Public Library System functions.

The Buffalo & Erie County Public Library is committed to upholding the highest standards of ethical, moral and legal business conduct, and transparency through open communication. Accordingly, all trustees, officers, employees and volunteers are required to comply with applicable federal, state and local laws, and must faithfully implement and adhere to the Buffalo & Erie County Public Library's own policies and procedures in conducting their duties and responsibilities.

The Whistleblower Policy provides an avenue for all trustees, officers, employees and volunteers to report any suspected or actual conduct contrary to these standards without the fear of intimidation, harassment, discrimination or retaliation.

The complete Whistleblower Policy can be found on the B&ECPL Website or Intranet. Should any employee wish to exercise their rights under the Whistleblower Policy, please consult the Intranet.

ETHICS POLICY

This policy is for application to those libraries within the City of Buffalo (Central Library and Buffalo Branch Libraries) and Buffalo & Erie County Public Library System functions.

The Buffalo & Erie County Public Library is dependent on the trust of its community to successfully achieve its mission. Therefore, it is crucial that all Board members and Key Employees, as defined in the Bylaws, conduct business on behalf of the Buffalo & Erie County Public Library with the highest level of integrity, avoiding any impropriety or the appearance of impropriety.

The Ethics Policy can be found on the B&ECPL website at: www.buffalolib.org/becpl-system/policies.

POLITICAL ACTIVITY

There is often confusion about the political restrictions on public employees. The laws which limit political activity are a Federal Law known as the Hatch Act and certain provisions of the New York Labor Law. The Hatch Act applies to local government employees whose activities are largely funded by the Federal government or to employees who work in connection with a federally funded activity. Many of the earlier restrictions provided by the Hatch Act have been removed. The following remain: covered employees may not be candidates for any elective office in a partisan election, and they also may not use official authority for the purpose of interfering with or affecting the result of an election.

Employees whose employment is covered by the Hatch Act must resign their positions if they decide to become a candidate for elective office. Further information regarding the Hatch Act can be found at www.osc.gov/hatchact.htm.

EMPLOYEE BENEFITS

In addition to the actual wages or salary earned, there are other substantial benefits full and regular part-time employees may be eligible for. These important benefits include: health and dental insurance, membership in the New York State Retirement System, paid sick leave, holidays, vacation,

bereavement pay, personal leave, time off to take Civil Service exams, and leaves of absence without pay for certain specified reasons, along with Unemployment Insurance and Social Security payments which are made on your behalf by the B&ECPL. Employees represented by a union should refer to their respective collective bargaining agreement for questions concerning entitlement to any specific benefits.

HEALTH & DENTAL INSURANCE

The Buffalo & Erie County Public Library provides all full-time and regular part-time employees with access to a choice of health insurance benefits. The B&ECPL also offers dental insurance coverage to full-time and regular part-time employees. Complete information for each of the plans is available from Human Resources or the Labor Management Health Fund (LMHF) at www.lmhf.net.

Once each year, during open enrollment, any employee enrolled in any Employee Health Benefit Group may choose to transfer to 1 of the other optional standard plans. During this selection period ability to transfer between plans is guaranteed, free of waiting periods. Applications for option transfer may be made only during the designated open enrollment period. Any change in the type of coverage you elect will become effective on the first day of January immediately following the close of the open enrollment period.

Because insurance provisions are necessarily quite detailed, please refer to the actual copies of insurance documents that are provided to you in order to determine the specifics of the coverage provided. Employees are required to contribute toward their health insurance premium; this contribution is dependent on their status, the type and level of coverage they've selected, and the terms of their collective bargaining agreement. Health insurance plans may be modified from time to time to meet prevailing needs and conditions.

NOTE: Health Insurance coverage is NOT automatic upon your starting employment with the B&ECPL, nor does coverage EVER resume automatically when previously covered employees have allowed their coverage to lapse either on lay-off status or while on unpaid leave of absence. It is necessary for the employee to complete a new application for coverage in each of these instances in order to establish any coverage at all.

Prompt completion of the application forms at the time of employment or when you return to active service is YOUR responsibility.

Further, all changes affecting employee coverage including marital status (marriage or divorce), birth or adoption of a child, change of address, death of a spouse or family member, employee or spouse attaining age 65 and becoming eligible for enrollment in the Federal Medicare programs, or a dependent reaching an insurer's cut-off age, must be reported by the covered employee to Human Resources immediately.

All of these changes may affect either eligibility for coverage or the type of coverage you and your family need. Failure to make inquiry and/or to record changes in status promptly can result in lack of adequate coverage for you and your family. Falsification of insurance records is cause for disciplinary action up to and including termination.

For continuation of coverage during a period of leave without pay due to accident or illness, see the Health Insurance section of your collective bargaining agreement or contact Human Resources.

Health Insurance coverage terminates for any laid-off employee on the last day of the calendar month in which lay-off becomes effective. Eligible employees will be offered continued coverage through the Consolidated Omnibus Reconciliation Act (COBRA). See the COBRA section of this Handbook.

When Erie County Personnel approves an application for Leave of Absence Without Pay (LWOP), the employee is advised of the duration of the approved leave. If the total leave of absence extends beyond the period of B&ECPL paid coverage, a letter is sent to the employee advising them of the need to begin making premium payments in order to continue their health insurance coverage and informing them of the amount of premium charged to the employee.

Should a permanent B&EPCL employee die, for whom the B&ECPL was providing family health insurance coverage, the employee's health insurance shall be continued for the employee's survivors during the month the death occurs and for 2 calendar months thereafter.

NOTE: Erie County Personnel administers the health and dental insurance for B&ECPL employees.

WAIVERS OF BENEFITS

B&ECPL employees eligible for partially-paid medical and dental insurance may waive coverage and receive a cash payment in lieu of these benefits.

To waive coverage an employee must complete, sign and date appropriate waiver forms, which can be obtained from Human Resources. A waiver may be completed and submitted to Human Resources any work day of the year.

Any person whose waiver of benefits is received by Personnel on or before the 15th day of any month will start eligibility for cash payment the first day of the following month. If received after the 15th of any month, eligibility for cash payment will start the first day of the second month after the waiver is received.

Once approved, a waiver remains in effect indefinitely until it is withdrawn in writing or until the employee leaves B&ECPL service or during a period of leave without pay. Employees should consult their collective bargaining agreement for union specific details.

These payments are treated as ordinary income and subject to withholdings for FICA, federal and state income tax. Such payments are not considered part of your salary or wages by the New York State Retirement System. Therefore, no contributions are made to the Retirement System for these payments, either by the employer or by the individual employee.

FEDERAL COBRA INSURANCE LAW

The federal COBRA insurance law is in effect for all insured B&ECPL employees and their dependents. COBRA provides that employees who are currently covered under any Erie County group medical/dental insurance plan and either leave B&ECPL service for any reason other than death or gross misconduct or become ineligible for group insurance coverage through reduction in hours must be offered the opportunity to

continue the same health/dental coverage for 18 months or until 1 of the following occurs:

1. They become covered under another group medical/dental insurance plan;
2. They become eligible for Medicare; or
3. Their coverage is canceled for non-payment of any premium.

Further, COBRA provides that any person who is enrolled as a dependent of an employee subscriber under any Erie County group health or dental plan on the day before the date of any qualifying event (which would otherwise result in the dependent losing coverage) must be offered continuation coverage under the employer's group plan(s) for up to 36 months or until 1 of the circumstances listed above occurs.

Qualifying events include:

1. Death of the employee subscriber;
2. Divorce or legal separation;
3. Dependent reaching the insurer's cut-off age;
4. Dependent ceasing to be a legal dependent; or
5. Any other event that would otherwise result in loss of coverage, other than non-payment of premium by the subscriber.

A subscriber or a family member must notify Human Resources and the County Personnel Department of any of the above within 60 days of the date of the qualifying event or eligibility coverage for COBRA will be lost.

County Personnel will mail full particulars and forms for electing continuation coverage to COBRA eligibles within 14 days after the end of the month in which an employee leaves B&ECPL employment or within 14 days after County Personnel is notified of any other qualifying event by a family member.

A COBRA eligible individual has 60 days from the date of the qualifying event or 60 days from the date of receipt of full particulars and necessary COBRA forms (whichever is later) during which to formally elect continuation coverage and to forward the first full monthly premium payment. A COBRA subscriber must pay the entire premium cost for the coverage selected directly to the insurance carrier.

This only highlights COBRA procedures. For full details contact COBRA, County Department of Personnel, Room 604, 95 Franklin Street, Buffalo, New York 14202.

RETIREMENT BENEFITS

All B&ECPL employees have the right to join the New York State & Local Retirement System. Permanent full-time and regular part-time employees are required to join. The Retirement System provides for service retirement and also for benefits in the event of death or disability.

Membership in the Retirement System is not automatic upon being employed. The employee must complete an application, which is available in Human Resources.

There are 6 separate classes of the Retirement System membership, depending on enrollment date. Tier 1 members are those persons who last became members on or before June 30, 1973. Generally, Tier 2 members are those who last became members on or after July 26, 1973 but before July 27, 1976. Tier 3 members are those persons who last became members on or after July 27, 1976 but before September 1, 1983. Tier 4 covers all members who last entered the system on or after September 1, 1983, Tier 5 covers members entering the system on or after January 1, 2010, and Tier 6 covers members entering the system on or after April 1, 2012.

There are variations in the retirement plan for each tier with respect to employee contributions, benefits, minimum retirement age, and so forth. Tier 3, Tier 4, and Tier 5 members must contribute 3% of their gross pay to the retirement system. Tier 6 contribution is based on the employee's annual compensation. Tier 3 and Tier 4 employees contributions cease after 10 years. Tier 5 and 6 members must contribute for all their years of service.

A Tier 3 or 4 member must be in the Retirement System for 5 years to become vested; a Tier 5 or 6 member must be in for 10 years. Being vested means you are entitled to receive benefits at retirement age even though you may have left government employment covered by the Retirement System before that time.

The Retirement System is complicated, and employees should consult with the New York State and Local Retirement System and/or the Erie County

Personnel Department for information pertaining to benefit payment options. The Retirement System views all matters concerning an individual's retirement status as personal matters between the employee and the Retirement System. They will not release any retirement information to anyone other than the employee or persons legally authorized to act for the employee. Therefore, employees who have questions about their retirement status should address their questions in writing to the New York State and Local Retirement System, Governor Smith State Office Building, Albany, NY 12244.

A field representative of the Retirement System is located at the State Office Building, 65 Court Street. Visitors who wish to meet with a representative must schedule an appointment. The toll free number is 1-866-805-0990.

UNEMPLOYMENT INSURANCE

The primary purpose of unemployment insurance is to provide temporary financial assistance to workers who may become unemployed through no fault of their own, until they can locate other suitable employment. Applicants must serve an unpaid waiting period equivalent to 1 full week of employment benefits.

The conditions under which persons may be eligible for unemployment insurance payments, the amount of individual payments, and the maximum period of payments are all determined by the New York State Department of Labor and are subject to amendment or change. Therefore, questions concerning unemployment benefits must be directed to the New York State Unemployment Insurance Office.

All B&ECPL Unemployment Insurance matters are administered directly through the Erie County Personnel Office.

EMPLOYEE ASSISTANCE PROGRAM

The B&ECPL has contracted with a private firm to provide assistance to employees who are experiencing personal problems. The Employee Assistance Program (EAP) provides comprehensive counseling and referral to B&ECPL employees who seek assistance for a variety of

personal reasons. All employee requests for assistance are handled in a sensitive and confidential manner.

If you are experiencing personal problems related to drug or alcohol abuse or other personal or financial problems that are affecting your work or personal relationships with family, friends, and/or co-workers, you are encouraged to contact the EAP. Contact information can be found on the Intranet under Human Resources.

COMPUTERS, COMMUNICATIONS & RELATED TECHNOLOGY POLICY

The Buffalo & Erie County Public Library provides computing, networking, communication, and information resources to its staff in support of the B&ECPL's mission of connecting our diverse community with library resources that enrich, enlighten, and entertain. As a condition of providing this technology, staff members are expected to use these computing, networking, and information resources in a responsible and ethical manner. Open access to these resources is a privilege subject to acceptable use and the restrictions contained in the Computers, Communications, & Related Technology Policy. These policies and procedures have been established to set forth clear expectations of acceptable use for all B&ECPL staff.

Any employee found to have violated one or more of these policies may be subject to disciplinary action, up to and including termination of employment.

The complete Computers, Communications, & Related Technology Policy can be found on the Intranet.

TELEPHONES

Business phones are necessary for the conduct of public business. They are to be used with discretion, not abused. Employees should limit their calls to the conduct of library business. Personal calls into or out of the B&ECPL or between B&ECPL departments are prohibited.

Emergencies such as illness or death of a family member, etc., may require your receiving immediate telephone notification. Such obvious emergency situations are not considered personal calls under this rule.

Employees should leave their cell phones in their locker, silenced or turned off during work hours. Personal cell phones may be used during break and lunch periods. Such use must not disrupt the work area. Abuse of business phones or personal cell phones may result in disciplinary action.

TRAVEL EXPENSES

Employees are often required to travel to meetings, conferences, and other work related events outside their normal place of business. Staff members are also encouraged to participate in local, state, and national library conferences, training, webinars, etc. which will enhance their work skills and knowledge and benefit both the individual and Library. Policies and procedures have been established to provide all staff members the opportunity to engage in such activities and to compensate employees where employee attendance is requested and/or required by the B&ECPL. Employees should refer to the complete Work Related Travel, Continuing Education, and Library Business Requests Policy.

All travel reimbursement and mileage requests must be made on the proper forms and in a timely fashion. The complete policy and all forms can be found on the Intranet.

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