

# Buffalo & Erie County Public Library

## PERSONNEL POLICIES AND PROCEDURES MANUAL

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**SUBJECT:** State of Emergency/Disaster Leave Policy

**CHAPTER:** VII

**SECTION:** 17

**EFFECTIVE DATE:** 3/26/2020

**REVISION DATE:** 1/16/2025

*This policy is a system-wide policy for application to all libraries within the Buffalo & Erie County Public Library System (B&ECPL).*

### I. STATEMENT OF POLICY

The Buffalo & Erie County Public Library System recognizes it is a vital part of the community and is committed to ensuring public safety during periods of a government declared state of emergency or disaster. In such times, the System Board of Trustees and Library Administration shall act responsibly while identifying the budget considerations of reducing and/or restructuring operations and continuing regular pay of its employees.

### II. APPLICABILITY

- A. This policy shall apply to part-time, regular part-time, and full-time employees who are not represented by a union, or who are represented but whose collective bargaining agreement does not provide for the payment of wages in the event of a government declared state of emergency (other than a weather-related emergency) or disaster. An employee must have been employed by the B&ECPL for at least 30 days prior to the closure of the library, pursuant to B. in this Section.
- B. This policy shall take effect upon the formal declaration of the B&ECPL Board of Trustees or its Executive Committee in response to a government declared non-weather-related state of emergency or disaster.
- C. The System Board of Trustees shall set the effective date and end date of the application of this policy for any given period. Paid leave under this policy may terminate at any time should it be determined by the System Board to be fiscally necessary.

### III. LEAVE WITH PAY

- A. An employee eligible under this policy will be granted paid leave in accordance with this policy for the following circumstances:
  - 1. The employee is required to be absent from work because of an order by a governing authority; OR
  - 2. The employee is instructed by the B&ECPL System Board of Trustees, Library Director or designee, or by the associated Contract Library Director not to report to work due to a government issued, non-weather-related state of emergency.
- B. Such employee shall be granted leave with pay as applicable for the period of the required absence from work, as determined by the System Board, or as directed by the Library of the need for the employee to return to work, but unless otherwise determined by the System Board, no employee shall be entitled to paid leave for more than 2 pay periods for any single declared state of emergency or disaster pursuant to this policy.
- C. Paid leave under this policy will not start until the first full pay period after the later of the declaration by the System Board described in II.B or the employee's first day of absence under III.A.
- D. Such pay shall be based on the employee's regularly scheduled hours (part-time hours will be based on an average of the most recent 3 pay periods, not to exceed 19 hours/week or 38 hours/pay period) and rate of pay, or as determined by the System Board.

### IV. OTHER PAID LEAVE

If an eligible employee is entitled to paid leave benefits under this policy and under an applicable federal or state law or collective bargaining agreement in connection with the same declared state of emergency or disaster, the total leave benefits available shall not be greater than the benefits under this policy.

*Adopted March 26, 2020 per Resolution 2020-11. Amended January 16, 2025 per Resolution 2025-6.*