



# PERSONNEL POLICIES AND PROCEDURES MANUAL FOR BARRINGTON LIBRARY

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### *(Amendments)*

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Split into Personnel Plan and Safety Plan November 4, 2013, effective November 5, 2013

**This document supersedes all personnel policies previously established or approved by the Library Board of Trustees.**

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## **INTRODUCTORY MESSAGE**

### **WELCOME TO BARRINGTON LIBRARY!**

Dear Employee,

The purpose of this Personnel Plan is to establish policies and procedures in order to ensure, insofar as possible, uniform treatment and administration of personnel employed by the Barrington Public Library.

This manual not only outlines the policies towards the various phases of employment, but it also indicates how policy is to be administered. These policies also aid in achieving fair and equitable interpretations of policy which require personnel action on a regular recurring basis. Moreover, it is our intent that all employees have a deeper understanding of their role in the organization.

The Barrington Public Library is committed to providing equal opportunities for all persons making application for employment and for equity in treatment and advancement opportunities for our employees.

It is not the intent of this plan nor should it be interpreted as being an offer or an enforceable obligation on the part of the Library. Neither the text of these policies, nor that of any policy or procedure statement of the Library, is intended to be, or should be construed as a contract of employment or as a contract guaranteeing continued employment. Although we hope that your employment relationship with the Library will be mutually rewarding, employment with the Library may be terminated by you or the Library following RSA 202-A:17 concerning termination of employees.

The overall responsibility for administration of this plan rests with the Library Trustees and, as delegated to the Library Director. The importance of each employee's contribution cannot be overstated. It is the Library's goal to provide residents with the finest and most efficient service possible.

The Personnel Policy and Procedure Manual explain personnel policies and benefits for library employees. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if any employee has any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice those specific questions should be addressed to the Library Director.

Sincerely,

The Library Board of Trustees

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## ABOUT THIS MANUAL

The policies outlined in this Manual should be regarded as guidelines only, which may require changing from time to time. The Barrington Library reserves the right to add to, delete from, or modify this plan either on an individual or organization-wide basis. Such additions, deletions or modifications will be effective when approved or implemented by the employer. The Barrington Library Trustees retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Library. This Manual supersedes and replaces any and all prior oral or written manuals, policies, procedures, and practices of the Library.

This Manual also summarizes the current benefit plans maintained by the Library of Barrington Library for eligible employees of the Library. If any questions arise regarding the implementation or interpretation of any benefit plan, the terms and conditions of the actual plan documents and summary plan descriptions will control rather than the summaries contained in this Manual. The Manual (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

Pursuant to statute, Library employees may be terminated by the Board of Library Trustees “for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform the employee’s duties.” Written notice, including the reason for the discharge must be signed by a majority of the Board of Library Trustees and given to the employee not less than 15 nor more than 30 days prior to the effective date. Upon request made within 30 days of the notice, the employee may have a public hearing before the Board of Trustees which must take place within 30 days of the request.

An Ad Hoc personnel committee of 3 Library Trustees will be used to address issues surrounding employee issues, evaluations, hiring and firing. The recommendation of the committee shall be brought before the full board and a vote taken if needed.

Overall responsibility for administration of this plan within the library rests with the Library Trustees or their representative, the Library Director. Please also be aware that the Library reserves the right to change, revise, or eliminate any of the policies, procedures, or benefits described in this Manual at any time, in its sole discretion. If and when provisions are changed, employees will be given replacement pages for those that have become outdated. A copy will also be placed on our bulletin boards.

The Library Board, in conjunction with the Library Director, is responsible for the recruitment and hiring of all positions within the library department. When a vacancy occurs the Director notifies the library Board and begins the hiring process upon their approval. Applicable examinations may be utilized in the employee selection process. Promoting best qualified current employees who meet the minimum requirements of the job is acceptable. For new positions, where qualifications are essentially equal, preference shall be given to the most qualified person suited to the current position and employee environment.

The Library Director is authorized to alter the recruitment procedure when immediate filling of a vacancy is necessary. This is intended for temporary relief. If the position is permanent, then normal recruitment procedures are required. All hiring must follow Equal Opportunity Regulations.

Normal recruitment procedures include (but are not limited to):

- Posting or advertising for at least two (2) days and an open application period for at least ten (10) business days.
- All employees over age 18 who are made a conditional offer of employment will be required to undergo a full background check before the position is appointed officially. The cost to be borne by the library. 90-180 day introductory period for new hires where frequent reviews will be conducted.

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**RECEIPT AND ACKNOWLEDGMENT OF PERSONNEL POLICIES AND PROCEDURES MANUAL**

This Personnel Policies and Procedures Manual is an important document intended to help you become acquainted with the Library. This Manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

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

- I have received a link to the electronic copy and have the right to a paper copy if I so request of the Library Personnel Plan as recently amended and adopted and I understand that it is my obligation to read the Personnel Policies and Procedures Manual. I understand that the policies described in the Manual are subject to change at the Library's sole discretion at any time. I understand that this Manual supersedes and replaces all other previous manuals and personnel policies for the Library as of July 2015.
- I acknowledge that pursuant to NH statute, Library employees may be terminated by the Board of Library Trustees "for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform the employee's duties."
- I am aware that the descriptions of benefits in this Manual are not contractual in nature and do not guarantee any continuance of said benefits. Employees are directed to review the revisions to see any affected fringe benefits.
- I am aware that during the course of my employment, confidential information may be made available to me. I understand that this confidential information must not be given out or used outside of Library premises or with non-Library employees, except as required by law.
- I understand that this manual is based upon a similar document used by the town as whole and some sections may not apply directly to the Library.
- I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the Personnel Policies and Procedures Manual.

\_\_\_\_\_  
Employee's Name (please print)

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

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

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## **I. GENERAL PROVISIONS**

### **OUR WORKPLACE**

As you review this Manual, you will notice that terms such as “workplace” and “premises” appear in many of the Library’s policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our “workplace” or “premises” is discussed in this Manual, please understand that we are discussing not only Library buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle you may be traveling in or using for Library related business.

### **EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST DISCRIMINATION**

The Library is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and our needs as an employer. The Library will not discriminate against employees or applicants for employment based on any legally-protected status, including, but not limited to: veteran or military status, marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, pregnancy, national origin, genetic information or ancestry. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, and transfer, leaves of absence, compensation, benefits and training.

In support of our commitment to equal employment opportunities, the Library prohibits any and all discrimination or harassment of one employee by another employee or supervisor on any of the bases discussed above. Any employee who harasses or discriminates against another employee, citizen, or visitor on any of the bases discussed above will be subject to discipline, up to and including discharge. Prohibited conduct includes:

- epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that are based on or that relate to race, color, religion, gender, national origin, genetic information, ancestry, pregnancy, age, disability, sexual orientation, marital status, or veteran status;
- written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, genetic information, ancestry, age, disability, sexual orientation or veteran status; and,
- Offensive comments, jokes, innuendos, and other statements or conduct based on an individual’s membership in any of the legally protected categories listed above.

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Please also refer to Anti-Harassment policy for more information on prohibited conduct.

Barrington Library prohibits all of the activities discussed above, whether engaged in by a supervisor, agent, employee, co-worker, or non-employee (such as a vendor) who is on our premises or who comes in contact with our employees. Any supervisor or employee who harasses or discriminates against another employee or non-employee on any basis discussed above will be subject to discipline, up to and including termination of employment.

If you experience or witness what you believe may be harassment and/or discrimination in violation of this policy, you should immediately report the incident. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and appropriate action will be taken, depending on the nature and severity of any proven incident.

Retaliation against an employee who complains in good faith about harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

## **SEXUAL HARASSMENT POLICY**

### **A. Introduction**

Barrington Library's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Library. Further, any retaliation against an individual who has complained about sexual harassment and/or retaliation against an individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

Because Barrington Library takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate conduct has occurred, whether or not it rises to the level of legally actionable harassment, Barrington Library will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

### **B. Definition of Sexual Harassment**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or

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- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation or assistance; or
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually oriented statements and unwelcome behavior emphasizing sexual identity. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature.

This policy prohibits all of the activities discussed above, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on Library premises or who comes into contact with Library employees.

It is not possible to list all of the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body; sexual gestures;
- Suggestive or insulting comments;
- Inquiries into an individual's sexual experiences; and
- Discussion of one's sexual activities.

### C. Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is sometimes all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, you are not required to do so. If you believe that you have been subjected to sexual harassment, you should report the incident immediately. All reports must be made in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has

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occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

D. Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is prohibited by law. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Manual.

**REPORTING PROCEDURE FOR SEXUAL AND OTHER  
UNLAWFUL HARASSMENT, DISCRIMINATION AND  
RETALIATION**

Any employee who feels that he or she has experienced sexual or other unlawful harassment and discrimination or retaliation should immediately report such actions. All reports must be made in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you should report the incident immediately to Library Director or if the claim is against the Library Director to the chairman of the Library Trustees.
2. Supervisors and managers who become aware of discriminatory or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Library Board of Trustees.
3. Barrington Library will promptly investigate incidents reported through this procedure. Any employee, supervisor, or agent of Barrington Library who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment will be subject to appropriate remedial and/or disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by Barrington Library.
4. Barrington Library will conduct all investigations in a discreet manner. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.

**ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES**

In accordance with the Americans with Disabilities Act of 1990 (“ADA”) and RSA 354-A, Barrington Library prohibits any form of discrimination in hiring as well as in all terms and conditions of employment against individuals with physical or mental disabilities. We will make every effort to make reasonable accommodations to ensure equal opportunity for qualified individuals with disabilities in the application process and in performing essential job functions,

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so as to afford enjoyment of the same benefits and privileges of employment as are enjoyed by employees without disabilities.

Please notify the Library Director if, because of a disability, you require an accommodation to perform the essential functions of your job. You may be asked to provide medical information regarding your disability and possible accommodations, and we expect that you will engage in this interactive process in good faith so that we may determine eligibility for accommodation and identify reasonable accommodations. We will maintain all medical information in a confidential manner in accordance with the ADA, and will provide reasonable accommodations as required by law. Barrington Library may decline to provide accommodations to individuals who are not qualified individuals within the meaning of the law, and may also decline to provide accommodations that are not reasonable or that cause an undue hardship.

## **II. EMPLOYEE CLASSIFICATIONS**

### **EMPLOYMENT CLASSIFICATIONS**

At the time that you are hired, you are classified as full-time, part-time, or temporary and are informed as to whether you qualify for overtime pay. Unless otherwise specified in this Manual or as required by law, the benefits described in this Manual apply only to full-time employees. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations. If you are unsure of which job classification into which your position fits, please ask the Library Director.

**REGULAR FULL-TIME EMPLOYEES:** Individuals who are regularly scheduled to work 35 or more hours per week and whose employment is not temporary.

**REGULAR PART-TIME EMPLOYEES:** Individuals who are regularly scheduled to work less than 35 hours per week. For individuals who are collecting New Hampshire Retirement benefits, part time is working 32 hours a week or less.

**TEMPORARY EMPLOYEES:** Individuals who are hired for specific periods of time or for the completion of a specific project, also known as seasonal employees. Temporary employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

**NON-EXEMPT AND EXEMPT EMPLOYEES:** All employees will be classified as either “exempt” or “non-exempt.” Exempt employees are usually paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Library policy.

Upon hiring or at the time of a promotion, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or non-exempt under the FLSA, please contact the Library Director.

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## **INTRODUCTORY PERIOD**

All new employees will be required to successfully complete an introductory period, commencing on the first day of employment. The period for all employees will normally be three (3) months in duration, and may be extended for an additional (3) month period by the Library Director. During this period, an employee is eligible for those benefits for which the position qualifies.

The supervisor shall meet with each new employee at the conclusion of one third and of two thirds of the period to review the employee's performance. Where appropriate, the supervisor will offer remedial suggestions for improvement.

Upon satisfactory completion of the introductory period an annual review will be done, unless job performance warrants a probationary period, further reviews, and/or dismissal according to RSA 202-A:17.

All employees who have been promoted to new positions shall be required to complete a three month introductory period in the new position before the promotion is considered to be fully approved. Any employee who fails to meet the requirements of the new position within that timeframe may be demoted back to their previous position, or, if that position has been filled, termination procedures may ensue.

Personnel who leave the employ of the Library and are re-hired more than ninety (90) days after separation, except those granted a leave of absence or recalled after a layoff of less than 12 months, shall serve another introductory period.

### **III. COMPENSATION AND HOURS OF WORK**

#### **REPORTING OF TIME WORKED**

It is important that your time be accurately reported so that you are compensated for the hours that you work. You will be required to complete time sheets weekly. Falsification of time records could lead to disciplinary action, up to and including termination from employment. Failure to file a time sheet in a timely fashion is grounds for disciplinary action. If there are any changes needed to your weekly time card, then you must initial the change, indicating that you agree to the change and the accuracy of the change. Your supervisor will provide you with details concerning your obligation to report all time you have worked.

#### **PAY/PAY PERIODS**

Employees are paid on a weekly basis on Thursdays for all hours worked during the preceding calendar-week pay period. Please review your paycheck for errors. If you find a mistake, report it to your supervisor or the Finance Director immediately. Paychecks will be distributed only to you. Paychecks are distributed either by your supervisor or a representative from the Finance Department. Employees may have payment directly deposited into their bank accounts at no charge if they provide advance written authorization to the Library.

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## **WORK WEEK/HOURS OF WORK**

Barrington Library's work week begins on Monday morning at 12:00 a.m. (midnight) and ends on Sunday evening at 11:59 p.m. Because of the nature of our business, your work schedule may vary depending on your job. The Library requires the presence and diligent efforts of employees in order to provide the requisite level of service to our community. Accordingly, normal weekday hours vary by department.

The Library reserves the right to alter or amend any employee's work schedule at its own discretion and in accordance with the needs of the Library. An honor code of conduct exists whereby employees are entrusted to work their scheduled hours. Employees are encouraged to embrace this show of responsibility and commitment to the Library, the community and to each other. Employees who are asked by the Library to keep time records must also adhere to this honor code when completing their time records. Time records must be completed fully and accurately, and employees may not provide any false information on time records or any other Library records.

## **PAYROLL DEDUCTIONS**

### **A. Payroll Deductions for All Employees**

There are two categories of payroll deductions, those required by state or federal law and those allowed by the Library and authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, state retirement and wage garnishments as required by law (i.e. child support payments, court-ordered payments, IRS garnishments). If authorized by an eligible employee, Barrington Library will also make payroll deductions for health insurance and voluntary contributions to a 457 retirement plan. These deductions will be itemized on your check stub.

Under New Hampshire law, Barrington Library may not withhold, make use of any portion of, or require any employee to remit any portion of an employee's wages except, with appropriate authorization and if allowed by the Library, as follows: union dues, health, welfare pension, and apprenticeship fund contributions; medical, surgical, hospital and other group insurance benefits without financial advantage to the employer; voluntary contributions to charities; housing and utilities; payments into savings funds held by someone other than the employer; voluntary payments for the recovery of tuition for non-required education costs; voluntary rental fees for non-required clothing; voluntary cleaning of uniforms and non-required clothing; voluntary contributions into cafeteria plans or flexible benefit plans, or both, as authorized by section 125 or section 132 of the Internal Revenue Code; and voluntary payments by the employee for the following: child care fees by a licensed child care provider; fees for the employee's use of a qualifying fitness facility; contributions to a political action committee; installment payments of loans made by the employer to the employee; voluntary repayment of accidental overpayments made to the employee; repayment of unearned advances on vacation or other paid time off where supported by appropriate documentation; required clothing not considered to be uniforms; the use of a demonstrator vehicle as defined in RSA 261:111; and legal plans and identity theft plans



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without financial advantage to the employer. The Library may decide not to make some or all of the above deductions, even if authorized by an employee.

B. Payroll Deductions for Salaried Exempt Employees

Barrington Library complies with all federal and state laws with regard to deductions from paychecks, including deductions from the salaries of exempt employees. In accordance with the laws, salaried exempt employees receive a predetermined salary which is not subject to reduction because of variations in the quality or quantity of work performed and is not subject to reduction for absences requested by Barrington Library or due to the operating requirements of Barrington Library. Barrington Library recognizes that under federal and state law there are only limited times when a salaried employee's salary can be subject to deductions.

Barrington Library prohibits deductions from salaries that are inconsistent with the status of an exempt employee. Exempt employees should note that salaries are subject to modification from time to time, such as at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Exempt employees should also note that it is permissible for an employer to apply earned time, vacation, sick, personal and other forms of paid time off to partial or full-day absences for personal reasons, sickness, or disability, and that applying such paid time off is not considered a deduction from salary. With adequate notice as specified by law, the Library may also provide for disciplinary time off without pay.

C. Questions Regarding Paychecks and Deductions

If you have any questions or concerns about your paycheck or any deductions from your pay, please contact the Finance Director as soon as possible. If you do not receive a prompt response or are dissatisfied in any way with the response you receive, you should feel free to contact the Library Director or Town Administrator.

Questions and concerns regarding pay and deductions will be investigated and addressed promptly. If there has been an error, such as a deduction made in error, the employee will receive a corrected check or a check reimbursing the employee for the error, whichever is more practicable under the circumstances.

Employees should feel free to communicate any questions or concerns regarding pay or deductions. Barrington Library will not tolerate retaliation against employees who have expressed concerns using this procedure.

**REIMBURSABLE EXPENSES**

With prior approval by the Director, or in the case of the Director, with approval by the Library Trustees, legitimate expenses will be reimbursed by the Library to the employee. Necessary travel incident to duties and performed in the Library employee's personal vehicle shall be reimbursed at a rate per mile to be determined by the Library Trustees.

With prior authorization, library employees shall be reimbursed for meals when on official



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business involving an overnight stay, or attending a meeting or training session. Reasonable expense of the meal (excluding any alcoholic beverage) shall be allowed.

The reasonable cost of lodging incidental to travel shall be reimbursable, and hotel or motel bills must be attached to expense vouchers.

It is the responsibility of all employees on travel status to make sure there are sufficient funds available before they undertake the travel or incur the expense.

All reimbursement vouchers must be approved by the Library Director, and for the Director, approved by the Library Trustees. The employee must submit receipts in order to be reimbursed. Reimbursement may be in the form of petty cash or a separate check. See the Director with any questions as to whether and what expenses may be reimbursed.

### **OVERTIME**

It may be necessary for you to perform overtime work. All overtime must be approved in advance by the department head. Except in the event of an emergency, Barrington Library will attempt to provide you with advance notice of the necessity for overtime work. Most non-exempt employees are entitled to be paid one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours per week.

Overtime pay shall not be paid for any period when no work is performed such as earned time, holidays, leaves of absences, and other time off benefits. These are not counted as "time worked" for purposes of overtime. You will be advised when you are hired if you are entitled to overtime pay.

Overtime is only paid to non-exempt employees.

"Compensatory time" instead of overtime is unavailable.

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## BREAKS AND MEAL PERIODS

Lunch Breaks: It is the policy of the Barrington Public Library that all employees, working more than five consecutive hours, are given a thirty-minute paid meal break. This meal-break may be away from the desks and all library responsibilities. Staff members are free to stay within the building or leave the premises as desired.

Alternatively, the employee working more than five consecutive hours may voluntarily choose to continue working while eating. This is permitted if it is possible to eat the meal discreetly and in a manner unobtrusive to the work duties in the library setting. Most staff at the Barrington Public Library choose this method of taking lunch break, but it is entirely up to the employee to choose which they prefer and let the supervisor know so suitable coverage can be maintained should they choose to take a meal break away from the work areas. No other scheduled breaks are given.

Employees working five consecutive hours or less are not granted breaks. Snacks may be taken at any time that it is possible to eat the snacks discreetly and in a manner unobtrusive to the work duties.

Break Time for Nursing Mothers: Employees will be provided with a reasonable break time for the employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk. A private area will be provided. For non-exempt employees these breaks are unpaid unless part of a paid break period.

## SHIFT DIFFERENTIAL & ON CALL

**On Call Stand by Compensation:** As on call hours are not defined as hours worked under FLSA, employees who are on call will be paid one hour at their normal hourly rate of pay for each four-hour on call period. An employee who receives on call pay must respond to timely call backs or will forfeit all on call pay for that week.

**Call Back Compensation:** As call back hours are defined as hours worked under FLSA, all employees who are called back to duty after the conclusion of the full-time regular workday shall be compensated at a minimum of two (2) hours. These hours will be paid at time and one-half provided the number of hours worked during the workweek meets or exceeds forty hours. If an employee has not met or exceeded forty hours worked during the workweek, call back compensation will be paid at the employee's regular rate of pay.

## VII. TIME AWAY FROM WORK AND OTHER BENEFITS

### Holiday Pay Policy

The Library observes the following 11 paid holidays during the calendar year, plus one floating holiday the library may use as it sees fit each year:

HOLIDAY
New Year's Day
Martin Luther King Jr Day

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President's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

- Full time employees will be paid for the number of hours normally scheduled on that day. If the holiday falls on a Saturday or Sunday, the full-time employee may take the preceding Friday, or the following Monday, as their holiday as scheduling allows.
- Part-time employees working 25 plus hours per week on a regular basis will be awarded holiday time on a percentage basis. This means that an employee regularly working 25 hours per week would get 60% of an 8 hour holiday, or 5 hours of holiday time, to use in that week. If the employee was scheduled for an 8 hour day on the holiday, they could use the 5 hours of holiday pay and 3 hours of Earned Time, or, they may ask to be scheduled those 3 hours on another work day. If the employee was not scheduled to work on that Holiday, they may use those five hours within that week to take an alternate day off as scheduling allows.
- Part-time employees working under 25 hours per week will only be paid for holiday hours they were scheduled to work. No percentage of other holidays will be provided.
- Holiday Time may not be added to the normal work week hours, or “cashed in”; it must be taken as time off and the normal weekly working hours may not be exceeded.
- If the time cannot be scheduled off in the current work week due to limited staffing and budget issues, the Director may work with the employee to find a suitable date on which to take the holiday time. This must be within the same month that the Holiday falls.
- The library may choose to close early the day before a posted holiday due to lack of expected business or on a snow day due to dangerous conditions; these hours must be taken as Earned Time by regularly scheduled employees, or, they may make up the hours by working another shift.

**EARNED TIME**

This policy to allow Earned Time Payment was developed to provide paid time off from work for such reasons as holidays, vacations, sickness, and personal reasons.

- A. The following schedule details the rate at which time will be accrued for all Employees, for the indicated consecutive years of employment, prorated by the number of hours paid. (Schedule is based upon an 8-hour workday; 2080 hours worked annually and shows the highest number of vacation & sick days that can be accrued. Employees who regularly work less than 40 hours will be paid based upon the hours they are regularly scheduled to work. Earned time shall apply to all employees regularly working 20 hours or more).

**Library Employees**

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Group A: 0-4 years of service 8.5%  
10 vacation days    12 sick days

Group B: 5-9 years of service 10.4%  
15 vacation days    12 sick days

Group C: 10+ years of service 12.4%  
20 vacation days    12 sick days

Example: An employee is paid for 40 hours per pay period. His/her time is calculated by multiplying the hours paid by the accumulation percentage and adding the number to the employee's earned time bank.

Library Employees

Group A: 40 hours x 8.5% = 3.4 hours

Group B: 40 hours x 10.4% = 4.16 hours

Group C: 40 hours x 12.4% = 4.96 hours

**Earned Time General Rules:**

1. Earned Time is available for all employees who regularly work a minimum of 20 hours per week and is calculated upon the number of hours regularly scheduled up to 40 hours in a workweek. Exempt salaried employees are calculated on the basis of 40 hours per week.
2. Earned time is **not** accrued during any period of time when on unpaid leave including short and long term disability.
3. Earned Time can be accrued to a maximum of 320 hours for full-time employees. Part time employees may accumulate to a maximum of 8 times their regular weekly schedule, for example 20 hours per week times 8 equals 160 hours maximum for that part-time employee. Starting January 1, 2014, and at each subsequent January 1, any hours in excess of that maximum limit will be lost without compensation for them, reducing the total earned time down to the maximum. The Library Director has the authority to grant a temporary excess of hours for a limited period of time based upon unique circumstances. Upon leaving service an employee will not be paid for more than the maximum number of hours allowed above.
4. During the course of any year, an employee may only cash in an amount equal to 50% of his or her total annual accrual other than upon termination of employment.
5. Earned time can be used in amounts of an hour or more.
6. When using Earned Time, the total pay for any one day shall not exceed an employee's usual work hours.
7. Only the amount of Earned time ACTUALLY accrued and deposited in the Earned Time bank shall be available for use.

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8. All Earned Time requests for reimbursement must be recorded on payroll time sheets and Appendix A must be completed and submitted to Payroll.
  9. Whether through a voluntary or involuntary termination of employment during the first six months, the employee shall forfeit all Earned Time benefits.
  10. Upon termination of employment (other than during the first six months of employment), the employee will be paid for all Earned Time accrued and deposited in the Earned Time bank.

**Earned Time Scheduling:** Except in emergencies beyond the employee's control, (e.g., an illness, unexpected appointment or occurrence, etc.) all requests to utilize Earned Time shall be granted or denied at the discretion of the employee's immediate supervisor as work schedule permits and on a first come/first served basis.

**Earned Time and Sick Days:** These are a part of the earned time policy or for those employees in the earned sick bank.

**Earned Time:** Earned time is intended to provide for the continuation of compensation. Therefore, it is advisable for an employee to accrue at least two weeks of earned time as protection for unexpected periods out of work due to illness. No employee may purchase earned time bringing him or her below two weeks of time in the Earned Time bank.

**Maternity:** See Family Medical Leave section of this personnel policy.

**Earned Time Exceptions:** Any variation from this Earned Time Policy will require the approval of the Library Trustees.

**Earned Time Buyout Options:** Earned time may be "bought out" four times a year, as indicated below. Full-time and part-time employee must retain a minimum of two weeks in their Earned Time bank when cashing out. Employees may not purchase hours that would reduce their bank below the minimum required hours. Use of this cash option will be permitted quarterly during March, June, September and December. Such requests must be submitted to Payroll in the first two weeks of the appropriate month and will be paid in the next pay period for that month. (In cases of unique hardship, a person can appeal to the Library Trustees for buy-out at another time. A completed Earned Time Cash Option Form will be required and must be submitted by the employee to Payroll in a timely manner. (See Appendix A)

## **SICK BANK**

To insure that time previously accrued as sick time but not taken by the employee will not be lost with the initiation of Earned Time. This was created for employees who were hired before 12/31/2000 and had unused sick time. All previously accrued but unused sick time will go into an extended sick-time bank for use by the employee for prolonged sickness or disability only.

### **Sick Bank Procedure:**

- Following the second consecutive day of absence due to illness or disability, the employee may submit a request for use of the extended sick-time bank to the department head. These may only be used for the employee's own illness or

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that of an immediate family member (spouse and children of the employee; children of the spouse; grandmother, grandfather, mother, father, brother, and sister of either the employee or the employee's spouse).

- The department head will notify the bookkeeper to pay out of the employee's extended sick bank for the duration of the absence or until the accrued cash balance has been utilized.
- The sick bank is closed to any additional deposits of time. No employees may add time to the sick bank and those with a zero balance may not open an account. All time in the sick bank will be converted to dollars as of October 1, 2012 at the current wage rate of each employee who has time in the sick bank. This dollar total will not increase with future salary increases and will be used out by purchasing time at the then current rate of pay. The Library will consider budgeting to buy down the total in the sick bank in future years.
- Upon separation of employment, accumulated money within the sick bank shall be forfeited, however, when an employee in good standing, who is separating his/her employment with the Library has a minimum of 10, 15, or 20 years of employment with the Library they will be paid on a prorated basis for their years of service as indicated below\*:

10 years of service = 50% of accumulated funds  
15 years of service = 75% of accumulated funds  
20 years of service = 100% of accumulated funds

### **FAMILY AND MEDICAL LEAVE**

Under the Family and Medical Leave Act ("FMLA"), eligible employees may take an unpaid leave of absence and be restored to the same or an equivalent position upon their return to work for any of the following reasons:

- (1) The birth of the employee's child and to care for the newborn child (leave must be taken within twelve (12) months of the birth of the child);
- (2) The placement of a child with the employee for adoption or foster care, and in order to care for the newly placed child (leave must be taken within twelve (12) months of the adoption or placement of the child);
- (3) The serious health condition of a spouse, parent, minor child, or adult child when the adult child is incapable of self-care and the employee is needed for such care ("covered family members");
- (4) The employee's own serious health condition that renders the employee unable to perform his or her job;

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(5) A “qualifying exigency” (as defined in the Department of Labor Regulations) 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 United States Armed Forces;

(6) The employee is a spouse, son, daughter, parent, or next of kin of a “covered service member” (as defined in the Department of Labor Regulations) who has a serious injury or illness and the employee is needed to care for such person.

Eligibility Requirements: To be eligible for FMLA leave, an employee must satisfy both of the following conditions:

- The employee must have worked for Barrington Library for at least twelve (12) months, and must have performed at least 1,250 hours of work in twelve (12) months prior to a leave request; and
- At the time leave is requested, the employee must either: (a) work at a site where Barrington NH employs fifty (50) or more employees or (b) work at a worksite where Barrington NH employs less than fifty (50) employees if fifty (50) or more employees are employed within a seventy-five (75) mile radius of the library worksite.

Leave Entitlement: If an employee takes FMLA leave for a reason stated in paragraphs (1)-(5), above, the employee is entitled to up to twelve (12) workweeks of unpaid leave during a twelve (12) month period. That twelve (12) month period is defined as a "rolling" twelve (12) month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks the employee has available upon the beginning of a FMLA leave will be twelve (12) weeks less the number of FMLA leave weeks taken in the twelve (12) month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2008, four weeks beginning June 1, 2008, and four weeks beginning December 1, 2008, the employee would not be entitled to any additional leave until February 1, 2009. Beginning on February 1, 2009, the employee would be entitled to start accruing a new four weeks of leave; on June 1, 2009, the employee would be entitled to start accruing four additional weeks; and so on.

If an employee takes FMLA leave for the reason stated in paragraph (6), above, the employee may take up to 26 weeks of unpaid FMLA leave within a single 12-month period. This 12-month period begins on the first day of leave.

An employee who takes FMLA leave for a reason stated in paragraph (6), above, will be limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. The leave entitlement described in paragraph (6) above is to be applied on a per-covered-service-member, per injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered service-members or to care for the same service-member with a subsequent serious illness of



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injury, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Tracking FMLA Leave: When an eligible employee requests any leave of absence that qualifies under the FMLA, Barrington Library has the right to designate such leave as FMLA leave. For example, if an eligible employee suffers a work related injury that qualifies as a serious health condition, Barrington Library has the right to designate any time away from work as FMLA leave. In such circumstances, Barrington Library will provide the employee with the same notifications as though the employee had specifically requested FMLA leave.

Intermittent and Reduced Schedule Leave: Under some circumstances, employees may take FMLA leaves of absences intermittently (in separate blocks of time due to a single FMLA qualifying reason) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday). Certification will be required to show that an intermittent or a reduced schedule leave is a medical necessity for leaves under paragraphs (3), (4), and (6), above. Other documentation or certification may be required to show that such an intermittent or a reduced schedule leave is necessary in the case of a leave of a “qualified exigency” under paragraph (5), above.

If FMLA leave is for birth and care, or placement for adoption or foster care, as described in paragraphs (1) and (2), above, use of intermittent leave is subject to Barrington Library approval.

When an employee takes intermittent or reduced schedule leave, time spent working will not be counted against the employee’s FMLA entitlement.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers’ compensation, short-term or long-term disability, or other benefits. If an employee is a salaried employee, Barrington Library will adjust the employee’s salary based on the amount of time actually worked.

While an employee is on intermittent or reduced schedule FMLA leave, Barrington Library may temporarily transfer the employee to an available alternate position that better accommodates the employee’s recurring leave and that has equivalent pay and benefits.

Employees who take intermittent leave for a planned medical treatment have an obligation to make a “reasonable effort” to schedule the treatment so as not to disrupt unduly Barrington Library’s operations.

Status Of Employee Benefits: Employees are required to use any accrued, unused paid time off days during FMLA leave unless the FMLA leave is otherwise paid through workers’ compensation benefits, short-term disability benefits, or other benefits. The substitution of paid leave time for unpaid leave time does not extend the FMLA leave period. Also, the employee’s FMLA leave may run concurrently with other types of leave.

During an approved FMLA leave, Barrington Library will maintain the employee’s health



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benefits under the same terms and conditions applicable to employees not on leave.

- If paid leave is substituted for unpaid FMLA leave, Barrington Library will deduct the employee's portion of the health plan premium as a regular payroll deduction.
- If an employee's leave is unpaid, or is paid through workers' compensation, short-term or long-term disability benefits, or other benefits not provided through Barrington Library's payroll system, the employee must pay his or her portion of the premium by making arrangements with the Town Finance Director.
- Health and other benefit coverage may be canceled if the employee's premium payment is more than (thirty) 30 days late.

If an employee elects not to return to work at the end of the leave, the employee will be required to reimburse Town of Barrington for the cost of the premiums paid by the Town for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or because of other circumstances beyond the employee's control. If the FMLA leave is for a condition that is covered under Barrington Library's short-term and long-term disability insurance, covered employees may apply for benefit coverage.

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave, but will not accrue further during the leave period. For example, an employee on leave will not accrue additional sick/personal days.

Requesting Leave: Employees must complete the appropriate FMLA leave request forms. These forms are available from the Town Finance Director.

If an employee's need for leave is foreseeable, such as for the birth of a child or planned medical treatment, you must give your Director, or for Director, the Library Trustees, (thirty) 30 days' prior written notice. In cases of planned medical treatment, please make efforts to schedule the treatment to avoid disrupting Barrington Library's operations.

If the need for leave is not foreseeable, the employee must give notice to his or her supervisor as soon as practicable (generally, either the same day or the next business day of learning the employee's need for leave) and the employee must comply with all of Barrington Library's policies regarding absences from work. Failure to provide such notice may be grounds for delaying the leave. If the employee is unable to notify Barrington Library of his/her need for leave personally because of illness, the employee should ask someone else to call on his or her behalf.

Medical Certifications: If an employee is requesting leave because of the employee's serious health condition, a covered family member's serious health condition, or for the serious injury or illness of a covered service member, the employee must provide a medical certification from the appropriate health care provider. It is an employee's responsibility to provide a complete and sufficient certification. Please obtain a medical certification form from the Finance Director for the health care provider to use. If possible, the employee should provide the medical certification

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before the leave begins. If that is not possible, the employee must provide the medical certification within fifteen (15) days of requesting leave. If the employee does not provide the required medical certification in a timely manner, the employee's leave may be delayed. If you do not provide the certification at all, Barrington Library will not be able to determine whether you are eligible for FMLA leave and your leave will be denied. Barrington Library reserves the right to authenticate or clarify any medical certification if necessary.

In the case of an employee's own serious health condition, or that of a family member's serious health condition, Barrington Library, at its expense, may require an examination by a second health care provider designated by Barrington Library. If the second health care provider's opinion conflicts with the original medical certification, Barrington Library, at its expense, may require a third health care provider agreed upon by the employee and Barrington Library to conduct an examination and provide a final and binding opinion.

Barrington Library may also require subsequent medical recertification. Failure to provide requested recertification(s) within fifteen (15) days may result in delay of further leave.

Certifications for a Qualifying Exigency: Employees who request a leave for a "qualifying exigency" arising from an immediate family member's call to active duty or impending call or order to active duty will be required to provide a copy of the family member's active duty orders or other documentation issued by the military indicating the member is on active duty or call to active duty status in support of a contingency operation. Other documentation certifying the exigency necessitating the leave will also be required.

Confirmation of Familial Relationship: Employees requesting a leave of absence based on a familial relationship may be required to provide reasonable documentation or statement of family relationship. This documentation may take many forms, including but not limited to a child's birth certificate, a court document, etc.

Reporting While On Leave: If an employee takes leave because of his or her own serious health condition, to care for a covered family member with a serious health condition, to care for a covered service member with a serious illness or injury, or for a qualifying exigency, the employee must contact the Library Director or Library Trustees on a regular basis to provide updates about the status of the need for leave (e.g. the medical condition of the employee or the individual for whom the employee is caring, or other circumstances necessitating leave) and the employee's intention to return to work. In addition, the employee must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change or are extended or initially were unknown.

No Work While On Leave: The taking of another job (including self-employment) while on FMLA leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

Returning To Work: At the end of an authorized FMLA leave, the employee will be reinstated to his or her original position or an equivalent position. However, certain highly compensated employees or "key employees" may be denied restoration to their prior or equivalent position if

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keeping the job open for the employee would result in substantial economic injury to Barrington Library. Key employees are those employees who are among the highest paid ten percent of employees within 75 miles of the Town.

If an employee takes leave because of his or her own serious health condition, the employee will not be reinstated until the employee provides a fitness for duty certificate from his or her health care provider confirming that the employee is medically able to resume work and perform the essential functions of his or her job. The return-to-work medical certification forms are available from the Town Finance Director. Barrington Library reserves the right to clarify and authenticate such certification.

Coordination With Maternity Leave: As stated in our Maternity leave policy, Barrington Library provides female employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. If an employee is also eligible for FMLA leave, the employee's FMLA leave and Maternity Leave will run concurrently. Please refer to Barrington Library's Maternity Leave policy for more information regarding Maternity Leave.

For purposes of coordinating FMLA and maternity leaves, maternity disability leave will be treated in the same manner as the FMLA leave of absence described in paragraph (4) above. Maternity disability leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work. If a maternity disability leave is for the number of available FMLA leave weeks or less, the employee may take additional FMLA leave pursuant to paragraph (1) or (2) after the end of the disability period, not to exceed the number of remaining available leave weeks and will be reinstated in accordance with this FMLA policy. If a maternity disability leave exceeds the number of available FMLA leave weeks, then reinstatement will be governed by the maternity leave policy.

Coordination With Other Barrington Policies; Reference To FMLA And Federal Regulations: In the event of any conflicts between this policy and other Barrington Library policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. Barrington Library reserves the right to apply the terms of the FMLA and the FMLA federal regulations.

Any questions relative to FMLA leaves, including eligibility requirements, should be directed to the Town Finance Director at the Barrington Town Offices.

### **MATERNITY LEAVE**

All female employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions. A maternity leave begins when an employee is medically determined to be disabled and ends when she is medically able to return to work. Employees will be required to take FMLA leave, if they are eligible for such leave, concurrently with maternity leave, as described in our FMLA policy.

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Employees must use their accrued earned time before taking unpaid leave under this policy. Employees on maternity leave may also be eligible for short-term or long-term disability benefits.

Employees on maternity leave who are not eligible for FMLA leave or who have exhausted their FMLA available leave weeks will be allowed to continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue medical insurance coverage by making arrangements with the Town Finance Director to pay the entire amount of the appropriate monthly premium in advance each month.

When the employee is physically able to return to work, her original job or a comparable position will be made available to her unless business necessity makes this impossible or unreasonable. An employee who cannot be returned to her original or a comparable position will remain eligible to apply for any available position within Barrington Library.

### **PERSONAL LEAVE OF ABSENCE**

Barrington Library recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies. A personal leave of absence may be granted at the sole discretion of the Barrington Library Trustees to employees who have exhausted their leave available under our other leave policies, including earned time, maternity leave and FMLA, and is normally only granted for compelling reasons. Employees generally are eligible to request extended leaves of absence if they have completed at least one (1) year of service, or as specified by law. The granting and duration of each leave of absence and the compensation received by the employee, if any, during the extended leave will be determined by the Library in conjunction with applicable Town policy, and state or federal law. There will be a definite “return by date” that is no more than 60 days from the date of the start of the leave. Personal leaves can be granted by the Library Trustees at the sole discretion of the Board for employees with less than one year of service in unusual circumstances. Personal leaves can be extended in increments of up to 60 days at the sole discretion of the Library Trustees.

Employees may be granted an unpaid leave of absence by the Library Trustees to attend to personal matters in cases in which the Library determines that an extended period of time away from the job will be in the best interest of the employee and the Library. There will be a definite “return by date” that is no more than 60 days from the date of the start of the leave. Personal leaves can be extended in increments of up to 60 days at the sole discretion of the Library Trustees.

Personal leaves of absence will be unpaid, and an employee on an unpaid personal leave of absence is not entitled to accrue any benefits, including, but not limited to holidays and earned time.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar

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month expires, the employee may continue health insurance coverage by making arrangements with the Town Finance Director to pay the entire amount of the appropriate monthly premium in advance each month.

To request a personal leave of absence, please contact the Library Director. You may be asked to provide a written request for the leave and/or a health care provider's certificate if it is for medical reasons stating the reason for the leave and the expected date of return to work. An employee who has taken leave for medical reasons must submit a fitness for duty certificate from his or her health care provider before reinstated to work.

Requests for leave will be considered on a case-by-case basis, taking into account the Library's staffing needs and other factors. If a personal leave is granted, you may not accept other employment of any kind, including a business of your own, while you are on leave. If you are granted a personal leave of absence, you must inform us when you are able to return to work.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. Please understand that we cannot guarantee reinstatement from a personal leave. If Barrington Library is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with Barrington Library. An employee who accepts full-time employment from another employer while on leave without pay shall be deemed to have voluntarily severed the employer/employee relationship with the Library.

### **MILITARY LEAVE**

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as "uniformed services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act ("USERRA").

For each such period of military service, the employee will be paid the difference between service pay and the employer's regular compensation, for up to a maximum of 10 days per calendar year. Military leaves of absence longer than 10 days will be unpaid, unless otherwise required by law. You may elect to take part of, or all of, your accrued vacation time with pay during your military leave of absence, but you are not required to do so.

**Notice of Leave Request:** An employee needing time away from work for service or training in the uniformed services should make the Library Director and Town Finance Director aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by the Library Director based on a case by case basis.

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**Health Coverage:** If a military leave lasts less than 31 days, the employee's health insurance will be continued and the employee will pay his/her regular contribution for the cost of health insurance. Payment for insurance with less than 31 days leave may be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee's health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage or coverage for dependents at his or her own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium, and a 2% administrative fee may also be charged.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave.

**Pension:** Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so.

**Reinstatement:** Employees wishing to be reinstated following military leave should promptly notify the Library Director of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify the Library Director of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify the Library Director of the desire for reinstatement within 90 days of completing service.

Barrington Library will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

**Disabled Service Members:** If a returning employee was disabled or a disability was aggravated during uniformed service, Barrington Library will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

**Statement Against Discrimination and Retaliation:** Barrington Library will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. Barrington Library also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to the Library Director.



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## **BEREAVEMENT LEAVE**

Bereavement leave may be granted by the Library Trustees and/or Library Director without loss of pay for the death of an immediate family member to full and part-time employees. The employee, on request, will be excused for any of three (3) normally scheduled working days between the date of death and the date of the funeral, inclusive. For the purposes of this section, immediate family shall be defined as: a spouse and children of the employee; children of the spouse; grandmother, grandfather, mother, father, brother, and sister of either the employee or the employee's spouse.

One day off from work without loss of pay will be allowed for the death of a family member not listed above.

Exceptions can be made by the Library Director for unique circumstances.

## **JURY DUTY/WITNESS LEAVE**

Barrington Library considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court of the United States or the employee's state of residence. For temporary employees, jury or witness duty will be considered an excused unpaid absence. Part-time and full-time employee called for jury duty or subpoenaed as a witness shall be granted leave, some of which may be partially paid. Employees who are compensated for jury duty or as a witness shall be paid up to ten days in a given calendar year the difference between their regular day's straight-time pay and the amount of compensation they receive for performing their jury or witness duty.

Employees summoned for jury duty must inform their supervisor as soon as possible, and must present a copy of the summons to the Library Director. If released from jury duty or testifying on any day, the employee is expected to return to work. Exceptions may be made by the Library Director for jury duty required beyond ten days.

## **LEAVE OF ABSENCE FOR VICTIMS OF CRIME**

Barrington Library will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a "victim" is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, civil union partner, grandparent, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

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An employee needing time off under this policy should notify the Library Director and Town Finance Director as far in advance as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. Barrington Library will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on Barrington Library. An “undue hardship” for purposes of this policy means significant difficulty and expense. In determining whether an undue hardship may exist, we will consider the size of our operations, the employee’s position, and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use his or her accrued earned time.

Barrington Library will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

### **ADMINISTRATIVE LEAVE**

Administrative leave is intended to allow the Library to place an employee in a leave status with pay or without pay for a fixed duration pending the conclusion of an investigation, review of performance or other circumstances not covered under other policies of the Library that may require the removal of the employee from the workplace until the matter is reviewed and/or resolved.

A request for administrative leave shall be initiated by the Library Director or Library Trustees or in the case of the Library Director, the Library Trustees, for the circumstances stated above. The request shall clearly state the reasons for the request and the duration of the leave. The request shall be reviewed and approved by the Library Director or Trustees.

The Library Director has the right to declare an employee on paid administrative leave for the purpose of a curtailed operation due to weather related incidents or other unsatisfactory workplace conditions that are out of the Library’s control and that may result in the closing of the Library.

### **MEDICAL BENEFIT PLAN**

Eligible employees may participate in our medical insurance plan. Full-time employees may enroll in either a single, two-person, or family plan after meeting the eligibility criteria stated in our plan documents. The coverage and type of policy shall be as approved by the Town Selectmen and is subject to available funds as approved at the Annual Town Meeting. The Town pays 85% of the medical insurance premium with an eligible employee contribution of 15%.



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Library employees who work less than 35 hours per week are eligible to purchase, at their expense, single, two-person or multi-person coverage, as appropriate to his/her family status, for hospitalization and medical insurance through the Town's group policy.

Further information concerning this benefit can be found in the Summary Plan Description available from the Town Finance Director. Enrollment forms may be obtained from the Town Finance Director. To assist you with the cost of this insurance, the Town currently pays a portion of the premium for single, two-person, or family coverage. The balance is to be paid by the employee through an authorized payroll deduction. The Town may adjust these contribution amounts periodically in its discretion. Please see the Town Finance Director for more details.

### **OPT-OUT OF HEALTH INSURANCE**

Library employees frequently have choices for health insurance coverage. They may have the option to be covered by spouses' plans through the spouse's employer(s), or perhaps to cover dependents under someone else's plan. Library employees will be required to secure, as a benefit of their employment with the Library, a basic package of health insurance for themselves. Full-time employees eligible to receive Town medical insurance may avoid the minimum health insurance coverage requirements and receive a cash payment in lieu of such coverage provided they show satisfactory proof of coverage in a non-Town health insurance plan. Full-time employees eligible to receive Town medical insurance but choosing to have alternative non-Town supplied health insurance coverage and electing to forgo the Town insurance plan for which they are eligible may receive a cash payment. If you opt out, you will receive a portion of the monthly premium savings that you can receive as taxable compensation in your paychecks through the year. The amount you can receive depends on your eligible coverage level as shown below.

Employee Eligible Coverage Level	Weekly Opt Out amount
• Family Coverage	\$150
• Two-person coverage	\$100
• Single coverage	\$ 50

This payment shall be paid weekly through the employee's pay check. This cash incentive must be considered as income and is subject to withholding of taxes. Payment in lieu of insurance requests must be submitted annually by June 1st.

Application for payment in lieu of insurance shall be made to the Library Director on the form shown at Appendix B, and it must be renewed annually each December to continue the payments. Falsification of the application, or failure to notify the Library Director immediately when eligibility for benefit ceases, may make employees subject to disciplinary action up to and including termination.

Full-time Library employees who are eligible for health insurance coverage under any other plan for which the Library or Barrington School System also pays the premiums (such as two Library/Town/School employees married to each other) shall not "double dip". For example, a married couple employed by the Library and/or School each has the right to take a single person plan if they so choose or one may decline health insurance while the other selects to take two-person or family coverage. In this case, the declining employee shall not be eligible for the cash incentive, as the Library's taxpayers will receive no cost savings.

Eligible employees are prohibited from declining Town-provided health insurance for

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themselves or their dependents when no other health insurance coverage is in effect.

### **DENTAL PLAN**

There is no dental plan available to employees.

### **LIFE INSURANCE**

The Town currently provides group life insurance to all eligible full-time employees. The amount of coverage is currently \$25,000, and is subject to change. Upon meeting the insurance underwriter's requirements, the Town will pay 100% of the employee's premium up to \$115 per quarter. Please see Town Finance Director for more details.

### **RETIREMENT PLAN**

**Retirement** Full time employees eligible for coverage under the New Hampshire Retirement System (employees who work thirty-five (35) hours or more per week) will receive the benefit of the Town's contribution required by that System. The employees will contribute their share toward the program.

**Deferred Compensation** All employees of the Library, regardless of the hours they may work and having met any required eligibility standards, are eligible to participate in a deferred compensation plans offered through the Town. Participation in any of these programs is strictly voluntary and will involve the employee's own money through a payroll deduction process.

Library employees may participate in a 457 plan through the Nationwide; the International City/County Management Association Retirement Corporation (IMCA-RC); or the State of New Hampshire Deferred Compensation Program currently administered by the Great West. Any employee not enrolled in one of the first two plans at the time this is adopted may only enroll in the NH Deferred Compensation Program unless granted permission by the Library Trustees because of prior enrollment in one of the other two plans with a previous employer.

### **COBRA**

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") provides eligible employees and their eligible dependents with the opportunity to continue medical and dental insurance for a period of time, at their own expense, if they would otherwise lose coverage due to certain qualifying reasons. Please see the Town Finance Director for more information about COBRA.

### **WORKERS' COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES**

On-the-job injuries are covered by Workers' Compensation Insurance, which is provided at no cost to the employee. We ask for your assistance in alerting Barrington Library to any condition which could lead or contribute to an employee accident.

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**Reporting Injuries:** If you are injured on the job, no matter how slightly, you **must** report the incident immediately to your supervisor. Employees must complete the necessary workers' compensation forms following any injury. The Town Finance Director must be given the information as soon as possible. The Workers' Compensation carrier must also be contacted prior to seeking medical attention (unless it is a life-threatening injury).

**Weekly Income Benefits:** The amount of the weekly worker's compensation benefit is set by the New Hampshire Department of Labor. The weekly benefit is currently based upon 60% of an employee's average weekly wages. These benefits are paid by our workers' compensation carrier to eligible employees.

**Temporary Alternative Duty:** Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire's workers' compensation laws. Please see the Barrington Safety & Health Plan which is a separate document containing more details on safety or speak to the Library Director.

**Reinstatement:** A full-time employee who has sustained an on-the-job injury will be reinstated to his or her former position upon request within eighteen (18) months of the initial injury if the position exists and is available, and the employee is not disabled from performing the duties of the position. A fitness-for-duty certificate may be required before an employee is permitted to return to work.

Under New Hampshire law, an employee's reinstatement rights expire eighteen (18) months from the date of injury. An employee also will not be reinstated if he/she has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to his/her former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

### **TEMPORARY ALTERNATIVE DUTY POLICY**

In accordance with the provisions of RSA 281-A: 23-b, Barrington Library will provide temporary alternative work opportunities for employees who suffer a work-related injury or illness.

When practicable, employees will be returned to their regular duties with modifications consistent with a healthcare provider's stipulated work restrictions. In the event that such restrictions make it impracticable for an employee to perform his or her normal job duties, even with modification, the employee may be reassigned to different duties or a different work schedule and may include assignment to a different department within the Library, or Town.

The specific assignment of duties shall be determined on a case-by-case basis pursuant to the healthcare provider's restrictions and the work available at the time of the injury or illness.

The Temporary Alternative Work Program will be available to employees for a period of time extending as long as the circumstances of the illness/injury requires, but not longer than four (4) months as dictated by the treating physician and as such duties are available.

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The treating healthcare provider and the ill/injured employee share the responsibility of providing Barrington Library the NH Workers' Compensation Medical Form. This form provides information relating to the employee's capabilities necessary to structure a temporary duty program. The Library Director will work with the employee to facilitate a safe return to work program within limitations listed by the treating physician. If necessary, the Library may contact the treating physician for additional information.

After each subsequent visit, the ill/injured employee will be responsible for providing an updated medical form completed by the treating healthcare provider and returned to the Library Director. Additional modifications will be made to the return to work program as required.

Upon release by the healthcare professional, the employee will assume normal duties of his or her regular position.

For more details one can look at the Barrington Safety & Health Plan which is a separate document containing more details on safety.

### **UNEMPLOYMENT INSURANCE**

Barrington Library pays into the unemployment compensation fund established by the State of New Hampshire. Individuals may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security upon discharge from employment or reduction of hours from full time to part time pursuant to applicable laws and regulations.

### **SOCIAL SECURITY**

Social Security is a payroll deduction representing your contribution to the federal government's Social Security and Medicare Program. Barrington Library also contributes money on your behalf to the Social Security Program to those who are eligible for Social Security.

### **ATTENDANCE**

Attendance and punctuality are important factors for your success at the Barrington Library. However, Barrington Library is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If an employee is unable to report to work, or if an employee will arrive late, the employee must contact the Library Director. The Library Director should be given as much time as possible to arrange for someone else to cover the position until the employee arrives. If the employee knows in advance that he or she will need to be late or absent, the employee is required to request, in writing, this time off directly from the Library Director.

For late arrivals, the employee should indicate when he or she expects to arrive for work. If the employee is unable to call in because of an illness, emergency or for some other reason, the employee should arrange to have someone call on his or her behalf.

Absence from work for three (3) consecutive days without notifying the Library Director, or for the Director, the Library Trustees, will be considered a voluntary resignation. Furthermore, three

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(3) absences in a 90-day period, or a consistent pattern of absence, may be considered excessive, and the reasons for the absences may come under question.

Tardiness or leaving early is often as detrimental to Barrington Library as an absence. Three (3) such incidents in a 90-day period may be considered a “tardiness pattern” and may be considered excessive, and the reasons for tardiness or leaving early may come under question. Other factors, like the degree of lateness, may be considered.

All employees should be aware that excessive absenteeism, lateness, or leaving early may lead to disciplinary action, up to and including dismissal from employment.

Attendance records will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination, and layoff decisions.

### **SEPARABILITY**

If any Chapter or Section of these rules should be held to be invalid by competent authority, the remainder shall not be affected thereby.

### **SUPERSESION**

These rules and regulations shall take effect in 2015 upon the vote of the Library Trustees and shall supersede all previous rules, regulations, customs and/or past practices that may be in use on the effective date, unless specific exceptions are made by the Library Trustees or within these rules and regulations themselves. Any exceptions shall be noted in the action of the Library Trustees to adopt amendments, additions or deletions to these rules.

The employer reserves the right to add to, delete from, or modify this plan either on an individual or organization-wide basis. Such additions, deletions or modifications will be effective when approved or implemented by the employer. This plan is not intended to and does not create contractual obligations for the employer.

The rules and regulations herein shall apply to all employees, unless otherwise noted. These policies shall not apply to contractors, their employees, town officials who are elected; or to bona-fide volunteers of the Library. These policies shall be the minimum requirements for all employees, unless otherwise provided.

The Library Director or other designee of the Library Trustees shall be responsible for the administration of this plan. He/she shall coordinate procedures with employees and shall require such regular reports and information as necessary for proper implementation of this plan.

If there is any conflict between these rules and any federal or state law or negotiated agreement, then those rules shall apply.

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## AMENDMENT PROCEDURE

These rules may be amended and changed from time to time as conditions require and as deemed appropriate by the Library Trustees. The Library reserves the right to add to, delete from, or modify this plan either on an individual or organization-wide basis.

Any proposed amendments shall be presented to the Library Trustees for action. However, all amendments must be reviewed at least once at a public meeting and shall normally not be rejected nor adopted until at least fourteen (14) days after the public meeting. This will not prevent the Board instituting a temporary change during the time leading up to the public hearing or the days after the public meeting. If any proposed amendment is amended, there shall normally be at least one public meeting held prior to adoption of the amended version of the rule(s).

## CONFIDENTIALITY

The Library's information and records relating to Barrington business, operations, plans, projects, strategies, employees, or citizens may be confidential. Many materials are also subject to the Right-to-Know disclosure laws. Knowing the difference is critical and therefore, employees must treat all matters accordingly.

No Barrington information, including, without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of Barrington Library) may be removed from the Library's premises without permission from the Library Director.

Additionally, the contents of the Library's records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from the Library Director. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

## COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY

Barrington Library provides communication tools including computers, fax machines, telephones, voice mail, e-mail, and access to the Internet to help you do your job. This policy is designed to help you understand our expectations for the use of these resources and to help you use these resources wisely.

All employees should be aware that Barrington Library has the right, but not the duty, to monitor the computer, network, fax, voice mail, e-mail, smart phones, and Internet use of all employees. ***For this reason, employees should not have any expectation of privacy in their use of our computers or other communications equipment, including e-mail, social media sites, and voice mail systems.*** Barrington Library reserves the right to suspend individual user accounts for

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violation of this policy and to take disciplinary action up to and including termination of employment for the misuse of these resources or other violations of this policy.

The following guidelines apply to all employees:

- Employees should be aware that in addition to having the ability to monitor e-mail messages sent and received on our system (including e-mail messages sent and received from personal e-mail accounts accessed from our system), Barrington Library has the ability and the right to monitor its systems for such things as Internet web site visits, newsgroup discussions, chat room discussions, blogs, social media sites, computer network use, and voice mail accounts. Our computers and other communications equipment and the communications, information, and documents created on them are the property of Barrington Library and may be monitored by Barrington Library at any time.
- Our computers and other communications equipment may not be used to violate any federal, state, or local laws or regulations. Use of any Barrington resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any resulting law enforcement investigation.
- Barrington Library reserves the right to inspect any and all files stored on our computer network, including any files in private areas of our network, in order to assure compliance with this policy.
- The display or transmission of any sexually explicit image or document by e-mail or through any other means using the Library's system or town supplied communications equipment is a violation of our policy on sexual harassment. Our computers and other communications equipment also may not be used to transmit or display ethnic or racial slurs, or any other comment, message, or image that offensively addresses age, race, sex, sexual orientation, genetic information, religion, national origin, disability, veteran status, marital status or other protected status in a manner that may be viewed as harassing, discriminating, or disparaging of others. Transmission of harassing, discriminatory or otherwise objectionable e-mail or files is strictly prohibited.
- Transmission of any religious or political messages is strictly prohibited. The term political refers to actions like taking positions in partisan politics or advocating for candidates for elected office.
- Access to non-work related obscene or offensive web sites is strictly prohibited.
- Any personal use of our computers or other communications equipment for any commercial activity (other than Barrington business) is strictly prohibited, as is the use of our computers and communications equipment for anything that may not be in the best interest of Barrington Library including, but not limited to, activities that disclose any confidential or proprietary information of Barrington Library. Occasional personal use may occur provided it does not hinder the performance of one's duties and complies with all the other provisions in this policy, similar to taking or making a quick occasional personal phone call.



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- Barrington Library computers and other communications equipment are to be used only by authorized users. Non-employees (other than contracted personnel such as Assessing, IT, temporary agency staff, and library patrons etc.) may not use the Library's computers, network, or other communications equipment for any reason.
  - Use of another employee's account, user name, or password, or access to their personal files without their consent (by anyone other than the Library Director, authorized representatives of the IT department, or as part of a police investigation of the individual under the oversight of the Police Chief or outside agency authorized to conduct the investigation) is strictly prohibited. Obtaining, or trying to obtain, other users' passwords, or using programs that compromise security in any way is prohibited other than as part of a secure and confidential appendix to a Continuity of Operations/Emergency Management Plan.
  - All pass codes and passwords are the property of Barrington Library. No employee may use a pass code, password, or voice mail access code that has not been issued to that employee by Barrington Library or that is unknown to Barrington Library. Users of the Library's computers, network, and other communications equipment must take reasonable precautions to prevent unauthorized access to our systems. Passwords should not be divulged to unauthorized persons.
  - Destruction, theft, alteration, or any other form of sabotage of the Library's computers, programs, software, hardware, networks, websites, files, data, and other communications equipment and resources is prohibited and will be investigated and prosecuted to the fullest extent of the law.
  - The breaking into and/or corrupting of any of the Library's computers, network, or other communications equipment is strictly prohibited. Hacking into third party computer or other information systems using the Library's technology is also prohibited, and will be reported to the authorities.
  - Any vulnerability in the Library's computers, network, or other communications equipment or resources should be reported immediately to the Library Director.
  - The use of viruses, worms, or other destructive programs is prohibited. If a virus, worm, or other destructive program is identified, it should be immediately reported to the Library Director or the IT consultant or staff.
  - Accessing the Library's files or any other files on the network or the system that you do not have a right to access is prohibited unless you have prior written authorization from the Library Director.
  - Disruptive behavior such as intentionally destroying or modifying files on the network is strictly prohibited. Any form of tampering, including, but not limited to, snooping, drilling down, or hacking, erasing files that should not be erased, or introducing malware or spyware is strictly prohibited.



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- Confidential information is not to be transmitted over the Internet or otherwise disclosed without prior authorization and proper encryption. All Barrington data and information is considered confidential unless Barrington Library has granted permission for an employee to disclose that information or unless required by law. Accessing or attempting to access confidential data is strictly prohibited. Confidential information should be used only for its intended purpose. Employees' responsibility for confidentiality continues outside of work. Employees may not work on Barrington Library documents, data, or other business on home computers or other portable technology without the express prior written approval of the Library Director
  - All employees are responsible for taking precautions to safeguard the physical security of the Library's network, Internet, computers, and other communications equipment. Disks, CDs, USB portable drives, Zip drives, and other removable drive devices containing sensitive, confidential, or proprietary information should be stored in a locked drawer, whenever possible. Computers should be set to save on power consumption to automatically start after being unused for a short period of time. Computers should be turned off when not in use for an extended period of time or when an employee is out of his or her office.
  - Employees are not allowed to introduce programs or files to our network, Intranet, computers, or other communications equipment media from any external sources, including, but not limited to CDs, disks, Zip drives, personal digital assistants (including, but not limited to, BlackBerries and palm pilots), USB portable drives, and other removable drive devices without prior written authorization from the Library Director.
  - Employees also may not copy, transmit, or otherwise remove any information from our network, Intranet, computers, or other communications equipment to CDs, disks, Zip drives, personal digital assistants, USB portable drives, or other removable drive devices without prior written authorization from the Library Director unless part of providing information to the public or others as a legitimate exercise of one's employment.
  - Employees may not intentionally download anything from the Internet, other than information directly related to employment, without prior written authorization. This includes, but is not limited to, screensavers, music, E-mail stationary, and other images.
  - Nonexempt employees may not do town work on computers outside the workplace without specific permission and tracking of hours worked because of wage and hour issues.
  - All downloaded files or applications are to be scanned for viruses before being saved on the Library's network. The Library Director must review all downloaded applications before being installed on the network.
  - Barrington Library retains the copyright to any Barrington-related material posted to any forum, newsgroup, chat or World Wide Web page by any employee in the course of his/her duties.

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- All information on the network, Intranet, computers, storage devices and other communications equipment is the property of Barrington Library. Deleting, altering, or sharing confidential, proprietary, or any other information during employment or after separation from employment is prohibited, unless you have received prior authorization. Upon separation from employment, any computer or other equipment, including CDs, disks, Zip drives, USB portable drives, personal digital assistants, and other removable drive devices, must be returned with the appropriate passwords, identification codes, and other information necessary for Barrington Library to continue using its equipment. Copies of work-product may be retained with the prior written permission of the Library Director.
  - All employees are required to report any violations, or suspected violations, of this policy. The library adheres to the NH Right-to-Know law (RSA 91-A). E-mail should never be used to transmit confidential library management, financial, or personnel information or reports, nor should it be used to discuss confidential or sensitive information related to patrons. E-mail may be used to notify patrons directly of overdues, fines, and other issues.
  - Personal phone calls, e-mails, or texts may only be taken on a limited basis during work hours and may not be taken at the circulation desk. These should be done in the back office area. Personal cell phone use while on duty should be limited to emergency situations and no cell phone calls should be answered while working at the circulation desk or while working in the public stack areas. All cell phones should be set to vibrate while on duty.

#### PERSONAL DRESS

We expect all employees to come to work with a neat, well-groomed appearance and workplace appropriate clothing. All clothes should be clean and neat in appearance. Footwear for outside use such as flip flops is not acceptable. Tight-fitting clothing, low riding pants, tank tops, bare midriff (half) shirts, shirts with bare backs, inappropriate shorts, and short skirts or dresses are not considered workplace appropriate clothing. Clothing with offensive slogans and political messages are also not acceptable. Exceptions to the personal dress policy may be made for inclement weather and for certain work tasks. If an employee is not dressed or groomed appropriately for work, the employee may be sent home to change. This time will be unpaid unless otherwise required by law.

Any questions concerning dress should be directed to the Library Director.

#### INCLEMENT WEATHER

Employees generally are expected to report to work during inclement weather. However, there may be occasions when Barrington Library will be closed due to severe inclement weather. Employees should be contacted of this fact by someone on the inclement weather calling tree and some employees may have responsibility to call certain other co-workers on the calling tree. The cancellation may also appear at the WMUR website and on WMUR-TV. Employees will be paid their regular hours at regular pay if the Library cancels work but such time does not count

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towards hours worked for overtime.

If Barrington Library is not closed due to inclement weather, but a nonessential employee does not feel he/she can safely get to work, then he/she must call his/her supervisor to explain why he/she cannot get to work. If a nonessential employee does not come to work because of inclement weather, they will not be paid for the hours not worked. That person may use earned time. If an hourly employee's earned benefits have been exhausted, the person will not be paid for the time missed, unless otherwise required by law.

If an hourly employee is at work and the Barrington Library closes because of weather, loss of electricity or an emergency beyond our control, that hourly employee will be paid his/her normal hours at that employee's regular wage.

### **SOLICITATION AND DISTRIBUTION**

No solicitation of any kind is permitted during working time, unless first approved by the Library Director. "Solicitation" is defined as requests for contributions, donations, raffles, lotteries, membership in organizations, attendance at events, sale of fund raising items, or other similar conduct. "Working time" is defined as time during which the employee is scheduled to be working, exclusive of established break periods, meal times, and time before and after work hours. This rule applies to solicitations of both charitable and non-charitable causes.

No distribution of any non-work related written materials is permitted in any work area of any kind, unless first approved by the Library Director. "Work areas" are defined as any Barrington office or facility, other than designated break areas.

Employees may solicit or distribute materials only during break time or outside of scheduled work hours. Persons not employed by Barrington Library are likewise prohibited from distributing materials or soliciting employees on the Library's premises at any time, unless authorized by the Library Director.

### **PARKING FACILITIES**

Barrington Library assumes no liability to any employee or official for any damage to or by any motor vehicle owned or operated by any employee or official on Barrington property unless caused by an action of the Library, for example a library vehicle striking a parked car.

### **MOTOR VEHICLE VIOLATIONS**

All employees who operate vehicles in service of the library are required within seventy-two (72) hours to notify the Library Director if they have been convicted of or plead nolo contendere to any and all motor vehicle violations. If the license of any employee who operates vehicles in service of the library is suspended, revoked, or otherwise restricted, the employee must notify the Library Director within one working day of learning of the suspension, revocation, or restriction. No employee is authorized to operate any vehicle on town business while his or her license is under revocation or suspension. Employees who are required to but are unable to drive, may be suspended without pay or face termination of employment.

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All employees who operate vehicles in service of the library may be required to provide an official copy of their driving record annually at the Library's expense.

### **OPERATION OF VEHICLES**

Only authorized employees may operate Town of Barrington-owned vehicles. Unless prior written approval has been granted by the Town, they are not to be used for personal business and are not to be operated at times outside the scheduled workday. Using a Town of Barrington vehicle outside the scheduled workday without Town of Barrington permission will result in disciplinary action, up to and including termination.

Any employee who, as a part of his/her duties, has a need to operate a Town of Barrington-owned vehicle must hold a valid appropriate driver's license and an acceptable driving record. In addition, the Town reserves the right to conduct annual motor vehicle record checks as well. Employees must cooperate in completing any required authorizations or other paperwork for the motor vehicle records checks. Copies of the reports received by the Town will be furnished to the employee upon request. Having a driving record that, in the opinion of the Town, is unsatisfactory, or one that is unacceptable to the Town's risk pool/insurance carrier, may be grounds for disciplinary conduct, including but limited to loss of driving privileges and/or dismissal.

Safe Operation: As employees of a public agency, it is expected that the driving habits of all employees will serve as an outstanding example to the community.

Any employee who drives a Town of Barrington-owned vehicle and receives a citation or any other fine or penalty for unlawfully operating any motor vehicle, Town owned or non-Town of Barrington owned, shall notify the Town consistent with the above MOTOR VEHICLE VIOLATIONS policy of the citation and/or fine and also shall be personally responsible for the payment of said fine(s) or any costs associated with the actual fine or legal representation in any such related matter. If a person is cleared of the charges the Town shall reimburse the legal representation costs.

Collision: In the event of a collision involving property or vehicle damage, or personal injury, the following steps must be taken:

- The accident must be reported to your supervisor immediately
- An accident report must be completed with the Town Finance Director.
- At the accident scene, contact the local police department for all accidents regardless of the extent of physical damage.
- If applicable, obtain the other driver's name, address, phone number, description of vehicle, insurance company information as well as the name(s) of any witnesses.
- No repairs should be completed on any damaged Town of Barrington vehicle unless express permission is obtained from the Town.

Failure to comply with any of the steps may result in discipline up to and including termination.

Seat Belts: Employees are required to wear seat belts when operating or riding in Town-owned vehicles, or in personal vehicles while on Barrington business. It is recommended that passengers also wear their seat belts, and to the extent required by state or federal law.

Passengers: No passengers will be transported unless related to town business and approved by the department head.

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Use Of Cell Phones And PDAs: Except in emergency situations, the use of hand-held cell phones or personal digital assistants to make calls during the operation of a Town-owned vehicle or while driving a personal vehicle on Library business is prohibited. Failure to adhere to this policy could result in disciplinary action. Hands-free headsets are acceptable. It is strongly recommended, however, that the operator pull over to the side of the road at a safe location prior to using the cell phone. **TEXTING WHILE DRIVING IS AGAINST LAW AND EXPRESSLY PROHIBITED BY The Library.**

Smoking: Employees are prohibited from smoking in Town-owned vehicles at all times.

## **SECURITY**

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. You should be familiar with emergency exits and with alarm systems and the proper steps to take upon hearing them. Any suspicious person or events should be called to the immediate attention of the police department. The library has panic alarms which should be used when a situation does not feel appropriate.

## **CONFLICT OF INTEREST & ETHICS**

Barrington Library expects its employees and officials to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create an actual conflict or the appearance of a conflict of interest. Employment with the Library carries with it a responsibility to be constantly aware of the importance of ethical conduct. Employees must refrain from taking part in, or exerting influence in, any transaction in which their own interests may conflict with the best interests of the Library. Each employee is individually responsible for adhering to the policy and for reporting violations to his or her line supervisor.

The Library recognizes and respects the individual employee's right to engage in activities outside of his or her employment which are private in nature and do not in any way conflict with or reflect poorly on the Library. Management does reserve the right, however, to determine when an employee's activity represent a conflict with the Library's interests and to take whatever action is necessary to resolve the situation including, but not limited to, suspension, demotion and termination.

The list below includes, but is not limited, to type of activity that would reflect negatively on the employee's personal integrity or that would limit his or her ability to discharge their job duties and responsibilities in an ethical manner. Guidelines A, B, & C shall not apply if the employee does not have the ability 1. to recommend or make the decision to engage the firm and 2. the engagement of the firm is a result of an open public bid and award by the Library Trustees and 3. the employee discloses to the Library Trustees the relationship before any award is made.

- A) Simultaneous employment by a firm that is a supplier to or contractor with the Library.
- B) Conducting library business with a firm in which the employee, or a close relative of the employee, has a substantial ownership or interest.
- C) Hold a substantial interest in, or participating in the management of a firm from which the Library makes purchases.

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- D) Borrowing money from individuals or vendors, other than recognized loan institutions, from which the Library buys services, materials, equipment or supplies.
  - E) Accepting gifts whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form--under the following circumstances: (1) it could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or (2) the gift was intended to serve as a reward for any official action on their part.
  - F) Speculating or dealing in materials, equipment, supplies, services or property purchased by the Library.
  - G) Participating in civic or professional organization activities in a manner whereby confidential information is divulged.
  - H) Misusing privileged information or revealing confidential data to outsiders.
  - I) Using one's position in the Library or knowledge of its affairs for outside personal gains.
  - J) Engaging in practices and procedures that violate federal, state or local laws, ordinances or rules.
  - K) Using, directly or indirectly, Barrington Library funds, assets, or other resources for any unlawful goal or purpose.
  - L) Using for private gain any information that was learned in the course of one's duties that is not generally and readily available to the general public.
  - M) Engaging in practices that violate federal, state or local laws or ordinances

Employees with any questions regarding these guidelines are required to discuss them with the Library Director, prior to engaging in any activity or conduct that may violate this policy, as violations may lead to disciplinary action, up to and including termination.

### **POLICY AGAINST NEPOTISM**

While Barrington Library is committed to hiring the most qualified and capable individuals available for every position, it recognizes the importance of maintaining a collegial and positive work environment. Therefore, no relative may work in the same department as a regular employee if the employment relationship is such that the relative is directly supervised by the employee or where the employment relationship may cause a potential conflict of interest, unless specifically approved by the Library Director.

A relative is defined to include spouse, civil union partner, children, parents, step-parents, step-children, brothers, sisters, immediate in-laws, grandparents, grandchildren, or other person living in the employee's household.

### **SUGGESTIONS AND IDEAS**

We are always interested in your constructive ideas and suggestions for improving our operations. We believe that constructive suggestions indicate initiative on the part of an employee, and we encourage employees to submit them. A constructive suggestion notes an issue and offers a reasonable suggestion for improvement.

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## STANDARDS OF CONDUCT

All employees are required to comply with our standards of conduct, which are intended to promote consistency and harmony in the workplace, and to support the missions and objectives of Barrington Library. We recognize that no list of rules can be all inclusive. Incidents may arise that are not covered by the standards of conduct which may lead to discipline, up to and including termination. The following areas are intended to guide you in recognizing certain behaviors which are clearly prohibited and which are considered by Barrington Library to constitute cause for disciplinary action, up to and including discharge.

1. **Absence and Lateness**

Excessive absenteeism and/or lateness; failing to call in when absent; overstaying allotted break time; leaving the work area or work early without permission; misuse of any leave of absence. Absence of three consecutive working days without notification will be considered a resignation.

2. **Employment/Barrington Records**

Making a false statement on the application form; falsifying Library and employment records, falsifying time cards, or failing to maintain an accurate time record.

3. **Attitude**

Using abusive language to any person while at work, creating any type of disturbance, demonstrating a lack of cooperation, verbally abusing or neglecting visitors or employees of Barrington Library.

4. **Safety**

Violation of safety regulations or endangering the health or safety of other persons; failing to report any work-related accidents.

5. **Employee Relations**

Using abusive or profane language to another employee or the public; negligent or intentional destruction of another employee's personal possessions; threatening bodily harm; intent to strike; striking another employee. Using threatening, intimidating, abusive or profane language or other provocation which might reasonably be expected to result in a disturbance.

6. **Crime**

Conviction of any felony or misdemeanor.



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7. **Dishonesty**

Dishonesty to a coworker, resident, visitor or to Barrington Library. Violation of the Library's conflict of interest/ethics standards

8. **Incompetence**

Repetition of avoidable mistakes to a point that the mistakes demonstrate a disregard for Barrington Library's interest.

9. **Intoxicants**

Bringing, possessing, dispensing, selling, buying or using alcoholic beverages or illegal drugs on Library property or while on the job.; being under the influence of or testing positive for these substances during working hours.

10. **Neglect of Duty**

Negligence in the performance of duties which conflicts with Barrington Library's interest. Neglect of duty resulting in inferior work, equipment breakdown, or waste of materials, supplies or products. Sleeping on the job.

11. **Unsatisfactory Job Performance**

Failing to demonstrate the requisite skills, attitudes, or abilities to satisfactorily discharge the employee's duties.

12. **Weapons**

Possession of any kind of weapons or explosives on Library property other than town issued weapons or privately owned weapons which have been approved by the Barrington Chief of Police specifically to be carried on Library property.

13. **Telephone, Facsimile, Computer, E-Mail, Copier**

Excessive use of Library telephone, facsimile, computer, e-mail, Internet access and/or copier for personal purposes.

14. **Theft or Destruction of Property**

The attempt or act of theft or negligent or intentional destruction of any Library property or the personal property of a coworker, resident or visitor.

15. **Sexual or Other Unlawful Harassment**

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Discrimination, sexual or other unlawful harassment, and/or inappropriate conduct in violation of Library policies. Retaliation against anyone who has complained of alleged harassment or discrimination or has participated in an investigation of a complaint.

16. **Insubordination**

Acting in an insubordinate manner toward any supervisor or directing abusive or threatening language at any supervisor, employee or official or acting in disregard of any directive of the Library.

17. **Violation of the Library's Policies, Procedures or Rules**

Violating or failing to follow the Library's policies, procedures, ethics, or rules.

18. **Immoral or indecent conduct on Library property or while on the job**

**DISCIPLINE**

It is the policy of Barrington Library to take corrective action against employees who violate rules, regulations, or standards of conduct, or who endanger the safety of others, or perform in an unsatisfactory manner. Generally, there are four (4) types of disciplinary actions used by Barrington Library: documented verbal warning, written warning/probationary period, suspension, and dismissal. While Barrington Library will apply the concept of progressive discipline when appropriate, it reserves the right to determine the appropriate level of discipline in any circumstance. Barrington Library may also place an employee on administrative leave, paid or unpaid, on a temporary basis, as permitted under federal and state law.

**DISPUTE/GRIEVANCE RESOLUTION PROCEDURE**

If an employee feels he/she has a dispute or grievance, the employee should present the situation to his/her supervisor so that the problem can be settled by examination and discussion of the facts. It shall be the policy of the Library that any complaint shall be settled at the lowest possible level.

The dispute resolution procedure is as follows:

**Step #1:** The employee shall verbally bring the complaint to the attention of his/her immediate department head/supervisor within two (2) work days of knowledge of the event causing the complaint. The immediate department head shall verbally respond within two (2) work days of hearing the complaint. For purposes of this process the work days will be defined as the work days of the individual from whom a response or action is required.

**Step #2:** If any party, including the department head in the case of a supervisor decision, is unsatisfied with the response at the first step, that person shall submit the complaint in writing to the department head. Submission of the complaint to the department head shall be within three (3) work days of the decision of the supervisor in step 1 or when that decision was due, whichever is sooner. The department head shall respond in writing within three (3) work days to

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this second request.

**Step #3:** If unsatisfied with the response at the second step, the employee shall submit the complaint in writing to the Library Trustees. Submission of the complaint to the Trustees shall be within five (5) work days of the immediate department head's written decision. The Trustees shall hold a hearing on the complaint within ten (10) days and shall render a written decision within five (5) days after said meeting. The written decision of the Board is final and binding. A copy will be attached to the employee's appeal and placed in the employee's confidential personnel file.

We urge every employee to follow through with a concern rather than be dissatisfied. Any complaint will be investigated and the findings and determination reported back to the employee.

Employee suggestions and comments on any subject are important to the Library so we encourage employees to take every opportunity to discuss them with management. An employee's job will not be adversely affected in any way because an employee chose to use this procedure.

### **PERSONNEL RECORDS**

Barrington Library maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our record of information relative to your employment. You may inspect your own personnel file during regular Town office hours, upon reasonable request. However, you may not be permitted to review your personnel file if you are subject to an investigation at the time of your request and disclosure of such information would prejudice law enforcement. File inspection must be done on your own time, and must be arranged through the Finance Director at Town Hall. You may read your personnel file, but you may not remove any portion of the file. Upon request, you will be provided with a copy of all or part of your personnel file.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, you may submit a written statement explaining your version of the information together with evidence supporting such version. Barrington Library will maintain such statement as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify the Finance Director as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

It shall be the policy of the Library that an employee's personnel file may only be viewed by the employee and the appropriate management authorities of the Library. The employee retains the right to allow a third party to view or have copies of his or her personnel file through the submission of specific, written authorization to the Library to do so.

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## **PERFORMANCE APPRAISALS**

In order for you to improve your performance and better understand Barrington Library's expectations, the performance of employees will be reviewed annually in January/February. You will generally receive performance appraisals from the person to whom you report administratively. However, performance review is a continuing process throughout the course of employment, and you may meet with your supervisor to discuss performance more frequently.

Your supervisor will discuss your performance review, giving you the opportunity to understand the expectations of your position and to examine your strengths, as well as areas in which you need to improve. You will have the opportunity to comment on and sign the review. Your signature on the performance appraisal form indicates that you have seen the appraisal; it does not indicate agreement or disagreement with the content of the review. This review will be forwarded to the Library Trustees for review with a copy being put the employee's personnel file held at Town Hall. The employee may review and discuss the evaluation with the library board at the next scheduled meeting should they desire.

If the employee receives an unfavorable review, they may be put on probation and reviewed 90 days from that date or sooner/later when deemed appropriate. Depending upon the outcome of the second review, disciplinary actions or termination may occur.

A performance appraisal is not a contract or a commitment to provide a compensation adjustment, a promotion, a bonus, or continued employment. Appraisals are only one of several factors that Barrington Library uses in connection with compensation, promotion, and retention decisions.

## **PROMOTIONS, TRANSFERS & JOB POSTINGS**

Barrington Library strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, we will make every effort to promote qualified employees from within Barrington Library, if possible, based upon the needs of Barrington Library and employee qualifications. We may also recruit individuals from outside of Barrington Library, depending upon the circumstances.

In an effort to inform employees of promotion and transfer opportunities, we will list vacancies for non-exempt positions in an e-mail to all eligible employees. Generally, in order to maintain stability, employees who have been working in their current position for less than one year will not be considered for another position, unless Barrington Library, in its discretion, decides otherwise. However, a transfer or promotion initiated by Barrington Library may take place at any time regardless of the employee's length of service in their present position.

Employees may obtain additional information about open positions and request consideration for any opening by contacting the Library Director. The Library Trustees will have final approval over all transfers and promotions.

If a transfer or promotion is granted, the employee's pay rate in the new position will be determined at the time of the transfer or promotion. The pay rate will be based upon the

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employee's qualifications, experience, job performance evaluations, and other considerations within the discretion of Barrington Library.

Employees will generally receive a performance evaluation after 30 days in a new position. Another performance evaluation will typically be conducted after two and a half months of service in the new position. Employees may be eligible for a pay increase in conjunction with the month evaluation, depending upon the circumstances.

## **V. EMPLOYEE SAFETY AND HEALTH**

### **BARRINGTON SAFETY PLAN**

The complete safety plan is a separate document, which should be consulted for greater detail on these issues.

### **HEALTH & SAFETY PROGRAM**

Safety is of great concern to Barrington Library. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

- a. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- b. The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on Barrington property is prohibited.
- c. The use, adjustment, and/or repair of machines or equipment are to be performed by you only if you are trained and qualified.
- d. Get help when lifting or pushing heavy objects.
- e. Understand your job fully and follow instructions. If you are not sure of a safe procedure for performing work, ask your supervisor.
- f. Know locations, contents, and intended use of all first aid and firefighting equipment.
- g. Wear personal protective equipment as directed in accordance with the job you are performing.
- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.

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- i. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.

A copy of the Library's safety policy is available for review.

### **SAFETY JOINT LOSS MANAGEMENT COMMITTEE**

The Town of Barrington maintains an active Safety Committee comprised equally of management and regular employees, which meets at least quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Library Director for details.

### **WORKPLACE VIOLENCE**

Unfortunately, violence in the workplace has become a reality for many employers. We hope that we never have to face this growing problem. Barrington Library therefore prohibits employees from bringing weapons on our premises, including our parking lots. Moreover, violence and verbal or physical threats of violence of any kind in the workplace or on Barrington property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. Responsive action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to the Library Director or the Chairman of the Library Trustees, or if the risk of danger is imminent, the police should be contacted directly, and then the Library Director should be contacted as quickly as practicable.

### **ALCOHOL AND DRUG POLICY**

The Library is committed to providing a safe work environment that is free from the effects of drugs and alcohol.

Drug and alcohol use in the workplace can create health, safety, and security issues for our employees, citizens and visitors. Barrington Library is committed to providing a safe work environment that is free from the effects of drugs and alcohol. In support of our commitment, Barrington Library prohibits the following conduct and other conduct which, in our determination, is inconsistent with our commitment:

- the manufacture, distribution, sale, dispensation, possession, storage, or use of a controlled substance, unauthorized prescription drug, or drug paraphernalia at any time on Barrington Library premises, on Barrington Library business, or during working hours;

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- use, possession, storage, manufacture, distribution, dispensation, or sale of alcohol at any time while on Barrington Library premises, on Barrington Library business, or during work hours;
  - reporting to work or otherwise working under the influence of drugs or alcohol, or under the influence of legal drugs that may impair your ability to safely perform your job functions;
  - reporting to work in a condition that is not fit for work. In addition to being under the influence as mentioned above, other indications of a lack of fitness for duty are smelling of alcohol, appearing to be hung over, or otherwise appearing or being unable to effectively interact with citizens, visitors and co-workers and work safely and properly without impairment;
  - failing to submit to a required fitness for duty exam.

Barrington Library also maintains the following reporting requirements:

- Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor immediately, and must not perform any work until authorized to do so by Barrington Library.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on Barrington Library premises or while working for Barrington Library, Barrington Library reserves the right to report the incident to law enforcement authorities;
- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to his/her supervisor or if it involves the supervisor or there has been no action taken, reporting to the Library Trustees.

#### **Investigations and Searches:**

When Barrington Library determines that there is reasonable cause to suspect that an employee has violated this policy, Barrington Library reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets, purses, bags, briefcases, other belongings, and vehicles brought on Barrington premises or at locations where work-related activities are being conducted. Cause to suspect shall be solely in the judgment and discretion of Barrington Library.

#### **Violations of this Policy:**

Employees must, as a condition of employment, abide by the terms of this policy. Violations of this policy will result in disciplinary action, up to and including termination, and may also have legal consequences.

#### **Fitness for Duty Exams:**



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Barrington Library reserves the right to require any employee to submit to a fitness for duty exam when there is a reasonable basis for Barrington Library to believe that the employee may be under the influence of alcohol or drugs or may be otherwise unfit for duty. Fitness for duty exams may include, but not be limited to, tests for the presence of drugs or alcohol. Employees must consent to fitness for duty exams as a condition of employment. The cost of any such fitness for duty exams will be covered by Barrington Library. Within Barrington's discretion, an employee may be placed on paid or unpaid administrative leave or suspension pending the results of a fitness for duty exam.

### **SMOKING POLICY**

Barrington Library is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our commitment and state law, we have declared a no smoking policy within our building and in Barrington Library vehicles, except in a designated smoking area.

No smoking is allowed in any areas of Barrington buildings, except in the designated smoking area. Anyone wishing to smoke must do so only during authorized breaks in the designated area outside the front emergency exit. Barrington Library hopes and expects that our employees will comply with the non-smoking policy. If you have a concern or complaint with respect to any employee, visitor, or vendor violating this policy, please report such concern or complaint to the Library Director.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

### **WORKPLACE SEARCHES**

To safeguard the safety and property of our employees, residents, and Barrington Library and to help prevent the possession and use of weapons and illegal drugs on Barrington Library premises, it may become necessary to question employees and all other persons entering and leaving our premises for work purposes, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from Barrington Library property by workers. In addition, Barrington Library reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises in pursuit of our concern to safeguard the safety and property of employees and Barrington Library. Employees should understand that all offices, desks, files, lockers, and so forth, are the property of Barrington Library and are issued for the use of employees only during their employment with Barrington Library. Inspections may be conducted at any time at the discretion of Barrington Library.

Employees working on, entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property, weapons, or illegal drugs, may be subject to disciplinary action, up to and including discharge.

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## **CHAIN OF COMMAND**

It is expected and required that all employees will follow the levels of authority, sometimes referred to as the chain of command, in reporting grievances, problems, violations of laws, policies and procedures, etc. This line of reporting is spelled out in the Complaint Procedure.

The only exception to this policy will be for reports of sexual or other harassment. However, no retaliatory action shall be taken against any employee who reports violations of federal and/or state laws to regulatory authority pursuant to the provisions of the state “Whistle Blowers Law” (RSA 275-E).

## **SOCIAL NETWORKING AND BLOG POSTINGS**

Postings on social networking sites such as Twitter, Facebook and MySpace as well as on blogs has become a common activity of many individuals. The Barrington Library prohibits employees from any such postings, viewing, or in any way participating in such sites while on work time. Personal sites may be accessed during lunch periods only. There is an exception when an employee is specifically authorized by the Department Head or Library Trustees for a direct business purpose, such as using social media as a tool to communicate official Library business. The Library’s internet resources are only to be used in accordance with the office rules and policies on confidentiality, harassment, use of the internet and use of office equipment.

The Library neither encourages nor discourages any of its employees from posting on social networking sites or blogging on their own time, using their own equipment. However, employees should be aware that these postings are public; even if access to them is restricted they may be forwarded out of the restricted group by those who have rightful access, and live on virtually forever. And, even if a posting is taken down it never truly disappears but rather continues to exist somewhere in cyberspace. As a result, employees need to be mindful that social networking postings (whether images or comments), even though done on personal time and using personal equipment, can cause damage to not only their own reputation and interests but also the reputation and interests of the Library, co-workers, and the public we serve.

Should you choose to blog or participate in any social networking site on your own time, using your own resources and equipment, you are requested to follow the following guidelines:

1. You must never disclose any confidential information of the Barrington Library or its patrons and you may not use any library logos in conjunction with your posts.
2. Your postings must not violate any laws or policies of the Library, including but not limited to harassment, violence, or confidentiality of other employees or residents.
3. Should you reference the Library in any way you must state that the views, opinions, ideas or information belong to you personally and are not in any way attributable to the Library.
4. When posting on library social media outlets during work hours, staff should conduct themselves as they would in an in-person transaction and follow all library policies concerning

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privacy and good customer service.

Employees should report violations of this policy to the Library Director. It is the responsibility of all employees to help the Library ensure compliance with the policy.

Violation of any aspect of this policy is subject to disciplinary action, up to and including termination of employment, regardless of whether such conduct occurred away from work or on non-work time.

## **VII. SEPARATION FROM EMPLOYMENT**

1. **Termination** An employee may be terminated from employment with the Library for misconduct in connection with his or her work for the Library. The examples that are included in this personnel policy are illustrative, not all-inclusive. Employees terminated for misconduct shall forfeit severance benefits, as they will not have separated in good standing. An employee may be terminated when it is determined that the employee is unsuited for or incapable of performing the work assigned to the quality level required by the Library.

2. **Resignation**

Voluntary separation occurs when the separation is initiated by the employee by:

- A. A written or oral resignation; A statement of resignation is presumed to be accurate and accepted.
- B. Failure to appear without notice for three consecutive work days;
- C. Failure to return from an approved leave of absence;
- D. Failure to report for work upon recall from a layoff or Reduction-in-force; or
- E. Retirement

3. **Layoffs/Reductions-in-Force** The Library Trustees may lay off an employee in the service of the Library by reason of shortage of work and/or funds, abolition of the position(s), other material changes in the organization, or for other reasons beyond the employer's control and which do not reflect discredit upon the employee. The Library Trustees will endeavor to provide affected employees with at least two calendar weeks' notice.

### **REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT**

Should you decide to resign from your employment with Barrington Library, we ask that you notify your supervisor and the Finance Director of your decision at least two (2) weeks in advance of your planned departure date. Your thoughtfulness will be appreciated, and will allow Barrington Library to maintain work schedules and provide important services to the public.

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## **EXIT INTERVIEWS**

In most instances, employees who terminate their employment will be asked to participate in an exit interview with the Library Director. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, to receive keys, passwords, security codes, town equipment, etc. and to receive feedback from you on ways in which our Library can improve our operations and retention of employees.

## **COMPENSATION SYSTEM**

1. **GENERAL POLICY.** The Library Trustees shall be responsible for the development and maintenance of a uniform and equitable pay plan for the Library which shall consist of minimum and maximum rates of pay for each position and such intermediate steps as deemed necessary and equitable. The Library Trustees has the authority to make adjustments periodically to the wage matrix including realignment and cost of living increases as well as initial placement upon the matrix. Wages shall be linked directly to the position classification plan and may take into consideration the following factors:
  - A. Ranges of pay for other positions.
  - B. Prevailing rates of pay for similar employment in both public and private organizations.
  - C. Cost of living factors.
  - D. Other benefits received by employees.
  - E. The financial policy and economic conditions of the Town of Barrington.
  
2. **PAY PLAN DEVELOPMENT AND ALLOCATION.** The Library Director shall make recommendations for each position level to a pay range based upon the relationship to other levels as defined in the position level plan and by market data. Implementation of adjustments are subject to the availability of funds.
  
3. **APPOINTMENT.**
  - A. Pay for newly hired employees shall normally be set at the minimum of the pay range assigned to a job class. However, the Library Director or Library Trustees may approve hires higher on the scale, as warranted by job qualifications and experience subject to the availability of funds.

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- B. The Library Director shall not authorize hiring above the midpoint of a pay range except in unusual circumstances.
4. **SELECTIVE SALARY ADJUSTMENT.**
- A. The Library Director may recommend to the Library Trustees a selective salary adjustment in order to mitigate an inequity caused by merit increase, freeze or other similar circumstances. He/She may also make a recommendation to the Library Trustees for a one-time merit adjustment based upon exceptional performance.
- B. The Library Director shall submit a written rationale supporting the recommendation to the Library Trustees.
- C. A selective adjustment is subject to the availability of funds and guidelines established by the Library Trustees.
5. **COST OF LIVING ADJUSTMENTS.** When the Library Trustees grants a cost-of-living adjustment (COLA) which adjusts the entire scale, the Library Board will make clear if steps are also to occur.
6. **PROMOTION.** When an employee is offered a promotion, the Library Director will make a salary recommendation to the Library Trustees, who shall vote upon that recommendation before the promotion is completed.
7. **REASSIGNMENT.** Except when due to a demotion or a disciplinary action, an employee who is reassigned shall be paid at least the same salary received prior to the assignment.
8. **RECLASSIFICATION.** The Library Director may recommend to the Library Trustees a reclassification of a position based upon job responsibilities and requirements to a higher or lower level with a subsequent increase or decrease in the salary. Normally if an employee's position is reclassified to a lower level the incumbent will be ineligible to receive a salary increase until the salary range increases to incorporate the incumbent's pay rate. An employee is ineligible to receive cost-of-living increases until the salary range increases above the new level.
9. **DEMOTION.** If an employee is demoted, either voluntarily or involuntarily, the Library Director may treat the employee's salary according to paragraph 8 above or reduce the salary to the applicable pay range.

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## REQUEST FOR FAMILY/MEDICAL LEAVE OF ABSENCE

DATE: \_\_\_\_\_

TO: Library Director & Finance Director

FROM: \_\_\_\_\_  
(Employee Name)

This is to request a Family and Medical Leave of Absence for the following reason (check one):

- the birth of a child in order to take care of the child (leave must be taken within twelve (12) months of the birth);
- the adoption or foster care placement of a child in order to care for the child (leave must be taken within twelve (12) months of the placement);
- a serious health condition affecting my  spouse,  child,  parent, because the ill person is not capable of self-care and I am needed for such care;
- my serious health condition which results in my inability to perform my job;
- a qualifying exigency arising out of the fact that my  spouse;  son or daughter;  parent is on "covered active duty" or call to "covered active duty" status in the Armed Forces; or
- I am the  spouse;  son or daughter;  parent;  next of kin of a covered service member with a serious injury or illness, and I am needed to care for such person.

I wish to commence this leave of absence on \_\_\_\_\_. I anticipate that this leave of absence will end on \_\_\_\_\_.

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

**Further forms necessary for FMLA may be obtained from the Library Director and include, your notice of eligibility, rights, and responsibilities under FMLA, designation notice to employee after initial request, certification of health care provider forms, certification of qualifying exigency for military family leave, and certification for serious illness of covered service members.**

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## PERSONNEL FILE REQUEST

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

Re: \_\_\_\_\_ S.S. No.: \_\_\_\_\_

I request a copy of all records relating to my employment with you, including, but not limited to, a complete copy of my personnel file, application for employment, dates of employment, all correspondence, time and attendance records, W-2 forms, W-4 forms, performance reviews, evaluations, occupational health data, medical examinations, disability records, workers' compensation documents, disciplinary documentation, warnings, termination(s), reasons for termination(s), merit awards, rates of pay, and all documents concerning compensation and benefits.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Address

\_\_\_\_\_  
Town State Zip



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**DISCIPLINARY/COUNSELING NOTICE**

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

Department: \_\_\_\_\_

Date of Occurrence: \_\_\_\_\_

Discipline:

- Counseling
- Verbal Warning
- Written Warning
- Suspension
- Dismissal
- Other

1. Statement of the problem: (e.g., violation of rules, standards, practices, or unsatisfactory performance)
  
  
  
  
  
  
  
  
  
  
2. Prior discussion or warnings on this subject: (e.g., oral, written, dates, etc.)
  
  
  
  
  
  
  
  
  
  
3. Statement of (Library) policy on this subject:
  
  
  
  
  
  
  
  
  
  
4. Summary of goals/corrective action to be taken:

**Please be advised that failure to correct this behavior or further violation of Library Policy will result in disciplinary action, up to and including discharge from employment.**

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Employee comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor's Printed Name \_\_\_\_\_

**Distribution: One copy to Employee, one copy to Supervisor and original copy to  
Human Resources**

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## ADA

### **GRIEVANCES UNDER THE AMERICANS WITH DISABILITIES ACT**

#### **13.1 Purpose**

To set up a grievance procedure under the Americans with Disabilities Act (ADA), this is mandated by federal law for any public entity employing fifty (50) or more persons.

#### **13.2 ADA Coordinator**

Pursuant to Section 35.107 of the ADA, the Library will designate a person to coordinate its efforts to comply with the Americans with Disabilities Act, including investigation of any complaint alleging non-compliance or actions that would be prohibited by this Act. Through this policy, the Library Trustees designate the ADA Coordinator to be the Library Director.

#### **13.3 Grievance Procedure**

Grievances under the ADA will be handled according to the following five-step procedure:

- i) Any individual may file an ADA grievance. The complaint should be in writing and briefly describe the action alleged to be prohibited by the Act.
- ii) The ADA Coordinator shall conduct an investigation of the complaint as may be appropriate to determine its validity. In cases where the ADA Coordinator is directly involved with the grievance, the grievant shall be given the option of having an alternate ADA Coordinator, named by the Library Trustees, for subsequent actions on the grievance.
- iii) Within ten (10) business days, the ADA Coordinator shall meet with the grievant to discuss the findings of the investigation. The ADA Coordinator may attempt to resolve the grievance.
- iv) If unable to resolve the grievance, the ADA Coordinator shall, within ten (10) business days of the meeting with the grievant, forward a report on the facts to the Library Trustees, who shall meet within fifteen (15) business days of receiving the report and attempt to resolve the grievance.
- v) If unable to resolve the grievance, the Library Trustees shall refer the matter to the Library's legal counsel.

The right of a person to a prompt and equitable resolution of a complaint filed there under shall not be impaired by the person's pursuit of other remedies.

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TOWN OF BARRINGTON  
APPLICATION FOR PAYMENT IN LIEU OF INSURANCE

TO: Town of Barrington

FROM:

SUBJECT: Application for Payment in Lieu of Insurance

DATE:

**Under the provisions of the Barrington Public Library Personnel Plan, I hereby apply for payment in lieu of insurance effective \_\_\_\_\_.**  
**Date**

Check one or both blanks below, as appropriate:

\_\_\_\_\_ I am declining health insurance coverage for myself, as I am receiving health insurance coverage from a source other than the Town of Barrington. Attached is a certificate of my insurance coverage.

\_\_\_\_\_ I am declining health insurance for the following named dependent(s) who is/are fully eligible to be covered by my health insurance policy, but is protected by insurance from a source other than the Town of Barrington. Attached is a certificate of this insurance coverage.

Full Name

Relationship

Date of Birth  
**(If under age 25)**

**I certify that the above statement is true, and I acknowledge that false statements on this form may subject me to disciplinary action. I have read the Town of Barrington's Payment in Lieu of Insurance Policy.**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Employee)