

## **2. Workplace Policies**

### **2.1 Recruitment for Positions**

The Oswego S. D. Public Library is committed to developing a diverse workforce. In hiring new staff and promoting current staff, the library will systematically and aggressively make reasonable effort to provide equal opportunity for all employees and applicants. An applicant pool that is representative of the makeup of the community is desirable. Positions will be advertised as widely as appropriate for the position and, when possible, advertising will be targeted to reach qualified candidates from minority groups and persons with disabilities. Reasonable accommodation will be made in accordance with the American with Disabilities Act for applicants and potential applications. The Oswego S D Public Library is an equal opportunity employer. Candidates for competitive Civil Service positions will be selected from the Oswego City Civil Service List. The Director and Library Assistant positions will be determined by the Board of Trustees. All other positions will be based upon recommendations by the Director subject to approval by the Board. Applicants will be made aware of the necessity to complete a qualifying civil service exam given for the purpose of establishing a list.

Approved October 1, 2002

## **2.2 Staff Development**

The Oswego S. D. Public Library is committed to having a trained and educated workforce. During the first week on the job, every new employee will receive a general orientation to the library. During that time, the employee and his or her supervisor will develop an individualized training timeline based on the job requirements, experience, and educational needs for that particular position. All staff members are encouraged to attend job-related workshops and seminars. Funds will be budgeted as equitably as possible to cover the travel expenses and registration fees for this training.

Additional work time may be given to attend training that meets the employee's staff development plan. Travel expenses and registration fees will be reimbursed if funds are available, upon approval of the library director.

Professional and paraprofessional staff are encouraged to attend library science and related professional association meetings, such as the American Library Association (ALA) annual conference, state library association conferences, and regional conferences.

Funds are budgeted for this purpose and staff wishing to attend conferences should indicate their interest to the library director early in the budget year. If there are not sufficient funds to cover costs for all employees wishing to attend conferences, funds will be given first towards expenses of staff members who have official responsibilities or who are officers of the association, Remaining funds will be prorated so that as many staff members as possible have some financial support.

Attendance at professional association conferences and meeting will be rotated as equitably as possible among staff members.

Professional staff is expected to stay familiar with current issues in librarianship by reading professional journals and library literature. Funds are budgeted to purchase the major professional journals and books. Requests that the library purchase specific books, periodicals, videos, audiotapes, and other materials specifically for staff development should be made to the library director (or other designated staff member). Funds are budgeted to purchase items that will be useful to more than one staff member. In some cases, videos, films, and audiotapes may be borrowed or rented for limited use.

In order that training may be shared with other staff, written reports will be required within five workdays of an employee's return from training. Employees may also be required to conduct programs, seminars, and similar activities for other staff. When necessary, one-on-one training between staff may also be required.

Approved October 1, 2002

**2.2a Conference/Workshop request**

**Conference/Workshop Request**

From \_\_\_\_\_

Date \_\_\_\_\_

Position \_\_\_\_\_

To: Library Director

I REQUEST THE FOLLOWING TIME OFF \_\_\_\_\_ TO ATTEND

(DATE (S))

Conference/Workshop name \_\_\_\_\_

Location of the Conference/Workshop: \_\_\_\_\_

Time: start time \_\_\_\_\_ End Time \_\_\_\_\_

Your request ( ) has been approved ( ) not been approved

Items to be covered

( ) mileage as per policy

( ) travel costs (i.e. train, bus, etc.)

( ) Registration fees

( ) Motel fees

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(Library Director)

(Date )

### **2.3 Equal Opportunity in Employment**

The Oswego S. D. Public Library is committed to providing equal employment opportunity for all persons in all terms, conditions, and privileges of employment, including but not limited to: position description development, examination, salary and wages, reclassification, leave accounting and temporary assignment, disciplinary action, restoration, reinstatement, recruitment, selection, transfer, promotion, training, compensation, benefits, layoff, termination, retention, certification, testing and other terms and conditions of employment.

The Oswego S.D. Public Library does not discriminate in employment on the basis of race, creed, religion, sex, color, sexual orientation, national origin or ancestry, age, disability, marital status, arrest and conviction record, political affiliation, or membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state.

Approved November 16, 2004

### **2.4 Staff Meetings**

Employees are expected to attend regularly scheduled staff meetings for either the whole staff or individual departments. The purpose of such meetings is to inform staff on policy, news, and

activities, to elicit recommendations when changes are contemplated, to obtain feedback on Library policy and to exchange information between departments.

Attendance at staff meetings is considered a part of the regular work schedule and is compensated accordingly and will be held, at a minimum, monthly.

Approved June 2, 2014

## **2.5 Library Hours**

### **Regular Hours**

The regular hours of the Oswego Public Library will be Monday through Thursday 9am to 7pm, Fridays and Saturday 9am to 5pm; Sunday closed.

The upper-level closes 30 minutes before the rest of the library.

The library should be open the minimum required hours according to state of New York regulations.

### **Summer Hours**

Closing will be addressed each year by the Board of Trustees.

The Director will schedule employees so that the library is adequately staffed.

Approved by the Board: March 8<sup>th</sup>, 2022

## 2.6 Sexual Harassment

**Date revised 6/4/19 by Oswego Public Library Board of Trustees:**

Oswego Public Library is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Oswego Public Library has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Oswego Public Library's commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Oswego Public Library, or with a government agency or in court under federal, state or local antidiscrimination laws. Policy:

1. Oswego Public Library Policy applies to all trustees, employees, applicants for employment, interns, whether paid or unpaid, library patrons, contractors and persons conducting business with Oswego Public Library.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Oswego Public Library has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Oswego Public Library who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, or the Oswego Public Library Director. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Oswego Public Library to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. Oswego Public Library will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring.

Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

6. All employees are encouraged to report any harassment or behaviors that violate this policy. Oswego Public Library will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to [person or office designated].
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

### **Library Employee/Patron Relationship**

Oswego Public Library is committed to ensuring an environment where all Oswego Public Library patrons free of sexual harassment. The Board views sexual harassment of patrons by library employees as an abuse of authority and, therefore, such harassment will not be tolerated. Likewise, sexual harassment of library employees by patrons will not be tolerated. See examples of sexual harassment below.

Any patron who suspects that she or he has encountered sexual harassment should report the incident to the Oswego Public Library Director as soon as possible. Any employee who witnesses or has knowledge of sexual harassment by a library employee against a patron shall immediately report it to the Director.

Any employee who is being sexually harassed by a patron shall immediately report this to the Director.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when: □ Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;

- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body.
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments.
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work; ○ Bullying, yelling, name-calling

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, library patron, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

### **What is “Retaliation”?**

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.”

Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency.
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law.
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;  complained that another employee has been sexually harassed; or  encouraged a fellow employee to report harassment.

### **Reporting Sexual Harassment**

Preventing sexual harassment is everyone’s responsibility. Oswego Public Library cannot prevent or remedy sexual harassment unless it knows about it. Any employee paid or unpaid intern or nonemployee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Oswego Public Library Director. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or the Oswego Public Library Director.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Oswego Public Library Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation. Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint by an employee, volunteer or intern, the individual's supervisor (or Director if the complaint is about the supervisor) will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting. If a complaint is made by a patron, or trustee, the Director will conduct an immediate review and follow the actions listed above.

- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - o A list of all documents reviewed, along with a detailed summary of relevant documents;
  - o A list of names of those interviewed, along with a detailed summary of their statements;
  - o A timeline of events;
  - o A summary of prior relevant incidents, reported or unreported; and
  - o The final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the employer's records.
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by Oswego Public Library but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Oswego Public Library, employees may also choose to pursue legal remedies with the following governmental entities at any time.

### **New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to [Oswego Public Library] does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded

to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth

Floor, Bronx, New York 10458, (718) 741-8400 [appropriate other contact info], [www.dhr.ny.gov](http://www.dhr.ny.gov) Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **United States Equal Employment Opportunity Commission (EEOC)**

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act

(codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of

Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual

harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the

NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml)

**Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Revised June 2019

## 2.6a Sexual Harassment Complaint Form



*North Country Library System*

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to [person or office designated; contact information for designee or office; how the form can be submitted]. Once you submit this form, your employer must follow its sexual harassment prevention policy and investigate any claims.

If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

**For additional resources, visit: [ny.gov/combating-sexual-harassment](http://ny.gov/combating-sexual-harassment)**

### COMPLAINANT INFORMATION

Name:

Home Address:

Home Phone:

Work Address:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

(please select one)

### SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

### COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name:

Title:

Work Address:

Work Phone:

Adoption of this form does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred: Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint: The last two questions are optional, but may help facilitate the investigation.

5. Have you previously complained or provided information (verbal or written) about sexual harassment at [Name of employer]? If yes, when and to whom did you complain or provide information?

Employees that file complaints with their employer might have the ability to get help or file claims with other entities including federal, state or local government agencies or in certain courts.

6. Have you filed a claim regarding this complaint with a federal, state or local government agency? Yes No

Have you instituted a legal suit or court action regarding this complaint? Yes No

Have you hired an attorney with respect to this complaint? Yes No

I request that [name of employer] investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ R

Revised & accepted 6/4/19

## **2.7 Theft of Services or Property**

The theft of services or property from the Library by an employee will result in immediate disciplinary action that can lead to dismissal or other penalty, and shall not preclude the filing of criminal or civil charges by the Board of Trustees.

Approved 2/7/2009

## **2.8 Staff Separation**

An employee may be dismissed upon provision of at least sixty (60) days notice with pay during the probationary period only upon the recommendation of the Director and majority vote of the Board of Trustees in accordance with the Education Law.

The Board shall expect any employee desiring to terminate his/her services to provide the Board with a minimum of two weeks (14) days' notice before the effective termination date.

Upon resignation, staff shall be reimbursed for any unused vacation or sick time.

Resignations must be in writing and include the effective date.

Approved 5/7/2019

## **2.9 Resolutions of Problems & Whistleblowing**

The Library Board of Trustees endeavors to satisfy concerns and resolve problems, whatever they may be: working conditions, policies, alleged discrimination or anything else that threatens a productive work environment. The procedure for reporting problems is as follows:

1. The employee will bring the problem to the attention of the Director (or immediate supervisor) within ten (10) working days of the occurrence. The Director will investigate and attempt to resolve the situation. If the employee is not satisfied with the results.
2. The employee will submit, in writing, his/her concerns to the chair of the Personnel Committee/Board of Trustees who will investigate the circumstances and return a decision to the employee within five (5) working days.

The Library Board's decision on a given issue is not intended to set precedent, nor bind future decisions, unless so stated as a library policy.

### **Whistleblowing:**

The Oswego Public Library encourages all staff, board members and volunteers, acting in good faith to report suspected or actual wrongful conduct. Any Oswego Public Library staff member, board member or volunteer who reports a suspected or actual wrongful conduct, in good faith, will not be fired or otherwise retaliated against for making the report. This policy applies to all employees, volunteers, and agents of The Oswego Public Library, including the Director and the Board of Trustees.

The objectives of the Oswego Public Library Whistleblower and Ethical Behavior Policy are to establish standards of conduct and procedures for:

- The submission of concerns, on a confidential basis, regarding:
  - a. Harassment and bullying, sufficiently severe or pervasive to create a hostile work environment, or resulting in a tangible change in an employee's employment status or benefits
  - b. Questionable accounting or auditing actions by employees, trustees, officers and other stakeholders of the organization;
  - c. Wrongful conduct such as a violation of applicable state and/or Federal laws and regulations; a serious violation of the Oswego Public Library Policy; or the use of Oswego Public Library property, resources, or authority for personal gain or other non-Oswego Public Library purpose except as provided under Oswego Public Library policy.
  - d. The receipt, retention, and treatment of complaints received by the organization regarding harassment, accounting, internal controls, auditing matters or other wrongful conduct.
  - e. The protection from retaliatory actions of trustees, employees, and volunteers reporting concerns.

## **Reporting Responsibility**

Each trustee, employee, and volunteer of the Oswego Public Library has an obligation to report in accordance with this Whistleblower and Ethical Behavior Policy (a) harassment or bullying; (b) questionable or improper accounting or auditing matters; (c) violations and suspected violations of this policy and; (d) wrongful conduct.

## **Authority of the Board of Trustees**

All concerns submitted in writing will be forwarded to the President of the Board of Trustees in accordance with the procedures set forth below. The President shall be responsible for designating the appropriate committee to investigate and make appropriate recommendations to the Board of Trustees with respect to the following: (a) concerns that originate from trustees and other non-employees or; (b) concerns submitted by employees that have not been resolved by the Oswego Public Library Director to the satisfaction of the complainant.

## **Reporting Procedures and Corrective Action for Employees**

Employees should first discuss their concern, in confidence, with their immediate supervisor. If, after speaking with his or her supervisor, the employee is convinced that his or her concern is unwarranted or that, in the opinion of the employee, the supervisor will take appropriate steps to resolve the employee's concern no further action is required by the employee.

- However, further action is required if the employee: (a) continues to have reasonable grounds to believe the concern is valid and that the response of his or her immediate supervisor is not adequate or; (b) the immediate supervisor recommends that the issue should be referred to a higher level in the organization. In this situation the employee should write a formal complaint which the first level supervisor is obligated to take to the Oswego Public Library Director (or Acting Director) in five working days.
- The Director shall promptly inform the employee of receipt of the complaint. A copy of the complaint shall be forwarded to the President of the Board of Trustees. The Director shall investigate the circumstances of the complaint in a timely fashion and, where warranted, take disciplinary and other actions. At the completion of the investigation, the Director shall provide the employee initiating the complaint and the President with a written summary of the action taken.
- Notwithstanding the procedure stated above, if the employee's supervisor is the subject of the employee's concern or is possibly involved, the employee may choose to discuss their concern directly and in confidence with the Director and then write a formal complaint. It is the responsibility of the Director to investigate promptly the circumstances of the complaint in the manner stated in the previous paragraph.

- In extraordinary circumstances, and after due consideration, an employee who suspects or believes that the Director is involved in unethical or illegal behavior may take his or her concerns directly to the President of the Board of Trustees using the procedure below entitled “Reporting Procedures for Trustees and Other Volunteers.

## **Reporting Procedures and Corrective Action for Individuals Not Employed by OSWEGO PUBLIC LIBRARY**

Oswego Public Library trustees, volunteers, individuals and members of the general public should submit concerns in writing directly to the President of the Board of Trustees. If the President of the Board of Trustees is not available or is the subject of the concern, the complaint should be directed to the Vice-President of the Board of Trustees.

- The President shall be responsible for designating an appropriate committee, as circumstances dictate, to investigate and make appropriate recommendations to the Board of Trustees, with respect to all concerns received in writing. The designated committee has the authority to retain outside legal counsel, accountants, private investigators, or any other source deemed necessary to conduct a full and complete investigation of the allegations.
- The President shall inform the originator of the receipt of the written complaint. All trustees of Oswego Public Library shall be informed of the nature of the complaint with emphasis on maintaining the confidentiality appropriate for personnel issues.
- The Board of Trustees and its designated committee shall resolve all complaints in a timely fashion and inform the individual submitting the complaint of the Board’s final action.

### **Acting in Good Faith**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates harassment or bullying; a questionable or improper accounting or auditing practice; a violation or suspected violation of this Oswego Public Library Policy; or wrongful conduct.

The act of making allegations that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment or dismissal from the trustee or volunteer position.

## **Confidentiality**

Reports of concerns and their investigations shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

## **No Retaliation Provision**

This Whistleblower and Ethical Behavior Policy is intended to encourage and enable employees, trustees, volunteers and others to raise concerns within Oswego Public Library for investigation and appropriate action. With this goal in mind, no trustee, employee or volunteer who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, an employee, trustee or volunteer who retaliates against someone who has reported a concern in good faith shall be subject to discipline, up to and including termination of employment or dismissal from the trustee or volunteer position.

Adopted 6/4/19

## **2.10 Employee Personnel Records and Release of Information**

### **Personnel Records:**

Administrative regulations will be developed to implement the terms of this policy to maintain a personnel file for each person employed by the Library

Regulations and procedures will be developed addressing the inspection of Library employees of their personnel files.

### **Release of Personnel Information:**

All steps should be taken to protect the privacy of the employees of the Oswego Public Library. To ensure that the individual's privacy, directory or confidential information should not be shared with a third party except in the following situations:

- a) When members of the Board of Trustees need information from the employee's personnel record to aid them in performing their legal responsibilities in such matters as appointments, assignments, promotions, demotions, remuneration, discipline, dismissal or to aid in the development and implementation of personnel policies.
- b) When the employee grants permission.

Procedures for obtaining consent for release of records to third parties shall be developed by the administration.

### **Release of information concerning former Employees**

The library shall not release information concerning the employment records, personnel file or past performance of a former employee, unless such information is required to be disclosed by law. Only the initial and final dates of employment and the position held shall be provided through written request. The former employee may authorize the release of any additional information.

Adopted: May 4, 2014

## **2.11 Employee Activities**

### **Political Activities:**

The Board recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally protected rights to address matters of public concern.

However, a library employee's constitution rights to raise matters of public concern are limited when the speech or action occurs on library grounds, and/or during library times. When such speech or action occurs on library property and/or during library hours, the Trustees can impose reasonable restrictions on the time, place, and manner of speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the library.

Library employees may not use the library as a means to promote their personal political views and beliefs.

### **Solicitation by Staff Personnel**

Staff members shall not be engaged in advertising or commercial solicitation on library time, except as authorized by the Board of Trustees and/or designee.

Adopted: July 21, 2009

## **2.12 Discipline and Discharge of Employees**

It is the intent of the Board of Trustees of the Oswego Public Library that no employee will be disciplined or discharged without due process.

Prior to any action against an employee, the employee will be informed about the conduct that is unacceptable and a written agreement reached on how the inappropriate conduct will be addressed.

If there is further misconduct, the Library Director will, in writing, notify the provisional or probationary employee after meeting the minimal probationary period that a recommendation for termination will be made to the Board of Trustees at a meeting not less than thirty (30) days from the date of notification. Upon a majority vote decision by the Board of Trustees, the employee will be given a letter stating that his/her employment will end at a specified date thirty (30) days from the date of the letter.

If requested by the provisional or probationary employee no later than 21 days before the board meeting at which the recommendation will be considered, the Library Director must provide, in writing, the reason(s) for the proposed dismissal recommendation within seven days after the request. The employee may file a written response with the Secretary of the Board of Trustees seven days before the board meets to consider the recommendation for dismissal

Employees who have successfully completed the probationary period and are protected by Section 75 rights will be disciplined and/or discharged in accordance with applicable Civil Service Law.

Adopted: May 4, 2014

### **2.13 Dress Code**

Public image plays an important role in developing and maintaining support for the Oswego Public Library. In order to maintain a public image consistent with a professional organization, it is expected that each staff member's dress and grooming will be appropriate for a business environment and in keeping with his/her work assignment. Health and safety standards must also be considered in dressing for work.

Clothing and accessories must be neat and clean, and should not draw inappropriate or disruptive attention to the individual. Staff members, who shelve materials, work outdoors or whose work is confined to the back office areas may dress more casually when performing these duties.

Staff shall wear ID tags designation their position during working hours.

Staff working in public areas may not wear radio or cassette player headphones. Questions regarding appropriate attire or exceptions to the dress code must be directed to the Director.

Approved: 6/3/14

## **2.14 Use of Volunteers**

The Oswego Public Library welcomes and encourages members of the community to volunteer their time and talents to enrich and expand library services. Volunteers are expected to conform to all policies of the Oswego Public Library and the rules outlined in the volunteer handouts, and are selected and retained for as long as the library needs their services. Volunteers may be used for special events, projects, and activities or on a regular basis to assist the staff. Services provided by volunteers will supplement, but not replace, regular services. Volunteers will not be used in place of hiring full or part time staff. Volunteers may apply for paid positions under the same conditions as other outside applicants.

Approved: Approved May 4, 2014

## 2.14A Volunteer Application Form

### OSWEGO PUBLIC LIBRARY VOLUNTEER APPLICATION

Name	Date
Street Address	Home Phone
City/State/Zip	Work Phone
Email Address	

#### AVAILABILITY:

\_\_\_\_\_ Volunteer Long-term    \_\_\_\_\_ Volunteer Short-term    \_\_\_\_\_ Internship

Indicate the number of hours per day you would like to volunteer

	<b>Morning</b>	<b>Afternoon</b>	<b>Evening</b>
	# of hours	# of hours	# of hours
<b>MONDAY</b>			
<b>TUESDAY</b>			
<b>WEDNESDAY</b>			
<b>THURSDAY</b>			
<b>FRIDAY</b>			
<b>SATURDAY</b>			

Are there any physical conditions to be taken into consideration in arranging volunteer/internship assignments for you? \_\_\_\_\_ Yes \_\_\_\_\_ No    if "Yes", please explain: \_\_\_\_\_

<p><b>SKILLS</b></p> <p>Current/previous work or occupation:</p>
<p>Previous volunteer/internship experience or community affiliations:</p>
<p>Hobbies/interests/skills:</p>
<p>Special training, certification:</p>

**Please check any in which you have experience:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> MS Word             | <input type="checkbox"/> Customer Service           | <input type="checkbox"/> Telephone Etiquette   |
| <input type="checkbox"/> MS Excel            | <input type="checkbox"/> Library Online Catalog     | <input type="checkbox"/> Teaching/Instructing  |
| <input type="checkbox"/> MS Powerpoint       | <input type="checkbox"/> Audio Visual Equipment     | <input type="checkbox"/> Research/Genealogy    |
| <input type="checkbox"/> MS Access           | <input type="checkbox"/> Internet Searching         | <input type="checkbox"/> Social Media          |
| <input type="checkbox"/> MS Outlook          | <input type="checkbox"/> Data Entry                 | <input type="checkbox"/> Cloud Services        |
| <input type="checkbox"/> MS Publisher        | <input type="checkbox"/> Photo Editing/Photoshop    | <input type="checkbox"/> Tech Troubleshooting  |
| <input type="checkbox"/> Tablets & e-readers | <input type="checkbox"/> Teleconferencing equipment | <input type="checkbox"/> Marketing/Advertising |

<b>REFERENCES:</b>	
List two personal references, other than family members (full name, address, phone):	
Name	Name
Relationship	Relationship
Address	Address
City	City
State                      Zip	State                      Zip
Phone Number	Phone Number

**AUTHORIZATION TO CHECK REFERENCES:**

I hereby certify that the information contained in this application form is true and correct to the best of my knowledge and agree to have any of the statements checked unless I have indicated to the contrary. I authorize the references listed above, as well as all other individuals who you may contact, to provide any and all information concerning my previous employment and any other pertinent information that they may have. I understand that I am not an employee of the Oswego Public Library and that any duties I perform are as a volunteer/intern. I agree to abide by the procedures set forth by the Oswego Public Library for my assigned work duties.

Signature:	Date:
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## **2.15 Workplace Use of Documents**

Rights on use of e-mail, voice mail, memos and other workplace documents are as follows:

E-mail, voice mail, and print information on Library stationery are considered to be the property of the Library, no matter what the original intent of the information. Personal messages, notes or information should not be stored on the computer, left in one's desk, or left on voice mail.

Any document created by the employee is the property of the employer including time sheets, desk logs, and memos between employees.

No other communication may be copied or removed from the building.

Items such as memos to individual employees, letters, interdepartmental communications, desk logs, and time sheets are not part of the public forum and may not be copied. They are not meant for public use and may be misinterpreted by the public.

If a staff member needs a copy of a document, the supervisor must be contacted. If the need is in relation to a grievance, See policy 2.10.

Approved 6/3/14

## **2.16 Pay date when patrol lands on Holidays**

Removed. Now part of 4.1

Approved by the Board: March 8<sup>th</sup>, 2022

### **2.17 Closing Time for Holidays**

On Memorial Day and Labor Day, the library will be closed on Saturday, Sunday and Monday.

When July 4 and Christmas day falls on a Friday, the library will be closed Friday, Saturday, and Sunday.

When July 4 and Christmas day falls on a Sunday or Monday, the library will be closed Saturday, Sunday, and Monday.

For Thanksgiving eve, Christmas eve and New Years eve, the library will be closed at 5PM.

Staff scheduled for the evening shifts will be rescheduled to the dayshift. For example: individual scheduled for the 12 to 8 shift would work 9 to 3 or 9 to 5.

Approved by the Board: March 8<sup>th</sup>, 2022