

**CHAPTER 7**  
**PERSONNEL POLICY**  
(Revised February, 2021)

**Preamble**

The Board of Trustees shall strive to staff the library with individuals capable of providing those services and performing those tasks deemed necessary to the continuing success of the library. Among these are the circulation and selection of materials, liaison with SCLS and the use of its facilities, responsiveness to the community's needs, and provision for ancillary services.

The Personnel Committee of the Board of Trustees shall oversee all matters pertaining to library personnel.

**Anti-discrimination Policy**

The Montauk Library does not discriminate against or for any applicant or employee because of sex, age, religion, color, disability or national origin; or sexual orientation.

**Employment Openings**

The Trustees shall charge the Library Director with the duties of assessing personnel needs and recommending persons to fill those positions. The director shall need the approval of the Board to begin seeking applicants. Once approval is granted, the Director shall advertise the job. Job description shall be given to each applicant and a resume requested. The director shall recommend to the Trustees the most qualified applicant from among those interviewed. It shall be the decision of the Board of Trustees to approve or disapprove the recommendation.

All individuals employed in the library shall be under the authority of the Director. A decision to terminate the employment of a member of the library staff will be made by the Director with the approval of the Board. In the case of the termination of the Director, the termination decision will be made by the Board.

Resignations are to be submitted to the Director or, in the case of the Director, to the Personnel Committee of the Board. The Director is expected to give notice at least two months prior to the last day of work; other staff members are expected to give one month's notice.

**Library Hours**

The Library shall be open on the following hours:

MONDAY:	10-6
TUESDAY:	10-6
WEDNESDAY:	10-8
THURSDAY:	10-8
FRIDAY:	10-8
SATURDAY:	10-5
SUNDAY:	1-5

### **Jury Duty**

Leave shall be granted for jury duty upon presentation of the notice for such duty to the Library Director. Employees shall be paid for jury duty at their regular rate, provided the jury duty days coincide with the days normally worked.

### **Vacation Time**

Vacation time must be requested of the Director in writing at least one month in advance and is given at the discretion of the Director. Vacation time during the busy months of July and August is discouraged.

Employees accrue vacation time from date hired, but may not take vacation time until they have completed three (3) months of continuous service. Unused vacation days may not be carried over from year to year. Unused vacation days will be paid on a pro rata basis to members of the staff who resign; they will not be paid to those terminated for just cause. Vacation time renews each July 1<sup>st</sup>.

Seasonal or Call-in employees are exempt from Vacation Time benefits.

#### **Vacation Time for Part-Time Employees:**

Part-time employees shall receive paid vacation time based on their average work week schedule.

- Date of hire through five (5) years of continuous service receive two (2) weeks paid vacation.
- Over five (5) years of continuous service will receive three (3) weeks paid vacation.

#### **Vacation Time for Full-time Professional and Support Staff:**

- Date of hire through five (5) years of continuous service receive three (3) weeks paid vacation.
- Over five (5) years of continuous service receive four (4) weeks paid vacation.

### **Personal Time**

After one year of employment, employees shall receive three (3) personal days per fiscal year, based on the average workday scheduled hours. Unused personal days may not be carried over from year to year.

Vacation time and Personal time must be taken in full day increments; half day increment requests will be given at the discretion of the Director.

Seasonal or Call-in employees are exempt from Personal Time benefits.

### **Sick Time**

Employees shall receive three (3) paid sick days, per fiscal year, based on the average workday schedule hours. Unused sick days may not be carried over from year to year. All employees are allowed a sufficient period of time, not exceeding four hours, to undergo annual screenings for breast and prostate cancer with such time paid for at the normal salary rates.

Seasonal or Call-in employees are exempt from Sick Time benefits.

### **Time Off Without Pay**

Time off without pay should be requested only when the employee has used all paid vacation, sick and personal hours/days for the current fiscal year. When in the best interests of the Library, time off without pay may be approved at the discretion of the Library Director with Board approval.

### **Bereavement Leave**

Employees will be compensated for scheduled workdays as follows:

- Up to five (5) consecutively scheduled workdays for death in the immediate family (parent, spouse, child, sibling, grandparent, grandchild).
- Up to three (3) consecutively scheduled workdays for death in spouse's immediate family.
- Up to one (1) day for other relatives (aunt, uncle, nephew, first cousin, others at the discretion of the Director).

### **Holidays**

The Library will be closed on the following days:

New Year's Day	Labor Day
Martin Luther King's Birthday	Columbus Day
President's Day	Veteran's Day
Easter Sunday	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

Part-time employees scheduled to work on a day on which a recognized holiday falls, will receive the day off with pay.

Full-time salaried employees will receive recognized holidays off with pay. If a holiday falls on a regularly scheduled day off, full-time/salaried employees are entitled to a "holiday" comp day to be taken within seven (7) days with approval from the Director.

### **Leave of Absence**

The Director may grant leaves of absence, without pay, to full time employees. Leaves of more than three months must also have the approval of the Board of Trustees. Such leaves must be for serious reasons, must be requested in writing and must be for a specific period of time. The Director and the Board of Trustees assume the responsibility for deciding in each case whether the granting of leave is warranted.

Leave may not be granted (except for maternity/paternity) if the absence of the employee making the request will, in the opinion of the Director, negatively affect the operations of the Library.

Part time employees may be granted leaves of absence without pay, with the approval of the Director, for a period not to exceed six months.

Any time granted to employees for leaves of absence will be covered by staffing decisions made by the Director.

**Compensation:**

Staff shall be paid bi-weekly via direct deposit. Payroll deductions will be made for Federal and New York State Withholding, Social Security, Medicare and Disability. Overtime (time and 1/2) for more than 40 hours of work; will be paid to non-supervisory personnel meeting this requirement. The director will be a salaried employee with a separate benefits package.

The library shall pay Unemployment Insurance and Workman's Compensation.

Evening, Saturday and Sunday work will be paid at the regular rate.

The Personnel and Finance Committees will examine individual salaries of employees every year; the Board must approve any changes.

**Performance Evaluation**

It is the responsibility of the Director to continually assess and evaluate the performance of the employees. Standards and criteria of performance should be communicated to the employee. There will be a performance review for all new employees after 3 months and 6 months of employment. Each employee is entitled to a discussion with the Director on an annual basis. These discussions and evaluations shall be held in January. A full opportunity will be provided for the employee's response. Discussions and evaluations shall include but not be limited to the following points: quality of work, work habits, work interest, relations with people; and supervisory skills where applicable. The Personnel Committee shall do employment and evaluation of the Library Director. The Director's assessment shall also include an evaluation of the Library's programs.

A copy of the employee's evaluation shall be kept in the employee's personnel folder.

**Lunch Time**

Any staff member who works 6 or more hours daily is entitled to a 30 minute paid lunch break. Staff members working more than 4 hours are entitled to a 15 minute rest break. The staff is requested to eat in the back, outside, or downstairs but not at front desk.

**Attendance**

There should always be least three members of the staff in the building during the hours the building is open to the public. If a staff member is unable to work when scheduled, he/she should notify the Director as soon as possible.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action up to and including termination of employment.

## **Travel and Conference Policy**

The Montauk Library encourages employees to participate in relevant conferences, workshops and programs that promote professional development. Employees are expected to share knowledge gained with fellow employees and submit a post-conference written summary to the Library Director.

### **Request to attend:**

Attendance must be requested in advance and approved by the Library Director. Request should include the name of conference/program and an estimate of all best-rate expenses associated with attendance. Request to attend will be honored based on program relevance, staffing, funds and other administrative considerations.

### **Expenses:**

Expenses will be reimbursed with valid receipts after submitting the Montauk Library's request for reimbursement form.

Reimbursable expenses include:

- Mileage (IRS Standard Mileage Rates), parking, taxi, shuttle, train, air, tolls, etc.
- Conference Registration fees
- Meals- up to \$25 per meal/\$75 per day for full-day conferences
- Lodging- standard accommodations at reasonably priced hotels

Non-reimbursable expenses include:

- Family/companion travel/lodging/meals
- Alcoholic beverages
- Expenses related to non-library activities
- Personal time taken before, during or after conference/program

Adopted by Montauk Library Board of Trustees 8/19/2019

### **Director's Absence**

A staff member, designated by the Director, shall be specifically designated to act in the Director's absence. A permanent schedule shall be maintained to this effect.

### **Safety**

Each employee is expected to obey safety rules and exercise caution in all work activities. Employees must immediately notify the Director in case of any accident, either to a patron or to a fellow employee. An accident/incident from (attached) must be filled out.

### **Alarms**

In the event of an emergency requiring the evacuation of the building, the library staff will direct patrons to the appropriate exit. If circumstances warrant, the police will be notified immediately. The staff will hold emergency drills at least twice a year.

### **Weather**

In case of inclement weather causing the closing of the Library, The Director will assess the situation with a Trustee. If a decision is made to close, the Director will notify the staff and local radio stations, and then post on the Library's website and Library voice mail.

### **Staff Meetings**

Staff meetings will be held periodically at the discretion of the Director. Employees will be paid for any extra time involved in attending these meetings.

### **Employee Conduct and Appearance**

Employees of the Montauk Library are expected at all times to conduct themselves in a positive manner so as to promote the best interest of the Library. It is the policy of the Library that each employee's dress grooming and personal hygiene is appropriate for the work situation. Radical departures from conventional dress are not allowed.

### **Personal Property**

The Library is not responsible for the loss, damage or theft of personal belongings. Employees are expected to exercise reasonable caution to safeguard any personal items brought to work.

### **Drugs, Narcotics and Alcohol**

It is the policy of the Montauk Library to maintain a workplace that is free from the effects of drug and alcohol abuse. The Library is a smoke free workplace. Employees will be subject to disciplinary action, up to and including termination, for violation of this policy.

### **Personal Phone Calls**

Personal calls may be made when they are necessary, but should not interfere with business calls. No long distance calls are allowed without permission of the Director.

### **Time Clock Policy**

In order to streamline the timekeeping and payroll process, as well as to ensure consistency of treatment for all library personnel, a time clock is used to track hours worked. Beginning June 1, 2015, all part-time, full-time and independent contractors are required to clock-in **for themselves only**, upon scheduled beginning of workday and scheduled end of workday. Hours outside the regular workday schedule (such as work done off-site, attendance at workshops, conferences, etc.) must be pre-authorized by Library administration.

## **Health Plan Benefits**

The Montauk Library participates in the NYSHIP Empire Health Insurance Plan. Full-time employees who meet the NYSHIP plan eligibility requirements shall be eligible for this benefit after a successful 30-day probationary period at the Library. The Library shall pay 100% of the premium for individual coverage if the employee elects individual coverage and 35 % of the difference between the premium for individual and family coverage if the employee elects family coverage.

Employees who waive their rights to this benefit shall not be compensated monetarily.

After 15 years of full-time employment with the Library, employees shall be eligible to continue coverage in retirement at the same contribution rates as detailed in this policy provided the employee irrevocably retires from both the New York State and Local Retirement System and the full-time position at the Library.

The Board of Trustees reserves the right, in its sole discretion, to modify the terms of this policy, including, but not limited to, eligibility criteria and contribution percentages of health insurance premium.

## **Retirement Benefits**

### **New York State Retirement System**

As of August 1, 2015, employees of the Montauk Library are eligible to enroll in the New York State and Local Employees retirement System (NYSERS). As a participating employer, the Montauk Library is governed by provisions of New York State Retirement and Social Security Law and the NYS Comptroller's Rules and Regulations.

All Montauk Library employees hired prior to August 1, 2015, shall have the option of either joining the New York State Retirement System or remaining participants on the Library's TIAA-CREF 403(b) Benefit Plan, except that those full time Library employees with active membership status with NYSERS are required to participate in the New York State Retirement System.

All Montauk Library employees hired subsequent to August 1, 2015 will no longer be offered the TIAA-CREF 403(b) Benefit Plan. Full time employees hired after August, 1, 2015 shall be mandatory members of the New York State Retirement System, while part time employees have the option of participating in the NYSERS.

### **TIAA-CREF 403(b) Retirement Plan**

Except as provided herein above, with respect to full time Library employees with active membership status in the NYSERS, Montauk Library employees enrolled in the TIAA-CREF 403(b) plan as of July 30, 2015, have the option to continue their participation in the TIAA-CREF 403(b) plan or to leave the TIAA-CREF 403(b) plan and join the New York State Retirement System. Final decisions to continue or leave the TIAA-CREF Plan must be made in writing by September 1, 2015.

As employer, the Montauk Library contributes a percentage of each eligible employee's pre-tax salary to this Plan. Employees have the option of making an additional contribution.

Each year, the IRS establishes limits on the annual employee contributions. Employees age 50 or older are permitted to make additional "catch up" contributions. Information on annual IRS limits can be obtained from the Plan provider and the Library's third party administrator, ADMIN Partners, LLC at 877-484-4400. The Montauk Library does not provide tax, legal or investment advice.

The Board of Trustees reserves the right, in its sole discretion, to modify the terms of this policy, including eligibility criteria and percentages of the Library contribution to the Plan.

Library contributes a percentage of each eligible employee's pre-tax salary to this plan. Employees have the option of making additional contributions.



## **Tuition Reimbursement Policy:**

### **Purpose:**

The purpose of this policy is to define and establish guidelines under which employees may receive tuition reimbursement. Employees are encouraged to work to their full potential by increasing their skills and knowledge. Participation in approved educational programs that are mutually beneficial to both the Library and their employees will be given consideration for reimbursement under the terms of this policy.

### **Eligibility:**

Only full-time regular employees are eligible to participate. Participants must be in the Library payroll at both the start and completion of the courses.

Employees must receive written approval from the Library Director before commencing course work. Participants shall not be eligible for reimbursement until after the course work is completed and subject to the terms of this policy.

Ongoing participation in this program is contingent upon continued satisfactory job performance, at the sole discretion of the Library Director.

Attendance at any course shall not conflict with the employee's work hours, unless the Library Director approves that conflict in writing prior to the employee enrolling in such course. Employees are expected to work a full workweek, even if the work schedule is adjusted by the Library Director in order to accommodate a course schedule.

### **Courses:**

Courses must be taken at a college or university accredited by one of the nationally recognized accrediting associations, must be one term in duration, and must result in academic credit. To qualify for tuition reimbursement, the employee must participate in courses that, in the sole judgment of the Library Director, meet the following criteria:

- The course must be either (1) be directly related to the employee's current field of work, and its successful completion can realistically be expected to enhance the employee's knowledge of his/her job; or (2) be relevant to the degree or certificate program related to the employee's current field of work.
- The course must be part of a degree or study program required to qualify an employee for reassignment to another position in the Library that has been endorsed by the Library Director. Additionally, there must be a realistic probability that the employee will be assigned to such a position when qualified. for the employee.

**Reimbursement Rate:**

Upon successful completion of the approved course(s), the employee shall be reimbursed for 80% of reimbursable costs, up to a maximum of \$4000 per employee per calendar year, subject to the Library receiving official notice of acceptable grades(i.e.an official transcript) as required by this policy, and the original receipts for reimbursable costs.

Reimbursable costs shall include the cost of tuition only. Reimbursable costs shall not include lab fees, required books, and other required course materials, tools and supplies that may aid the employee in the course, but which are not specifically required (e.g. computer hardware, software, calculators, instructional tapes), parking fees or any other expenses. An employee will not be eligible for reimbursement of tuition and required fees that are paid by state or federal education grants or scholarships.

Acceptable grades shall be a “B” or equivalent or better for undergraduate or graduate work. If an employee does not receive acceptable grades, she/he shall not be eligible for reimbursement.

Participation by employees in tuition reimbursement programs in accordance with this policy shall not guarantee the employee’s status as an employee. Employees who are no longer employed as of the time of course completion will not be eligible for reimbursement, even though the Library Director would have approved the course prior to the employee commencing course work.

Employees who receive reimbursement are expected to continue to be employed by the Library for a period of 18 months after completing such course work. If the employee separates from employment in the Library( voluntarily or involuntarily) prior to the expiration of such 18 month period, then the employee will be required to repay the Library the full tuition reimbursement that was received.

*Approved by Board of Trustees 7/17*

**Civil Service**

Library policy will be in accordance with Civil Service policy where applicable.

**Grievance Procedure**

The aggrieved staff member must first have attempted to resolve the grievance with the Director. If the grievance is still not settled to his/her satisfaction, the aggrieved member shall then present the grievance to the Personnel Committee. If the grievance remains unresolved, the member must then present the grievance, in writing, to the Board of trustees, which will make the final determination.

**Personnel Policy Copies**

A copy of the personnel policy shall be given to each employee.

**Review of Personnel Policy**

This document will be reviewed and revised by the Policy and Procedure committee and the Library Board of Trustees from time to time, and the Board of Trustees reserves the right and discretion to modify, eliminate, increase or limit the employment and conditions set forth in this personnel policy.

**Disclaimer**

This document is not all-inclusive and does not create rights or benefits. It is neither a contract nor an invitation to contract.

If any portion of this document is in conflict with any applicable local, State, or Federal law, that portion will be amended without voiding the remainder of this policy.

For questions about the contents of this document, please see the Director.

**LIBRARY TRUSTEE, OFFICER AND EMPLOYEE  
CODE OF ETHICS AND  
CONFLICT OF INTEREST POLICY**

The Library Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library Board of Trustees, Library staff and volunteers. Actions based on an ethical code of conduct promote public confidence and the attainment of Library goals. The Board of Trustees also recognizes its discretion under the provisions of the New York General Municipal Law and the Non-Profit Revitalization Act (Not-for-Profit corporation Law Section 715 -A), to adopt a code of ethics setting forth the standards of conduct required of all Library trustees, officers, employees and volunteers.

The Library Board of Trustees is also committed to avoiding any situation in which the existence of simultaneous, conflicting interests of any library Trustee, officer or employee may call into question the integrity of the management or operation of the Library. The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest.

Definitions: Unless the context clearly provides otherwise, the terms set forth below shall have the following meanings:

(a) "Interest" means a direct or indirect pecuniary or material benefit accruing to a Trustee, officer or employee, or his or her relative ("related party") whether as a result of a contract with the Library district or otherwise. For the purpose of this policy, a Library Trustee, officer or employee shall be deemed to have an interest in the contract of:

- (I) A relative (related party) except as to a contract of employment with the Library District
- (II) A firm, partnership or association of which such officer or employee is a member or employee.
- (III) A corporation of which such Trustee, officer or employee is an officer, director or employee;
- (IV) A corporation of which more than five percent of the outstanding stock is owned by any such trustee, officer, employee or his or her relative (related party).

(b) "Trustee", "Officer" or "Employee" means an elected or appointed officer or employee of the Library District, whether paid or unpaid.

(c) "Relative" means spouse, child, stepchild, parent, stepparent, brother, sister, stepbrother, stepsister, or other person defined under law as a "related party."

1. Gifts: No Trustee, officer or employee shall directly or indirectly solicit, accept, or receive any money or gift having a value of \$75 or more, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the money or gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part. However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members.

2. Confidential information: No Trustee, officer or employee shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in an executive session of the Board of trustees regardless whether or not such information is deemed confidential.
3. Representation Before the Board: A Trustee, officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Library Board of Trustees.
4. Representation Before the Board for a Contingent Fee: A Trustee, officer or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the Library Board, whereby the compensation is to be dependent or contingent upon any action by the Board with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered if otherwise authorized under law.
5. Disclosure of Interest in Matters Before the Board: A member of the Board of Trustees and any officer or employee of the district, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter. The term “interest” means a pecuniary or material benefit accruing to an officer or employee.
6. Disclosure of Interests in Contracts and Procedures Addressing a Conflict of Interest: To the extent known, any Trustee, officer or employee of the Library who has, or will have, or subsequently acquires any interest in any contact with the Library shall publicly disclose the nature and extent of such interest in writing to the Library Board of trustees as well as to the Library Director as soon as he or she has knowledge of such actual or prospective interest. The Board President shall, if appropriate, appoint a disinterested person or committees to investigate the proposed transaction or arrangement, and the Board of trustees shall determine if it can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. If a more advantageous transaction or arrangement is not reasonable possible under circumstances of not producing a conflict of interest, a majority of Trustees disinterested in the transaction or arrangement must determine that the transaction or arrangement is on the Library's best interests, for its own benefit, and is fair and reasonable. Minutes of the majority vote is to be recorded.
7. Investments in Conflict with Official Duties: No Trustee, officer or employee of the Library shall invest or hold any investment directly or indirectly in any financial business, commercial or other private transaction that creates a conflict with his or her official duties.
8. Certain Real Property Interests Prohibited: No Trustee, officer or employee of the Library who has an interest in any real property, either individually or as an officer or employee of a corporation or partnership, shall participate in the acquisition or plan for acquisition of said property or any property adjacent to said property by the Library. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict. The term “participate” shall include the promotion of the site as well as the negotiation of the terms of the acquisition.

9. Conflicts of Interest: Defined: A conflict of interest shall arise under circumstances where a Library Trustee, officer or employee shall have an interest in any contract between the Library and any entity with which the Library has a relationship in which he or she is an officer, employee, director, trustee, member or owner when such Library Trustee, officer or employer has the power to negotiate, prepare, authorize or approve the contract or authorize or approve payment hereunder, audit bills or claims under the contract or appoint an officer or employee who has any of the powers or duties set forth above, or the chief fiscal officer, treasurer, or his or her deputy or employee shall have an interest in a bank or trust company designated as a depository paying agent, registration agent or for investment of Library funds of which he or she is an office, employee, director, trustee, member or owner.
10. Prohibited Conflicts of Interest: No Library Trustee, officer or employee shall have an interest in any contract between the Library and a corporation or partnership of which he or she is an officer or employee when such Library Trustee, officer or employee has the power to negotiate, prepare, authorize or approve the contract or authorize or approve payment hereunder, audit bills or claims under the contract, or appoint an officer or employee who has any of the powers or duties set forth above, and no chief fiscal officer, treasurer or his or her deputy or employee shall have an interest in a bank or trust company designated as a depository paying agent, registration agent or for investment of Library funds of which he or she is an officer or employee. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict. The provisions of this action shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of the Library officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.
11. Certain prohibited Actions: No Trustee, officer or employee of the Library shall hire, supervise, evaluate, promote, review or discipline any employee who is a member of his or her family. In the event that marriage, promotion, or reorganization results in a situation not in compliance with this policy, reassignment or transfer will be effected in accordance with the applicable provisions of any collective bargaining agreement to correct the situation.
12. Private Employment: No Trustee, officer or employee of the Library shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
13. Future Employment: No Trustee, officer or employee of the Library shall, after the termination of service or employment with the Library Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service of employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former Library officer or employee of any claim, account, demand or suit against the Library on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

14. Use of Library Property: No Library Trustee, officer or employee shall use or permit the use of property, owned or leased to the Library, for anything other than official purposes or for activities not otherwise officially approved by the Library board of Trustees.
15. Disclosure of “Related Party” Transactions: A Trustee, officer or employee shall disclose to the Board of Trustees the existence of a “related party transaction” as defined under Section “715” of the Non-profit Revitalization Act upon becoming aware of such circumstances.
16. Duty to Disqualify: It is incumbent upon any Library Trustee, officer or employee, whether paid or unpaid, to disqualify himself or herself immediately whenever the appearance of conflict of interest exists.
17. Duty to Report Conflicts of Interest: In the event that any Library Trustee, officer or employee knows of or perceives a direct or indirect conflict of interest he or she shall report it to the Library Board of Trustees.
18. Duty to Report Violations of this Policy: Any Library Trustee, officer or employee or any member of the public noting or suspecting a violation of this policy shall report the matter to the Library Board of Trustees.
19. Prohibition Against Improperly Attempting to Influence: No Trustee, officer or employee of the Library with a conflict of interest shall attempt to influence improperly the deliberations and voting by the Board of Trustees on the matter giving rise to the conflict of interest. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict.
20. Documenting Conflict of Interest and Resolution: In the event that a Trustee, officer or employee discloses the existence of a Conflict of Interest, the Library Board of Trustees shall document and set forth in the official Minutes of the Board meeting the resolution of the conflict of interest, including the vote of the Trustees. Any resolution of such conflict by the Board shall hold the Library's interest paramount, as well as maintain the Board's integrity in its governing role.
21. Written Statement Prior to Initial election and Annually Thereafter: Prior to the initial election of a Trustee or officer, and annually thereafter, Trustees and officers shall complete, sign and submit to the Secretary or President of the Board of Trustees a written statement identifying, to the best of the Trustee's or officer's knowledge, any entity of which such Trustee, officer or employee has a relationship, and any transaction in which the Library is a participant and in which the Trustee or officer might have a conflicting interest. The Secretary to the Board of Trustees shall provide a copy of all completed statements to the Board President.

### **Distribution of the Library Officer and Employee Code of Ethics and Conflict of Interest Policy**

The Library Board of Trustees shall cause a copy of this Code of Ethics and Conflict of Interest Policy to be distributed to every Trustee, officer and employee of the Library. Each trustee, officer and employee elected or appointed thereafter shall be furnished with copy before entering upon the duties of his or her office or employment. In addition, the Board shall ensure that a copy of Article 18 of the General Municipal Law and this Policy shall be kept posted in the Library in a place conspicuous to the Library's Trustees, officers and employees.

### **Penalties**

In addition to any penalty contained in any other provision of law, a Library Trustee, officer or employee who shall knowingly and intentionally violate any of the provisions of this Code of Ethics and Conflict of Interest may be subject to disciplinary action up to and including the imposition of fines, suspension, and dismissal, in the manner provided by law.



## **Acknowledgement**

The standard of behavior at the Montauk Public Library is that all Trustees, officers and employees, whether paid or unpaid, scrupulously avoid any conflict of interest between the interests of the Montauk public Library on the one hand, and their personal, professional and business interests on the other. This includes avoiding actual conflicts of interest as well as potential and perceived conflicts of interest.

I understand that the purposes of this policy are to protect the integrity of the Montauk Public Library decision-making process, to enable Library constituents to have confidence in the Library's integrity, and to protect the integrity and reputation of all Library officers and employees both paid and unpaid.

Upon or before election, hiring and appointment, and annually thereafter, I will make a full, written disclosure of any and all interests, relationships, related party transactions, and holdings that do create or could potentially create a conflict of interest. This written disclosure will be kept on file and I will update it as appropriate.

During the course of meetings or activities, I will disclose any interests in a transaction or decision where I (including my business and any other nonprofit affiliation), my family and/or my significant other, related parties, employer, or close associates will receive a benefit or gain. After disclosure, I understand that I will be asked to leave the room for the discussion and will not be permitted to vote on the question.

I understand that this policy is meant to be a supplement to good judgment, and I will respect the spirit as well as its wording.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

**(c) DISCLOSURE OF WRONGFUL CONDUCT  
("Whistleblower's Policy")**

The purpose of this policy is to encourage Library Trustees, officers, employees and volunteers to report instances of suspected illegal or improper conduct such as theft, fraud, and mismanagement of Library resources, violations of Library policies and regulations, as well as to inform Library Trustees, officers, employees and volunteers of the protections afforded them under the "whistleblower law" which prohibits a public employer from retaliating against a Trustee, officer, employee or volunteer who discloses to the Library information concerning a violation of the law, rule or regulation, which creates a substantial and specific danger to the public health or safety, or which the employee reasonably believes constitutes an improper action by a Library officer or employee.

No Trustee, officer, employee or volunteer of the Library who in good faith reports any actions or suspected actions taken by or with the Library Board of Trustees, officers or staff that is illegal, fraudulent or in violation of any substantial policy of the Library shall suffer intimidation, harassment or discrimination or other retaliation or, in the case of employees, adverse employment consequences.

The Board of Trustees expects the Library's Trustees, officers, employees and volunteers to fulfill the public's trust and to conduct themselves responsibly in accordance with Library policies and regulations, as well as applicable state and federal laws and regulations.

For purposes of this policy, the term "wrongful conduct" shall be defined to include"

- Illegal conduct, including theft of Library money, property or resources;
- Misuse of authority for personal gain or other non-Library purpose;
- Fraud
- Violations of applicable federal and state laws and regulations; and/or serious violations of Library policies, regulations and/or procedures.

**Disclosure and Investigation**

Trustees, officers, employees and volunteers who have knowledge of wrongful conduct or have reasonable cause to believe that wrongful conduct has occurred shall report such circumstances to the Library Director. The Library Director, upon receiving a report of alleged wrongful conduct, shall take immediate steps to conduct an investigation with or without designees. If the Library Director is the subject matter of the reported conduct, the President of the Board of Trustees shall immediately conduct an investigation, with or without designees.

The Library Director shall maintain a written record of the allegations, conduct an investigation to ensure that the appropriate authorities investigate the disclosure, and provide the Board of Trustees with a report.

Except as otherwise provided in either state and/or federal law, the Director or Board President conducting the investigation, or their designees, shall reasonably attempt to protect the identity of the person making the disclosure in a confidential manner, and will make reasonable efforts to maintain the confidentiality of the person reporting the conduct, provided that doing so will not interfere with the investigation of the specific allegations and circumstances.

### Complaints of Reprisal

The provisions of Section 75-b of the Civil Service Law (“whistleblower's law) and Section 715-B Not-for-Profit Corporation Law prohibits public employers from engaging in retaliatory personnel action against an employee, officer or volunteer who discloses to a governmental body information concerning either a violation of the law, rule or regulation, which creates a substantial and specific danger to the public health or safety, or which the employee reasonably believes to be true and reasonably believes constitutes an improper governmental action. However, if an employee discloses information which he or she has reasonable cause to believe is false or which is prohibited or protected from disclosure by law, the employee is not protected by these provisions of law.

An employee who has been subject to an adverse employment action based on his or her prior disclosure of alleged or actual wrongful conduct may contest the action by filing a written complaint of reprisal with the Library Director. The Library Director (or Board President, if the allegations involve actions of the Library Director) or his or her designee, will review the complaint expeditiously to determine:

- whether the complainant made a disclosure of alleged wrongful conduct before an adverse employment action was taken;
- whether the responding party could reasonably have been construed to have had knowledge of the disclosure and the identity of the disclosing employee;
- whether the complainant has in fact suffered an adverse employment action after having made the disclosure; and
- Whether the complainant alleges that adverse employment action occurred as a result of the disclosure.

If the Library Director (or Board President) or designee determines that all of the above elements are present, he or she shall appoint a review officer or panel to investigate the claim and make recommendations to the Board. At the time of appointment, the designee shall inform the complainant and the respondent, in writing, of:

- the intent to proceed with an investigation;
- the specific allegations to be investigated;
- the appointment of the review officer or panel; and
- the opportunity of each party to support or respond, in writing, to the allegation.

Once the review officer or panel has conducted a review and considers the investigation to be complete, the officer or panel will notify the designee of its completion. From the date of that notice, the review officer or panel has thirty (30) days to report his/her/their findings and make any recommendations he/she/they deem appropriate to the designee. The designee, in consultation with the Library Director and/or Board President shall issue a letter of findings to both the complainant and the respondent.

Nothing in this policy is intended to interfere with legitimate employment decisions. Moreover, the protections afforded under the “whistleblower law” are not applicable under circumstances where the Library had or has independent grounds for disciplinary actions and proceedings against an employee.

The Library Director shall establish regulations necessary to implement this policy.

This policy and accompanying regulations shall be published and posted in employee lounges and distributed to all Trustees, officers and employees.

The Library Director and others responsible for the implementation of this policy shall meet with the Board annually to evaluate the effectiveness of this policy and to recommend appropriate modifications to this policy and regulations hereunder.

Ref: Civil Service Law 75-b  
Labor Law 7

## **Sexual Harassment Prevention Policy**

### **Introduction**

The Montauk Library (hereinafter the “Library”) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. The 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 the 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 the Library, or with a government agency or in court under federal, state or local antidiscrimination laws.

### **Policy:**

1. The Library’s Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with the Library, regardless of immigration status. The term “employee” in this policy refers to this collective group.
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, including, but not limited to, counseling, suspension, or 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. The Library has a zero-tolerance policy for such retaliation against anyone who, in good faith reports or provides information about suspected sexual harassment. Any employee of the 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 Library Director. Any employee, paid or unpaid intern, or non-employee who believes they have been a victim of such retaliation may also seek relief 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 may subject the Library to liability for harm to targets 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 allow such behavior to continue, may be penalized for such misconduct.

5. The Library will conduct a prompt, thorough and, to the extent feasible, 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. The 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 or become aware of to the Library Director.

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 provided to employees upon hiring and shall be posted prominently in all work locations.

### **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, self-identified or perceived sex, gender expression, 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 reporting 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 including, but not limited to, 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 report 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 acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s 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 target’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.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- 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. State and/or federal 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, 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 Library-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, on personal devices, or during non-work hours.

### **What is “Retaliation”?**

Unlawful retaliation can be any action that could discourage 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:

- made 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;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.



## **Reporting Sexual Harassment**

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

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 when possible. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, 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. The Library will not tolerate retaliation against employees who report and/or participate in any investigation.

Investigations will be done in accordance with the following steps to the extent feasible:

- Upon receipt of complaint, the Library Director 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 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:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the Library’s records.
- Promptly notify the individual who reported and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of their right to file a complaint or charge externally as outlined below.

### **Training of Staff**

The Director/designee(s) shall affirmatively discuss the topic of sexual harassment with all employees in order to express the Library's condemnation of such conduct and explain the sanctions for harassment. All employees of the Library shall receive training on an annual basis which is interactive, and which includes:

- an explanation of sexual harassment;
- examples of conduct that would constitute unlawful sexual harassment;
- information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment; and
- Information concerning employees' rights of redress and all available forums for adjudicating complaints.

## **Legal Protections and External Remedies**

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

Aside from the internal process at the 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 the 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, [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.

## **Contact the Local Police Department**

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

Adopted by the Montauk Board of Trustees  
September 24, 2018  
Revised October 22, 2018



If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Library Director or Board President. 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, the Library will still follow its sexual harassment prevention policy by investigating the claims. It is strongly encouraged that you complete this form, however, in order to provide the Library with sufficient information in order to conduct a thorough investigation.

### **COMPLAINT INFORMATION**

Name:

Home Address:

Work Address:

Home Phone:

Work Phone:

Job Title:

Email:

Specify Preferred Communication Method:

### **SUPERVISORY INFORMATION**

Immediate Supervisor's Name:

Title:

**COMPLAINT INFORMATION**

1. Your complaint of Sexual Harassment is made against:

Name:

Title:

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.)

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Date(s) sexual harassment occurred:

Is the sexual harassment continuing:  Yes  No

3. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint.

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I request that the Montauk Public Library investigate this complaint of sexual harassment in a timely and, to the extent feasible, confidential manner and advise me of the results of the investigation.

Signature: \_\_\_\_\_

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

## **REMOTE WORK POLICY**

### **PURPOSE**

To make provisions to permit staff to work remotely, the Montauk Library has adopted this Remote Work Policy. The primary goals of the Library's Remote Work Policy are to establish:

- The eligibility of staff to work remotely
- The responsibilities of the staff and Director

In most cases, working remotely is a privilege extended by the Library's Board of Trustees and Administration. The Remote Work Policy is designed to ensure an efficient workplace and employee productivity during various situations, planned and unplanned, including long-term Library closures and building occupancy restrictions. Remote work is not to be used in lieu of sick time or other paid or unpaid time off, unless with advanced, written approval from Director.

### **ELIGIBILITY**

The Director may grant staff members the permission to work remotely under the following guidelines:

- The employee's essential job duties must be conducive to working remotely and such remote work must be in best interests of the Library, as determined by the Director;
- All remote work requests must be submitted in writing to the Director by the requesting staff member and all decisions will be provided by the Director in writing to the requesting staff member;
- The staff member must have the demonstrated technical skills to complete essential job duties remotely, as determined by the Director;
- The staff member will be provided with equipment to perform the functions of their job remotely. The staff member is required to use Library-provided equipment, including, but not limited to, laptops, when working remotely. Library-provided equipment must be returned to the Library in the condition in which it was originally lent;
- All Library-provided equipment as well as remote work performed pursuant to the employee's duties for the Library is the property of the Library and subject to access by the Director and/or Board of Trustees;
- The staff member must demonstrate competency in using all Library-required hardware and software including online productivity tools and video conferencing where applicable and as determined by the Director;
- Approved staff members must clock in via the appropriate website and/or mobile app. In addition, approved staff members must complete detailed remote work logs, to be submitted to his/her Supervisor for review and approval before final submittal to Director. Remote work logs must be submitted during the pay period in which the shift was worked;
- Staff members must be available to the Library by email, chat, and/or phone during scheduled work hours, for the duration of their shift;
- Staff members must make themselves available when directed by his/her Supervisor to meet with their Supervisor to check in and provide an update on projects and other responsibilities, in-person or remotely dependent upon circumstances;

- Unless Library buildings are closed in an emergency or a staff member so requires for medical reasons supported by appropriate documentation, no staff member is eligible to work remotely 100% of the time; and
- All approved remote work will be reevaluated by the Director on at least a bi-monthly basis.

Staff members will not be reimbursed for phone calls, internet access, equipment, or other expenses incurred.

Staff members who fail to abide by the terms of this policy may be subject to discipline, including, but not limited to, revocation of permission to work remotely.

#### **ONGOING USE EVALUATION**

The Remote Work Policy will be periodically evaluated by the Director and Board of Trustees and updated as needed.

Questions or concerns regarding the Library's Remote Work Policy should be brought to the Director.

Approved by the Montauk Library Board of Trustees  
February 22, 2021