

Bloomington Public Library  
*Books are just the beginning.*



# Employee Handbook

Approved by the Board of Trustees

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## Table of Contents

Mission .....	4
Vision.....	4
Chapter 1 - Introduction .....	4
Definitions .....	5
Chapter 2 - Business Practices .....	6
Employment Opportunity Statement .....	6
Immigration Law Compliance .....	7
Non-discrimination and Anti-harassment.....	7
Sexual Harassment.....	10
Whistleblower Compliance .....	12
Reasonable Accommodations.....	13
Nursing Mothers .....	13
Conflict of Interest .....	13
Employment of Relatives .....	14
Personnel Files .....	15
Chapter 3 - Professional Conduct and Workplace Information.....	15
Conduct and Work Rules.....	15
Dress Code .....	16
Technology .....	18
Workplace Searches.....	22
Library Expenses .....	22
Confidentiality.....	27
Performance Reviews .....	28
Discipline .....	28
Separation of Employment .....	29
Chapter 4 - Safety and Security.....	29
Reporting on the Job Injuries.....	30
Smoking.....	30
Drug and Alcohol-Free Workplace .....	30
Driving Safety .....	34
Workplace Violence .....	35
Personal Guests .....	36

Emergency Building Closing .....	36
Chapter 5 - Scheduling, Payroll, Timekeeping, and Breaks.....	36
Compensation .....	36
Workweek .....	37
Overtime .....	37
Scheduling.....	37
Breaks.....	37
Meal Periods .....	38
Chapter 6 - Leaves and Approved Absences.....	38
Vacation Leave .....	39
Sick Leave .....	40
Paid Leave Donation .....	42
Parental Leave.....	43
Wellness Leave.....	44
Personal Leave .....	44
Bereavement Leave .....	45
Civil Leave.....	46
Family Medical Leave Act (“FMLA”).....	48
Break in Service and Benefits.....	52
Chapter 7 - Benefits .....	52
Insurance.....	52
Retirement Plan .....	52
Training and Education .....	52
Tuition Program .....	54

## Mission

We provide our diverse community with a helpful and welcoming place that offers equitable access to the world of ideas and information and supports lifelong learning.

## Vision

To enrich and inspire our diverse and evolving community.

## Chapter 1 - Introduction

This employee handbook is intended to acquaint employees with the personnel policies of Bloomington Public Library ("Library" or "Employer") and provide them with general information regarding working conditions, employee benefits, and some of the policies affecting their employment. All employees are responsible for reading, understanding, and complying with all provisions of the handbook. This handbook also describes the responsibilities of an employee of the Library and outlines the programs developed by the Library to benefit employees.

The employee handbook is not intended to create a contract of employment. Unless an employee has an employment agreement to the contrary, which is signed by the Director, employment at the Library is at-will and may be terminated, with or without cause, and with or without notice, at any time at the option of either the employee or the Library, subject to limitations in the Union Contract.

The Library reserves the right to revise, supplement, deviate from, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The Library will make an effort to notify employees of such changes as they occur.

Applicable federal, state or local laws or regulations shall supersede these stated policies, until corrections can be published, in the following instances:

- If any of the policies are or become in conflict with federal, state, or local laws or regulations.
- If any omissions or inclusions cause conflict with federal, state, or local laws or regulations.
- If typographical or printer error should cause conflict with any federal, state, or local laws or regulations.

Should there be any questions as to the interpretation of the policies or benefits listed in this handbook, the final explanation and resolution will be at the sole and absolute discretion of the Library, subject to applicable federal, state, and local laws. If there are any questions about this handbook, employees should ask their Manager, the Human Resources Manager, or the Director.

Violation of any of the Library or the City of Bloomington's policies, rules or regulations, whether contained in this handbook or otherwise, may result in discipline up to and including termination of employment.

*\* The Library has entered into a collective bargaining agreement between the City of Bloomington, Bloomington, Illinois; the Bloomington Public Library Board of Trustees; and Local 699 American Federation of State, County and Municipal Employees, AFL-CIO, Bloomington Public Library Employees (hereinafter referred to as the "Union Contract"). The terms and provisions of the Union Contract describe the categories of personnel and circumstances*

*that apply to the employees covered under the terms and provisions of the Union Contract, referred to as “bargaining unit” employees in this Personnel Handbook. Employees who are not covered under the Union Contract are referred to as “non-bargaining unit” employees. Unless otherwise specifically stated, the policies in this handbook apply to all employees of the Library, irrespective of whether the employee is in the bargaining unit or not. Where applicable, bargaining unit employees should refer to the Union Contract for the details relating to the terms and conditions affecting their employment at the Library. As it relates to terms of employment in the Union Contract covering rates of pay, hours of work, and other conditions of employment relating to bargaining unit employees only, the Union Contract shall supersede if there is a conflict between the Union Contract and the comparable provisions in this handbook.*

## Definitions

### *Library Director*

The Library Director (hereinafter referred to as the Director) is hired by the Bloomington Public Library Board of Trustees and is the administrator of the institution. The Director acts in an advisory capacity as a professional expert to the Bloomington Public Library Board of Trustees. The Director is in charge of library personnel and is responsible for the formulation and administration of personnel policies, including, without limitations, assignment of duties, service standards and staff development, and for creating an environment conducive to high staff morale.

### *Department Manager*

The Department Manager (hereinafter referred to as Manager) is hired by the Director. The Manager is responsible for the work of a department and, in turn, hires, delegates, and assigns responsibilities and duties to the staff. The Manager must establish lines of supervision.

### *Person-in-Charge*

Each employee must use their own best judgment about what situations should be escalated to the person-in-charge and whether a situation merits contacting a Manager and/or the Director if they are offsite when the situation arises. Security officers are available to assist employees with situations but are not the final decision makers. If there is a conflict in opinion, the Director is the ultimate authority.

The Person-in-Charge will be determined in this order:

1. Impacted Department's:
  - a. Manager
  - b. Most senior Librarian on duty
  - c. Most senior Library Associate on duty
  - d. Most senior LTA on duty
2. Director
3. Manager on duty
4. Most senior Librarian on duty and/or the Site Security Supervisor
5. Most senior Library Associate on duty

## Types of Employee Classifications

It is the intent of the Library to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, subject to limitations in the Union Contract,

the right to terminate the employment relationship, at will, at any time is retained by both the employee and the Library.

Each employee is designated as either non-exempt or exempt according to federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay and are subject to specific provisions of federal and state wage and hour laws. Exempt employees are not entitled to overtime pay and are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

#### *Full-Time Employee*

A full-time employee works thirty-eight (38) hours or more per week. A full-time employee is subject to all library rules and regulations and is generally eligible for benefits and rights as provided by the Union Contract and/or Employee Handbook, subject to the terms, conditions, and limitations of each benefit program.

#### *Part-Time Employee*

A part-time employee works less than 38 hours per week. A part-time employee is subject to all library rules and regulations and is generally eligible for benefits and rights as provided by the Union Contract and/or Employee Handbook, subject to the terms, conditions, and limitations of each benefit program.

#### *Seasonal Employee*

A seasonal employee works to complete a special project, to fill a position for an employee on a leave of absence, or for a defined time period. A seasonal employee is not a part of the bargaining unit. Seasonal employees are not eligible for any of the Library's benefit package, except those benefits required by law.

## Chapter 2 - Business Practices

### Employment Opportunity Statement

It is the policy of the Library to afford equal employment opportunities regardless of actual or perceived race, color, national origin, ancestry, citizenship status, age, religion, marital status, disability, sex, gender, pregnancy, sexual orientation, gender identity, political affiliation, military or veteran status, order of protection status, genetic information, or any other category protected by applicable law. This policy of equal employment applies to all aspects of the employment relationship, including but not limited to initial consideration for employment; job placement and assignment of responsibilities; performance evaluation; promotion and advancement; compensation and fringe benefits; training and professional development opportunities; formulation and application of human resource policies and rules; facility and service accessibility; and discipline and termination.

Any employee who believes this policy has been violated should report the situation to their Manager (if applicable), the Human Resources Manager, or the Director. If the complaint involves the Director, notification should be made to the Library Board Budget & Personnel Committee. All such matters will be thoroughly investigated and rectified if a policy violation is identified. Please refer to the following policies governing sexual and other types of harassment for more detailed information concerning the Library's investigative procedures.

## Immigration Law Compliance

The Library is committed to employing only those applicants who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must complete a new I-9 form.

Employees who have a work authorization that expires will need to provide an updated work authorization. Employees who fail to provide proof of their renewed authorization to work prior to the expiration of the authorization documented on their Form I-9 are subject to immediate termination.

## Non-discrimination and Anti-harassment

The Library is committed to providing our employees a work environment that is free from all forms of discrimination and unlawful harassment, which are illegal under the Illinois Human Rights Act (IHRA) and Title VII of the U.S. Civil Rights Act of 1964 (Title VII). In keeping with this commitment, the Library will not tolerate discrimination or harassment by anyone, including any supervisor, employee, vendor, customer, contractor, or other regular visitor of the Library. Violation of this policy shall be considered grounds for disciplinary action up to and including termination.

## Discrimination

To further the Library's objective of valuing diversity and the many contributions that people make to our organization, it is the Library's policy not to discriminate against any employee or applicant for employment. Discrimination consists of employment actions taken against an individual based on an actual or perceived characteristic protected by law, such as sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law (collectively referred to as "Protected Classes"). In other words, discrimination occurs when an individual is treated differently or unequally because the individual is a member or a perceived member of a protected group.

The policy not to discriminate in employment includes, but is not limited to, the following:

- The Library will employ applicants who possess necessary skills, education, and experience, without regard to actual or perceived Protected Classes.
- The Library will promote, upgrade, transfer, demote, recruit, advertise, and solicit for employment without regard to actual or perceived Protected Classes.
- The Library will provide training during employment without regard to actual or perceived Protected Classes.
- No employee will aid, abet, compel, coerce, or conspire to discharge or cause another employee to resign because of actual or perceived Protected Classes.
- The Library will establish rates of pay and terms, conditions, and privileges of employment without regard to actual or perceived Protected Classes.

## Harassment

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's actual or perceived protected status such as race, color, ancestry, national origin, citizenship status, religion, sex, pregnancy, sexual orientation, gender identity, age, disability, marital status, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law (collectively referred to as "Protected Classes"). The Library will not tolerate harassing conduct that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to:

- Persistent or repeated unwelcome flirting, pressure for dates, sexual comments, or touching.
- Sexually suggestive jokes, gestures, or sounds.
- Degrading comments about a person's actual or perceived Protected Class.
- The open display of sexually oriented pictures, posters, or other material offensive to others.
- Written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her actual or perceived protected status.
- The use or display of epithets, slurs, negative stereotypes or intimidating acts that are based on a person's actual or perceived Protected Class.

## Reporting

Any employee who experiences discrimination or harassment as a result of their actual or perceived Protected Class must report the matter to their Manager, the Human Resources Manager, or the Director. It is important that reports are made as soon as possible to promptly address inappropriate behavior, ensure more accurate witness accounts, and to allow the ability to seek resolution outside of the Library (see below for IDHR and EEOC deadlines).

Any supervisor or manager who becomes aware of possible discrimination or harassment as a result of actual or perceived race, Protected Class, or to whom a report of discrimination or harassment is made, must promptly notify their Manager, the Human Resources Manager, or the Director. Failure of a supervisor or manager to promptly report possible discrimination or harassment may result in disciplinary action, up to and including termination.

Any employee who witnesses an act of discrimination or harassment should promptly notify their Manager, the Human Resources Manager, or the Director.

If the complaint involves the Director, notification should be made to the Library Board Budget & Personnel Committee.

## Investigation and Response

The Director (or Library Board Budget & Personnel Committee for complaints involving the Director) shall investigate all complaints and make all reasonable efforts to resolve the matter promptly and fairly. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation.



The right to confidentiality, both the complainant and the accused, will be respected consistent with the Library's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

A substantiated complaint against an employee will subject the individual to disciplinary action, up to and including termination. The Library will also take appropriate action to address a substantiated complaint of discrimination or harassment by a third party or non-employee. If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, up to and including termination.

### Retaliation Prohibited

Making a good faith report of harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment or work opportunities. Any form of retaliation against an individual who reports harassment or discrimination or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, the Illinois Whistleblower Act, Title VII of the Civil Rights Act of 1964, and Library policy. Any employee who retaliates against another for exercising their rights under this policy shall be subject to discipline, up to and including termination. The Library will also take appropriate action to address a third party or non-employee who engages in retaliation.

This procedure should not be construed as preventing, limiting, or delaying the Library from taking disciplinary action against any individual, up to and including termination, in circumstances where the Library deems disciplinary action appropriate.

Any Library employee found to have engaged in unlawful discrimination or other unlawful harassment, or retaliation, is subject to discipline, up to and including termination.

### Resolution Outside the Library

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an individual has the right to contact the Illinois Department of Human Rights (IDHR) and/or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR or EEOC complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense.

#### Contact Information:

Illinois Department of Human Rights (IDHR)

Chicago: 312-814-6200 or 800-662-3942; TTY: 866-740-3953

Springfield: 217-785-5100; TTY: 866-740-3953

Marion: 618-993-7463; TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)

Chicago: 312-814-6269; TTY: 312-814-4760

Springfield: 217-785-4350; TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)

## Sexual Harassment

### Definition of Sexual Harassment

Sexual harassment, as stated in the Illinois Human Rights Act, consists of any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Conduct which may constitute sexual harassment includes:

- Verbal: sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other people, even outside of their presence, of a sexual nature.
- Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking" or "kissing" noises.
- Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: touching, unwelcome touching, hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic: "sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyberstalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, internet/intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is subtler and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a "reasonable person."

Even if two or more individuals are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another individual who witnesses or overhears the conduct.

### Procedure for Reporting an Allegation of Sexual Harassment

Any employee who experiences sexual harassment must report the matter to their Manager, the Human Resources Manager, or the Director. It is important that reports are made as soon as possible to promptly address inappropriate behavior, ensure more accurate witness accounts, and to allow the ability to seek resolution outside of the Library (see below for IDHR and EEOC deadlines).

Any supervisor or manager who becomes aware of possible sexual harassment, or to whom a report of sexual harassment is made, must promptly notify their Manager, the Human Resources Manager, or the

Director. Failure of a supervisor or manager to promptly report possible discrimination or harassment may result in disciplinary action, up to and including termination.

Any employee who witnesses an act of sexual harassment should promptly notify their Manager, the Human Resources Manager, or the Director.

If the complaint involves the Director, notification should be made to the Library Board Budget & Personnel Committee.

All allegations, including anonymous written reports submitted to the Manager, Human Resources Manager, or the Director (or Library Board Budget & Personnel Committee when involving the Director) via postal mail, employee mailboxes, or online form, will be accepted and investigated regardless of how the matter comes to the attention of the Library.

If the complaint is not resolved at the Library, all municipal (library) employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

### Prohibition on Retaliation for Reporting Sexual Harassment Allegations

No Library officials, agents, employees, or departments shall take any retaliatory action against any Library employee due to a Library employee's:

1. Disclosure or threatened disclosure of any violation of this policy.
2. The provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this policy.
3. Assistance or participation in a proceeding to enforce the provisions of this policy.

For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any library employee that is taken in retaliation for a Library employee's involvement in protected activity pursuant to this policy.

No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), the Library may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, the Library may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. (740 ILCS 174/15(b)).

According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because they have opposed that which they reasonably and in good faith believe to be sexual harassment in employment, because they have

made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

An employee who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge – due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.

### Consequences of a Violation of the Prohibition on Sexual Harassment

In addition to any and all other discipline that may be applicable pursuant to Library policies, procedures, this handbook, and/or the Union Contract, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable discipline or discharge by the Library and any applicable fines and penalties established pursuant to local ordinance, State law or Federal law. Each violation may constitute a separate offense. Any discipline imposed by the Library shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a State or Federal agency.

### Consequences for Knowingly Making a False Report

A false report is a report of sexual harassment made by an accuser using the sexual harassment report to accomplish some end other than stopping sexual harassment or retaliation for reporting sexual harassment. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this policy shall be subject to discipline or discharge pursuant to applicable Library policies, procedures, this handbook, and/or the Union Contract.

### Whistleblower Compliance

A whistleblower for purposes of this policy is an employee of the Library who reports an activity that they consider to be illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

An example of an illegal or dishonest activity is a violation of federal, state, or local laws or financial wrongdoing, including but not limited to theft or embezzlement. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Human Resources Manager or the Director. If the complaint involves the Director, notification should be made to the Library Board Budget & Personnel Committee. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline, up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense (when applicable). The Library will not retaliate against a whistleblower. The Library prohibits any form of retaliation against whistleblowers, including, but not limited to, retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm. Any whistleblower who believes they

are being retaliated against must contact the Human Resources Manager or the Director immediately. If the complaint involves the Director, notification should be made to the Library Board Budget & Personnel Committee. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

### Reasonable Accommodations

The Library supports the Illinois Human Rights Act, the Americans with Disabilities Act as amended, and Title VII of the Civil Rights Act, and will attempt to provide reasonable accommodations for pregnant individuals, qualified individuals with disabilities, and individuals who request such accommodations for their religious beliefs or practices unless such accommodations would present an undue hardship for the Library.

Reasonable accommodations apply to all covered employees and applicants and include but are not limited to accommodations related to hiring practices, job placement, training, pay practices, promotion and demotion policies, access to benefits, facility and service accessibility, and layoff and termination procedures. Any employee who needs to request a reasonable accommodation should ask their Manager, the Human Resources Manager, or the Director.

As noted above, individuals who may request a reasonable accommodation include:

- A pregnant individual, affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth.
- A qualified individual with a disability, which includes any individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual has or wants, and does not pose a direct threat to the health or safety of themselves or other individuals in the workplace.
- An individual who requests reasonable accommodations that will allow the individual to practice their religion.

For more information regarding rights on Pregnancy in the Workplace, download the Illinois Department of Human Rights fact sheet at [www.illinois.gov/dhr](http://www.illinois.gov/dhr), or refer to the posted "Pregnancy Rights Notice."

### Nursing Mothers

The Library will provide a reasonable break time for an employee to express breast milk for a nursing child for one (1) year after the child's birth each time the employee has the need to express the milk. This break time shall be paid and shall run concurrently with other paid breaks. When possible, the break time should be arranged with the employee's Manager.

The Library will provide a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, which may be used by the employee to express breast milk.

### Conflict of Interest

The Library takes great pride in maintaining high standards of business ethics, integrity, and treating all people with the utmost professionalism. The Library is committed to conducting daily business activities that foster a healthy work environment for its employees and a fair and honest relationship with our patrons, vendors and other visitors. The Library strives to conduct business in ways that bring credit to us as an organization and as individuals.

All employees of the Library are expected to conduct business in a legal, ethical, and professional manner at all times. Employees should avoid situations that pose, or appear to pose, a conflict of interest. Activities, actions, or business interests which may jeopardize or overlap with the interests or business activities of Library are a potential basis for conflict and are prohibited. The Library's patrons, suppliers, vendors, and employees have the right to expect that the Library will conduct its business in an honest and equitable manner. The Library, therefore, needs to have a constant, sincere commitment to the highest ethical standards.

If an employee has any concerns about whether a conflict of interest exists, or how to deal with one, speak to the Human Resources Manager or the Director.

Employees should never place themselves or the Library in a position of obligation to another organization or individual. Employees are prohibited from accepting from any patron, supplier, or vendor any gift or benefit without prior approval from the Business Manager or Director and are prohibited from accepting any other consideration if there is an expectation of resulting favorable treatment. This rule applies to gifts of cash, products, services, food and beverages, entertainment, and all other items of value, regardless of how they are received.

The Library requires that all outside employment, outside directorships, and business interests which might create a conflict of interest or the appearance of a conflict of interest, be disclosed to the Human Resources Manager or the Director.

In general, the Library does not object if employees wish to engage in other employment or professional activities outside of their regular work schedule, as long as such employment does not interfere with their job performance, affect attendance, prevent employees from working overtime, involve the use of the Library's equipment, tools or other resources, or otherwise conflict or compete with the Library's best interests. The Library employees are, of course, prohibited from engaging in outside activities that are competitive to the products and services offered by the Library.

Employees should notify the Human Resources Manager or the Director immediately regarding any potential conflicts of interest they may have. Moreover, employees are expected to report any violations or suspected conflicts of interest to the Human Resources Manager or the Director. If the Library determines that outside employment interferes with the employee's performance or creates an actual or apparent conflict of interest, the employee may be asked to terminate the outside employment.

### Employment of Relatives

The Library shall not employ immediate family members or romantic partners of supervisory staff, Managers, the Director, Trustees, Foundation Board members, Golden Prairie Public Library District Board members, or City Officials. The Library shall not employ immediate family members of current employees to work in the same department. For purposes of this policy, an immediate family member is defined as an employee's parent, spouse, child, sibling, grandparent, grandchild, as well as immediate family members of the employee's spouse and the immediate stepfamily of the employee or their spouse.

Current employees who marry or establish close personal or romantic relationships may continue employment as long as they are not in a supervisory/subordinate working relationship and no other

interference with the Library's operations is likely to occur. Employees must inform the Human Resources Manager if they enter into a familial or close personal or romantic relationship to ensure that no actual or perceived conflict of interest is present. If such conditions should occur, attempts may be made to find a suitable position within the Library to which one of the employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

## Personnel Files

Bargaining Unit employees shall refer to Article 18 of the Union Contract for applicable terms and conditions relating to personnel files.

Personnel files are the property of the Library, and access to the information they contain is restricted. Generally, only officials and representatives of the Library who have a legitimate reason to review information in a file are allowed to do so. The official personnel record shall be maintained at the Library.

With reasonable advance notice and a written request to the Human Resources Manager, an employee may review and copy material in their personnel file at least two times per calendar year, but only in Library's offices and in the presence of the individual appointed by the Library to maintain the file. The personnel record shall be made available to an employee during regular business hours within seven (7) working days of their written request. However, the record shall not be removed from the Library, nor shall any documents in the record be altered or removed from the file.

Employees may contribute documents to their record that relate to their performance and accomplishments. If an employee disagrees with the information contained in the personnel record, it may be modified or removed by mutual agreement. If the Library and the employee are unable to mutually agree to the correction, the employee may submit a written statement explaining their position, to be attached to the disputed portion of the record. This statement will be included whenever the disputed portion of the record is released to a third party.

Certain records, such as reference checks, are not available for inspection. The Library shall comply with all applicable laws relating to personnel files, including, without limitations, laws regarding disclosure to third parties.

## Chapter 3 - Professional Conduct and Workplace Information

### Conduct and Work Rules

As integral members of the Library's team, employees are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times.

The following is a list of behaviors that could result in disciplinary action, up to and including termination. Be aware that this list is not intended to be "all inclusive," and that other behaviors may, at the Library's discretion, also result in disciplinary action, up to and including termination. Establishment of these standards of conduct does not alter the employment-at-will relationship. Employees should seek further clarification from their Manager on issues related to conduct if they do not understand a particular rule or are uncertain regarding a particular behavior.

## Breaches of Conduct

- Violation of any Library policies.
- Falsifying an employment application, time sheet, expense report, personnel record, or other documents or records of the Library.
- Theft of Library, patron, or employee property.
- Possession, distribution or use of weapons or explosives on the premises of the Library, which has prohibited the possession of weapons on its premises in accordance with the Illinois Firearm Concealed Carry Act.
- Fighting or other disorderly conduct.
- Threatening, intimidating, coercing, or using abusive or vulgar language towards other employees or patrons.
- Interfering with the performance of other employees.
- Insubordination or failure to perform reasonable duties that are assigned.
- Unauthorized or inappropriate use of material, time, equipment, or property of the Library or a patron.
- Damaging or destroying Library, employee, or patron property through careless or willful acts.
- Performance that does not meet the requirements for the position.
- Negligence in observing fire prevention and safety rules.
- Abuse or negligence of Library security or confidential materials.
- Installing unauthorized or illegal copies of software on Library-owned computer.
- Revealing any confidential, proprietary information to any person who is not authorized to receive it and/or who does not need to know it.
- Repeated tardiness or absence; failure to report for work without a satisfactory reason; abuse of leave privileges.
- Violation of Library's drug/alcohol policy.
- Unauthorized access to confidential records and information, including both Library and patron information.
- Failure or refusal to cooperate with Library audits or investigations.
- Rudeness and other inappropriate behavior towards patrons.
- Violations of applicable local, state, or federal law.
- Any behavior that results in an employee not performing their job, including sleeping on the job.
- Engaging in such other practices as the Library determines may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of the Library, its employees, or its patrons.

## Dress Code

### Operations Employees

Bargaining Unit operations employees shall refer to Article 15 of the Union Contract for applicable terms and conditions relating to uniforms.

### Personal Appearance and Image at Bloomington Public Library

Employees are the face of the Library; therefore, while at work or performing work on behalf of the Library, employees and their clothing should be neat, clean, free of stains, free of rips/tears, and should



maintain appropriate hygiene standards. Employees must ensure that their appearance matches the tasks they are completing.

Business casual attire is the required work attire for employees of the Bloomington Public Library. Using the following guidelines, employees are asked to use their best judgment in considering what is and what is not appropriate attire. If an employee is unsure as to whether a particular item of clothing or accessory is appropriate, they should consult with their Manager prior to wearing such an item. If an employee requires an accommodation to this policy, they should contact the Human Resources Manager.

### General Guidelines

The following are guidelines to help define business casual attire. This does not intend to be an all-encompassing list of attire that is not acceptable and exceptions to this will be handled on a case-by-case basis.

Business casual attire **does not** include items such as:

- Shorts, skirts shorter than 4 inches above the knee, sweatpants, leggings/pants/shirts that are sheer, bib overalls, hooded shirts, halter tops, tube tops, tank tops with less than 2-inch straps.
- Clothing, buttons/pins, and face masks with logos, text, etc. on the front or back, except for those designed to promote the Library, Library programs, or reading related topics.
- Rubber Flip-flops or house slippers.
- Clothing that reveals stomachs, undergarments, too much of back or chest areas.
- Hats, caps, and bandanas.
  - Headwraps, scarves, religious head coverings, and medically necessary head coverings are allowed.
- Strong-smelling substances, perfumes, aftershaves, colognes.
  - Potpourri or other such substances are not allowed in workspaces for the health and safety of our employees with chemical sensitivities.

Managers may provide more specific guidelines for their department.

Minor violations may result in the employee being asked not to wear the specific type of item in the future. Serious violations may result in the employee being sent home, without pay, to change clothes and return to work. As an option for unpaid time off, with approval of the manager, the employee may use leave time or flex time. Repeated violations may be grounds for additional discipline, up to and including termination.

### Nametags

- Employees are expected to wear their library issued nametag during work hours. The nametag should be worn on a library issued lanyard or clipped/pinned to the lapel area.
- Employees who lose their nametags will be charged a replacement fee. Employees who lose their lanyards will be charged a replacement fee. There is no charge for the replacement of nametags or lanyards that are returned to the Human Resources Manager due to wear and tear damage.

## Technology

### Biometric Information

The City of Bloomington, on behalf of the Library, uses biometric information for purposes of employee timekeeping and access to employee information on the time clocks. All employees may be required to allow use of biometric data. If an employee has a concern about the use of biometric data, they should talk to the Human Resources Manager. The Definition of “Biometric Identifier” is a fingerprint and the “Biometric Information” means any information, regardless of how it is captured, converted, stored, or shared, based on an individual’s biometric identifier used to identify an individual.

This program and the information collected and created as part of the program will be used only for the intended purposes laid out herein. In the event that the City begins collecting and/or utilizing biometric data for any additional purposes, this policy will be updated.

For Time and Attendance purposes, employees shall be enrolled in the biometric system. New employees shall be enrolled upon their hire. Employees’ fingerprints will be scanned to create encoded biometric information for use in the biometric program. The time clocks will scan the employee’s finger and will convert it into a mathematical representation creating a finger scan template, which will be stored in an encoded format. As a result, it is not possible to reproduce the original image.

The City will protect its employees’ biometric information from release to anyone outside the City and its provider. The biometric information is encoded and through other techniques will be protected. Such biometric information is exempted from disclosure under FOIA as private information as defined under 5 ILCS 140/2(c-5) and 5 ILCS 140/7(b).

### Security Cameras

In order to ensure the safety and security of employees, patrons, guests, and Library property, the Library maintains security cameras throughout the facility. Policies governing the security cameras are found in the Bloomington Public Library Policies Manual.

### Use of Information Systems

This policy governs employee use of the Library’s computers, networks, communications systems, phone systems, Internet, and other IT resources (collectively “information systems”). All such information systems, and all communications and stored information transmitted through, received on, accessed on, or contained in the Library’s information systems are Library property and are to be used primarily for job-related purposes during working time. To ensure the proper use of information systems and business equipment, designated Library employees may monitor the use of these systems and equipment and review or inspect all material stored on them from time to time. No communications are guaranteed to be private or confidential. When using the Library’s information systems, employees should note the following:

- The primary purpose of technology resources is to conduct official Library business. Employees may occasionally use the technology resources for individual purposes on their own personal time (e.g., breaks & meal periods), if such use does not interfere with Library business, violate patron confidentiality, or violate the terms and conditions of this policy.

- Excessive personal use of information systems or distribution of personal messages by employees is prohibited. Personal software or messages shall not be installed or stored on the Library's information systems unless prior approval is obtained.
- In order to maintain network and information security, the sharing or misuse of passwords is prohibited. Employees are responsible for protecting the confidentiality of their password(s). Passwords should not be written down or left in places that they are accessible to others.
- The use of personal passwords, assigned to or selected by the employee, is not grounds for an employee to claim privacy rights in the information systems or any data or content stored therein. Employees may be required to disclose passwords or codes to designated Library employees to allow access to the systems. The Library reserves the right to override personal passwords.
- Employees are prohibited from using codes, accessing files, or retrieving any stored communication without prior authorization.
- Employees are prohibited from bringing unauthorized electronic equipment to work to use with Library-provided information systems and from accessing the Library systems with their devices without explicit permission from the IT Manager. Such prohibited equipment includes but is not limited to any type of external computer drives, such as flash drives, to save information from computer drives, and personal laptops and other wireless communications devices. Using such unauthorized equipment with Library-provided information systems and/or accessing Library information systems without permission is considered to be theft of Library's intellectual property.
- The Library's prohibition against sexual, racial, and other forms of harassment is extended to include the use of the Library's information systems. Harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually oriented messages or images. Employees who receive email or other information on their computers which they believe violate this policy should immediately report this activity to their Manager or the Human Resources Manager.
- Sexually explicit or otherwise generally considered inappropriate materials are not allowed. If an employee accidentally connects to a site that has offensive (sexually explicit or otherwise generally considered inappropriate) material, they must disconnect from that site immediately.
- All printing and photocopying for personal use must be paid for in Administration.
- Privileged or confidential material, such as, but not limited to, trade secrets or attorney-client communications, should not be exchanged haphazardly by email, facsimiles, etc.
- Employees must respect all laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including Library's own copyrights, trademarks, and brands.
- Employees must be aware of the possibility that electronic messages that are believed to have been erased or deleted can frequently be retrieved by systems experts and can be used against an employee or the Library. Therefore, employees should be cautious and use the systems only in the appropriate manner and consult with designated library employees to guarantee that information is legally eligible for deletion and if so, is truly eliminated.
- In the unlikely event that an employee needs to make a personal long-distance phone call or personal long-distance fax on the Library's phone/equipment, they must inform the Business Manager of the date and time the call was made. If the library is charged for long distance calls, this may be charged back to the employee when the bill is received.

- Employees may have their personal cell phone accessible, but it must be on silent or vibrate. Employees must limit any personal usage, including texting, to their breaks or lunch hour. Exceptions may be made in case of an emergency, but if an employee is at a public service desk, the employee should notify another employee and step away.
- Personal headphones/earbuds should not be worn at public service desks or when performing a duty with the intention of interacting with patrons (ex. greeting program participants). Staff may wear an earbud in one ear in other public areas as long as the staff member remains alert to their surroundings and is able assist patrons when necessary. Each Manager may determine headphone/earbud usage guidelines for staff areas and when the building is not open to the public. Each Manager may determine headphone/earbud usage guidelines for staff areas.
- Violation of this policy can result in discipline, up to and including termination.

The use of technology resources is a privilege, not a right, and the Library may revoke this privilege at any time for misuse. Inappropriate uses of Library resources may result in discipline up to and including termination. Suspected illegal acts involving technology resources, including but not limited to theft, may be reported to local, state, and federal authorities, and may result in prosecution by those authorities. Any questions concerning the appropriate use of any of the technology resources or relevant Library policies should be referred to the Director.

### Use of Social Media

Social media is defined as: blogs, other types of self-published online journals, and collaborative Web-based discussion forums including, but not limited to, LinkedIn, Facebook, Instagram, Pinterest, and Twitter.

### General Rules and Guidelines

The following rules and guidelines apply to the use of social media at any time, regardless of whether such use is personal or on behalf of the Library, or during working or non-working time. (Using the Library's equipment to access social media sites is also governed by the Use of Information Systems Policy. Employees should also refer to this policy before accessing such sites via the Library's equipment). These rules and guidelines apply to all employees.

- Employees are prohibited from discussing confidential Library matters through the use of social media, such as the Library's trade secrets, marketing lists, customer account information, strategic business plans, customer lists, confidential Library financial information, business contracts, and other proprietary and nonpublic Library information. See the Confidentiality Policy for more information.
- Employees cannot use social media to harass, threaten, bully, or discriminate against co-workers, managers, patrons, clients, vendors or suppliers, any organizations associated or doing business with the Library, or any members of the public, including website visitors who post comments. The Library's anti-harassment and EEO policies apply to use of social media.
- Employees should respect all copyright and other intellectual property laws. For the Library's protection, as well as the employee's, it is critical that proper respect is shown for all the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Library's own copyrights, trademarks, and brands.

- This policy is not intended, nor shall it be applied, to restrict employees from discussing their wages, hours, and working conditions with co-workers.

### Use of Library-Sponsored Social Media

Library-sponsored social media is used to convey information about the Library's facilities and services, advise the public about upcoming events, obtain customer feedback, exchange ideas or trade insights about industry trends, reach out to potential new markets, issue or respond to breaking news, and brainstorm with employees and patrons.

All such Library-related social media is subject to the following rules and guidelines, in addition to the rules and guidelines set forth in the Use of Social Media section:

- Only employees designated and authorized by the Marketing Manager can prepare content for or delete, edit, or otherwise modify content on Library-sponsored social media. These employees are responsible for ensuring that the Library-sponsored social media conforms to all applicable Library rules and guidelines.
- Library-sponsored social media accounts are owned by the Library. Any employees who create such accounts or are provided access to such accounts do not obtain ownership rights to such accounts or any content contained in them. Employees who create or are provided access to Library-sponsored social media accounts must provide the Library with access to such accounts immediately upon the Library's request and must transfer "manager" or "owner" status (as defined by the particular social media site) upon the Library's request.

### Use of Personal Social Media

The following rules and guidelines, in addition to the rules and guidelines set forth in the Use of Social Media section and the Use of Library-Sponsored Social Media, apply to employee use of social media on the employee's personal time.

- Employees who utilize social media and choose to identify themselves as employees of the Library may not represent themselves as spokespeople for the Library. Accordingly, employees are strongly encouraged to state explicitly, clearly, and in a prominent place on the site that their views are their own and not those of their Employer or of any person or organization affiliated or doing business with their Employer.
- Employees may not advertise or sell Library products or services through personal social media platforms.

### Library Monitoring of Social Media

The Library reserves the right to monitor employees' public use of social media, including but not limited to statements or comments posted on the Internet, in blogs and other types of openly accessible forums, diaries, and personal and business discussion forums.

Employees should have no expectation of privacy while using Library equipment and facilities for any purpose, including the use of social media. The Library reserves the right to monitor, review, and block content that violates the Library's rules and guidelines.

### Violations of Social Media Policies

The Library will investigate all reports of violations of the Library's rules, guidelines, or policies. Employees are urged to report any violations of this policy to the Human Resource Manager. A violation of the Social Media policies may result in discipline up to and including termination.

### Workplace Searches

The Library reserves the right to conduct searches of Library property and items on Library facilities, vehicles, and premises. Searches will be based on reasonable suspicion of a violation of Library policies or a specific issue with the area and can be conducted to the fullest extent permitted by law.

There is no general or specific expectation of privacy in the workplace either on Library premises, in Library facilities, or in Library vehicles. If an employee uses a locker or other storage area at work, including a locking desk, combination locker, locking file drawer or cabinet, the Library will be given a master key or combination to the lock. If an employee fails or refuses to provide the requisite key or combination, the Library may remove the lock by whatever means necessary to conduct the search. The Library shall not be responsible for damage done to said locking devices.

If there is not a time sensitive or safety issue, Library management will allow the employee to be present and/or for bargaining unit members to request the presence of a union representative during the search.

All employees of the Library are subject to this policy. Employees are expected to cooperate with the Library's workplace searches.

At all times, Library items remain the property of the Library.

### Library Expenses

The Business Manager is responsible for the administration of the following Library Expense policies. If there are any questions about these policies, please contact the Business Manager.

#### Library Issued Procurement cards (P-cards)

Procurement cards (P-cards) are essentially credit cards and are issued to employees who are responsible for making purchases or paying bills on behalf of the Library.

Employees may only use their Library P-card to incur expenses that are allowable under this policy, that follow the Library's Purchasing Policies, and the City policies and guidelines for P-cards.

P-cards are not to be used for personal purchases under any circumstances.

Use of a Library P-card is a privilege and may be withdrawn at any time.

#### Allowable Expenses

The preferred method of payment for Library expenses is the Library-issued P-card or a direct invoice to the Library. If the employee does not have a Library-issued P-card, it is the Library's practice to reimburse employees for reasonable and necessary expenses incurred during the period they are employed by the Library in connection with travel and other business on behalf of the Library, subject to the guidelines and procedures set out in this policy. The specific types of expenses that may be reimbursed and procedures for requesting reimbursement are set out below. Employees must obtain

advance written approval from their Manager and receipts or other appropriate substantiating documentation for all travel and other business expenses incurred.

Regardless of the payment method, the employee must submit all receipts, including itemized meal receipts, as soon as possible, no later than two weeks from the date of the expense or the return from business travel. (To ensure the employee gets an itemized receipt, they should notify the server that an itemized receipt is needed.)

Other than in emergency situations, individuals not attending a scheduled and prepaid event may be required to reimburse all cancellation costs and expenses incurred by the Library.

The Library will generally only allow expenses that meet the substantiation requirements set out below. Expenses not addressed in this policy, such as childcare costs and personal entertainment, are not allowed nor reimbursable. Furthermore, voluntarily incurred expenses, such as an employee's expenses related to working from home (which is occasionally offered as a benefit to the employee), are not allowed nor reimbursable.

### Taxes

The Library is exempt from paying taxes in most cases. Employees traveling or making purchases from suppliers must provide the vendor with the appropriate exemption certificate to avoid paying taxes on exempt purchases. The Library will not pay or reimburse any taxes charged for purchases that should have been exempt.

### Expense Reimbursement Requests

Employees must receive written pre-approval from their managers prior to incurring any expenses on the Library's behalf. Employees will generally not be reimbursed for expenses incurred without prior written approval and may not be reimbursed for such expenses beyond the pre-approved amount if the employee's expense exceeds the amount for which the employee received written pre-approval.

Upon obtaining written prior approval, employees may request reimbursement for business-related expenses incurred in accordance with this policy by completing an expense reimbursement form and submitting the completed form, including all receipts and appropriate substantiating documentation as required by this policy, to the Business Manager. All expense reimbursement forms must be signed and verified by both the employee and the employee's Manager. Expense reimbursement forms are available on the Library's intranet in the Forms section.

If a receipt or other substantiating documentation is not available, the employee must submit a written explanation of why the documentation cannot be provided. The Director or Business Manager will evaluate the explanation and determine whether the expense is reimbursable.

Employees must submit expense reimbursement forms to the Business Manager within two weeks of incurring the expense.

The Business Manager will verify that expenses are permissible and that documentation is adequate and accurate. The Library reserves the right to refuse any expense reimbursement request that is inaccurate, does not include the appropriate substantiating documentation, is submitted late, or otherwise fails to fully comply with the Library's policy, as determined by the Director or the Business Manager. Expense reimbursement forms may be subject to audit by the Library or by government agencies.

### Return of Excess Reimbursements

If an employee receives an excess reimbursement, the employee must report and return any excess amounts within two weeks unless other arrangements are made with the Business Manager.

### Expense Reimbursement Payment

#### Payment Date

The Library will reimburse an employee for reimbursable expenses promptly following the date on which the employee submits a complete expense reimbursement form that includes all required approvals and substantiating documentation, but in any event no later than December 31 of the calendar year following the calendar year in which the expense is incurred.

### Section 409A of the Internal Revenue Code

Reimbursements under this policy are intended to comply with Code Section 409A and applicable guidance issued thereunder or an exemption from the application of Section 409A.

Accordingly, all provisions of this policy shall be construed and administered in accordance with Section 409A. The amount of reimbursements provided under this policy in any calendar year shall not affect the amount of reimbursements provided during any other calendar year and the right to reimbursements hereunder cannot be liquidated or exchanged for any other benefit.

Notwithstanding any provision of this policy, the Library shall not be liable to any employee for any taxes or penalties imposed under Section 409A on any reimbursements hereunder.

### Professional Development Expenses

The Library will pay for the cost of attending professional development events, including registration fees, after the Business Manager confirms that the Professional Development Request has been approved.

Registrations should be made in time to ensure that the Library receives the best rates possible. Employees will be responsible for any additional costs incurred by registering after early bird deadlines. Exceptions will be made only with the Director's approval.

Professional Development registration fees and other similar expenses should be paid directly by the Library in advance of the event but may be reimbursed following the event if prior payment by the Library is not possible.

Elective activities, such as tours, recreational activities and entertainment, that the employee desires to participate in, which are considered additional to the registration fee, will be the responsibility of the employee.

### Travel Expenses

The Library will generally pay for business travel expenses incurred in accordance with the guidelines set out below. Reservations and purchases should be made in time to ensure that the Library receives the best rates possible.

#### Transportation

Employees should always use the lowest-priced transportation option that is reasonably available. Consideration should be given to the amount of time away from the library, cost of transportation, and



additional cost of hotel accommodations and meals that might be necessary. (For example, if an employee is traveling to a remote location and the least expensive way to travel is to fly and pay for transportation from the airport to the location, but the employee chooses to drive their personal vehicle thus incurring mileage and extra hotel/meal costs, the library will reimburse the employee only for the amount that would have been incurred by flying.) If the least expensive airfare would cause a layover of an additional day, the additional day of travel will be granted, if after considering all expenses, including meals, hotel, and a day's salary, the total of the travel expenses is the least expensive method.

As a general rule, for more than a one-day drive, the recommended travel mode is to fly. For less than a one-day drive, ground transportation is recommended.

#### *Air Transportation*

Employees must travel on the lowest-priced coach airfare available, taking into consideration preferred airports, preferred arrival and departure times, connection times, and other restrictions, including cancellation and change fees.

#### *Baggage Fees*

Charges for checked baggage are allowable in each of the following circumstances:

- The employee is transporting materials belonging to the Library.
- The employee is traveling for longer than 3 days.
- The cost was included on the Professional Development Request form and approved in advance of the flight.

#### *Automobile Transportation and Parking*

When more than one employee from the Library attends an event within driving distance, carpooling is encouraged. If the employee chooses not to carpool with another employee attending from the Library, they will be responsible for their own transportation expenses.

Library-owned vehicles may only be driven by employees who have submitted their Drivers' License to the Business Manager.

When traveling outside of McLean County, employees must email their Manager with a list of all vehicle occupants prior to departure.

#### *Personal Vehicles*

If a personal vehicle is used, mileage reimbursement shall not exceed the current allowable rate per mile as set by the Internal Revenue Service. When using a personal vehicle, recording of the beginning and ending odometer readings is recommended, but not required. When an employee uses a personal vehicle to attend an offsite event in Bloomington-Normal, mileage is allowed from the employee's residence less the distance from the employee's residence to the employee's regular workplace. (Ex. If an employee lives 5 miles from the library and attends an event 7 miles from their residence, the employee would be reimbursed for 2 miles.) When an employee uses a personal vehicle to attend an offsite event outside of Bloomington-Normal, the reimbursement will be allowed from the employee's regular workplace unless leaving from personal residence causes the trip to be shorter in distance. If using a personal vehicle, the vehicle must be insured by the minimum required in the Illinois Vehicle Code, and the Bloomington Public Library Travel Reimbursement Form must be completed after the travel has occurred and returned to the Business Manager for reimbursement.

Tolls and reasonable parking fees are also reimbursable. However, the Library will not reimburse employees for expenses not necessary for business purposes, such as:

- Parking tickets.
- Vehicle repairs and maintenance.
- Fines for moving violations.
- Vehicle towing charges.

#### *Rental Cars*

If use of a rental car is required for business purposes, the Library will pay for the reasonable cost of the rental car, gasoline, tolls, and parking fees. Employees must reserve an economy or standard-sized vehicle. Upgrades to full-size vehicles are permissible only with advance approval by the Business Manager and if required due to the number of passengers.

The Library's insurance will cover both the employee and the vehicle when a vehicle is rented for business purposes. Accordingly, employees should not purchase additional insurance coverage from the rental car agency.

#### *Ground Transportation*

The Library will pay for ordinary and reasonably priced ground transportation, including buses, shuttles, taxis, and car services to and from airports or railroad stations and between the employee's hotel and other business-related locations.

#### *Rail Transportation*

Employees are expected to choose the lowest, most reasonable fare available, taking into account preferred arrival and departure times, applicable connection times, and other restrictions, including cancellation and change fees. The Library will pay for penalties and other charges for cancellations or changes that follow the rules applicable to air transportation, as set out above.

#### *Hotels and Lodging*

The Library will pay for the cost of standard accommodations in a reasonably priced hotel for overnight stays during business trips.

Late/early check-out/in fees will be the responsibility of the employee, unless approved by the Director. If luggage storage costs are incurred, they will be paid by the Library.

Employees with lodging expenses must submit an itemized hotel receipt or statement which indicates that full payment has been made and contains:

- The name and location of the hotel or other lodging.
- The date or dates of the employee's stay.
- Separately stated charges for lodging, meals, telephone, and other expenses.

The Library will pay room cancellation fees for guaranteed room reservations only in extenuating circumstances, as determined by the Director or Business Manager.

The Library will not pay for entertainment expenses, such as, but not limited to, movie rentals or games.

## Meals

The Library will pay for the reasonable cost of an employee's meals while on overnight travel or where an employee is away from Bloomington-Normal during what is reasonably considered a mealtime. Meal expenses, including tips, will only be allowed for the lesser of the actual expense or the maximum meal rate.

The maximum meal rate will be based on the per diem rates published by the US General Services Administration and communicated to the employee as part of the Professional Development Request approval process.

Tips may be paid for by the Library but alcoholic beverages will not be paid for by the Library. It is generally recommended to leave a 15-20% tip. An additional meal reimbursement shall not be given for meals included in the cost of registration.

## Confidentiality

All employees must abide by the Illinois Library Records Confidentiality Act (75 ILCS 70/1 through 70/2) and safeguard confidential information obtained as a result of working for the Library. This confidential information includes trade secrets, information regarding business plans and methods, customer lists, customer personal information (including but not limited to customer bank account numbers, credit card information, addresses, phone numbers, and email addresses), customer histories and preferences, strategic business plans, business contracts, financial plans, investments, operating and marketing information and procedures, pricing information, product cost information, new product plans, research and development, mailing lists, mailing list strategies, and private personal information concerning the Library's employees.

All requests for Library records and information, should be forward to the Director and/or the Library's Freedom of Information Act (FOIA) Officer as access to confidential information should be on a "need to know" basis and must be authorized by the Director and/or the Library's FOIA Officer. Unauthorized use or disclosure of any confidential information will cause irreparable harm to the Library. The Library may seek all remedies available under the law for any threatened or actual unauthorized use or disclosure of confidential information. Any employee who is unsure about the confidentiality of any information should immediately seek the assistance of a supervisor prior to disclosing such information.

Employees should use reasonable security measures with respect to confidential information, including but not limited to the following:

- Confidential information should not be disclosed to any third party except upon the Library's prior written approval.
- No copies should be made of any confidential information except to promote the purposes of the employee's work for the Library.
- Employees should not use confidential information for their own benefit, nor for the benefit of any third party, without the Library's prior written approval.

## Immunity from Liability for Confidential Disclosure of a Trade Secret to the Government or in a Court Filing

- Immunity—An individual shall not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that—(A) is made—(i) in confidence to a

federal, state or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal.

- Use of Trade Secret Information in Anti-Retaliation Lawsuit—An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual—(A) files any document containing the trade secret under seal; and (B) does not disclose the trade secret, except pursuant to court order.

All confidential information shall remain the sole property of the Library, and all copies must be returned to the Library upon termination of employment or upon demand at any other time.

## Performance Reviews

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 17 of the Union Contract for additional applicable terms and conditions relating to performance reviews.

### Informal Performance Meetings

Periodic informal performance meetings between the employee and the Director and/or Manager to discuss and coach work performance, job satisfaction, work-related problems, and the work environment are encouraged.

### Written Performance Reviews

Performance reviews are a two-way process, conducted to provide both managers and employees the opportunity to discuss tasks, identify areas of improvement, recognize areas of strength and weakness, and discuss positive approaches for meeting expectations and goals. Employees may request a written performance review from their Manager if they have not received one in more than 12 months. The written document will be placed in the employee's file.

### Poor Performance Reviews

Multiple poor performance reviews may result in discipline, up to and including termination.

## Discipline

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 7 of the Union Contract for additional applicable terms and conditions relating to discipline and termination.

### Disciplinary Action

Employees who violate any Library policy, or who otherwise fail to meet the expectations of the Library, their department, or their Manager may be subject to discipline. The Library will take whatever disciplinary measures it deems appropriate to deal with a particular situation.

The Library may find it necessary to investigate an alleged infraction for which an employee may face disciplinary action, up to and including termination. In this case, the Library may suspend the employee, with or without pay, pending the investigation. The objective of this suspension will be to determine

whether an infraction occurred and/or the level of disciplinary action is appropriate. Following the investigation, if the Library decides not to terminate the employee, the employee will be reinstated with or without pay, depending on the circumstances.

An employee charged with a criminal offense may be suspended without pay pending the outcome of the hearing. If the employee is cleared by investigation, restitution of unpaid salary will be made.

Employees who feel that they have been disciplined unfairly are encouraged to first discuss the matter with their Manager. If this does not result in a satisfactory resolution, employees may discuss the matter with the Human Resources Manager.

## Separation of Employment

Service will be terminated when an employee voluntarily resigns or is involuntarily terminated.

Employees must return all Library issued equipment, keys, and other Library property to their Manager or the Human Resources Manager prior to their departure from Library employment. Employees who fail to return Library property may be billed for any unreturned items and/or face criminal charges.

## Resignations

Employees should submit resignations in writing to their Manager. Employees are encouraged to provide four weeks' notice for management positions and librarians, and two weeks' notice for all other positions to facilitate a smooth transition out of the Library. The Director may request that the Human Resources Manager conduct an exit interview with a resigning employee.

## Retirement

Employees retiring from the Library should contact Human Resources up to six (6) months prior to their anticipated retirement date to discuss retirement benefits and payouts. A written retirement statement should also be submitted in writing to their Manager.

## Job Abandonment

Any employee who is absent from work for three (3) consecutive scheduled workdays without contacting their Manager may be regarded as having resigned their position and such resignation will be automatically accepted.

## Involuntary Terminations

Involuntary termination for incompetence, insubordination, inability to perform the required tasks, or any other violation of Library policies, practices, and/or procedures may be made by the Director if it is deemed to be in the best interest of the Library.

If termination is required, employees shall receive a written notice of termination. The employee may be asked to leave the Library immediately.

## Chapter 4 - Safety and Security

Establishment and maintenance of a safe work environment are shared responsibilities of the Library and employees from all levels of the Library. The Library will attempt to do everything within its control to assure a safe environment and compliance with federal, state, and local safety regulations.

Employees are expected to obey safety rules and to exercise caution in all their work activities.

Employees have an absolute obligation to immediately report any unsafe conditions to their supervisor. Not only supervisors, but employees at all levels of the organization are expected to correct unsafe conditions as promptly as possible. The Library will not retaliate against an employee who comes forth with a safety recommendation or refuses to operate any equipment or work in an area they reasonably feel is unsafe.

### Reporting on the Job Injuries

All accidents, especially those that result in injury, must be reported immediately to the nearest available supervisor, regardless of how insignificant they may appear.

If an employee has an accident, sustains an injury, or becomes seriously ill, a Form 45 Employer's First Report of Injury or Illness will be filled out as soon as possible, no later than 3 days after the incident, by the employee or another employee or security officer witnessing the event, on behalf of the employee. The report will be given to the Business Manager or put in their mailbox if they are not at work at the time of the incident.

Such reports are necessary to comply with federal and state laws and initiate insurance and workers' compensation procedures. Failure to immediately report an accident may result in discipline, up to and including termination.

### Smoking

The Library is a smoke-free campus and employees are required to comply with the Library Policies relating to smoking while on Library premises.

### Drug and Alcohol-Free Workplace

The Library is committed to providing a safe, healthy, and productive workplace that is free from alcohol, cannabis, and illegal drugs as classified under applicable local, state, or federal laws, including, but not limited to, federal and state requirements relating to CDL Licenses. In furtherance of this commitment, the Library maintains a policy in which job applicants and current employees may be requested or required to submit to drug and alcohol testing in certain situations.

Employees must abide by all of the provisions of this Policy (except that this Policy does not supersede rights established under the Union Contract).

### Definitions

#### *Cannabis*

Includes all forms of cannabis or marijuana, including both recreational and medical cannabis and marijuana.

#### *Library Premises*

Includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased or managed by the Library.

#### *Illegal Drugs*

Means substances (1) that are illegal under state or federal law; or (2) whose use or possession is controlled by federal or state law but are not being used or possessed under the supervision of a

licensed health care professional. This definition includes, but is not limited to, cocaine, PCP, heroin, LSD, amphetamines, and barbiturates, but, for purposes of this policy only, does not include cannabis.

#### *Refuse to Consent/Cooperate*

Means, but not limited to, obstructing the collection process, submitting an altered, adulterated or substitute sample, or failing to promptly provide specimen(s) for testing when directed.

#### *Under the Influence of Alcohol*

Means an alcohol concentration of .04 or more, or actions, appearance, speech, or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

#### *Under the Influence of Cannabis*

Means actions, appearance, speech, or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of cannabis use, which may or may not be accompanied with a confirmed positive test result.

#### *Under the Influence of Illegal Drugs*

Means a confirmed positive test result for illegal drug use or actions, appearance, speech, or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of illegal drug use.

### *Work Rules*

Whenever employees are working, operating Library vehicles, or present on Library premises, they are prohibited from:

- Use, possession, manufacture, distribution, dispensation, or sale of any illegal drugs, cannabis, or alcohol.
- Distributing, dispensing, or selling prescription drugs. This Policy does not prohibit employees from the lawful use and possession of prescribed medications, except that employees may not use or possess cannabis (even medical cannabis) on Library premises, while operating a Library vehicle, or while working. Employees are responsible for consulting with their doctors about a medication's effect on their ability to work safely and promptly disclosing any restrictions to their supervisor. In the event an employee fails to report such restrictions and creates a safety threat, neither a physician's prescription nor other medical reason will be an acceptable excuse for being in violation of this policy. Employees should not, however, disclose underlying medical conditions unless specifically directed to do so.
- Possession of illegal drugs, cannabis, or alcohol in a locker, desk, vehicle, or other repository on Library premises, or in Library supplied vehicles.
- Being under the influence of illegal drugs, cannabis, or a prescription drug without a valid prescription or contrary to the valid prescription (medical cannabis is not included as a prescription drug).
- Testing positive for illegal drugs or illegal drug masking agent.
- Switching or adulterating any sample submitted for testing or submitting a false sample for testing.
- Use, possession, sale, or distribution of alcohol, or being under the influence of alcohol, as defined in the substance abuse testing procedure.

- Refusing to consent to testing or refusing to submit a sample for testing when required by a Library representative.
- Being convicted under any Federal or State drug statute for a violation occurring in the workplace.
- Failing to comply with rules and regulations promulgated under any testing policy or procedure maintained by the Library.
- The abuse or misuse of legal drugs on Library premises, while engaged in Library business, in Library supplied vehicles, or during work hours.

The Library reserves the right to authorize the use of alcohol at Library sponsored employee events, which may be on or off Library premises. Only the Director can authorize the use of alcohol under this policy. Such consumption is only allowed if it does not adversely affect an employee's behavior or judgment and, if the employee will drive a motor vehicle following the event, does not adversely affect the employee's ability to safely and legally drive the vehicle.

Employees may be authorized to entertain Library business contacts on behalf of the Library under certain circumstances and are allowed to use alcohol while traveling on Library business when appropriate.

Employees are expected to exercise reasonable judgment at all times including authorized use of alcohol and recognize they represent the Library. The Library accepts no responsibility for employees' use of alcohol.

### Notification of Drug Offense Convictions

Employees must notify the Human Resources Manager in writing as soon as possible, but no later than three (3) business days, of any criminal drug or alcohol conviction (including pleas of nolo contendere) for a violation occurring in the workplace. The Library will review the situation and will take appropriate disciplinary action, up to and including termination. The Library may require the employee to participate in a substance abuse program.

### Employee Assistance

The Library recognizes that a successful approach to problems related to substance abuse requires an interaction of treatment, education, counseling, assistance, and discipline. The Library maintains an Employee Assistance Program (EAP) which provides counseling and referral to appropriate treatment for employees who seek assistance for substance abuse and other personal/emotional problems. Employees are encouraged to request assistance through EAP. The following conditions apply to EAP assistance:

- Participation in the EAP is confidential.
- Coverage of treatment costs will be subject to individual employee medical benefit plans.
- Participation in the EAP does not relieve the employee from job requirements.
- Employees must voluntarily request assistance to seek help for alcohol or drug problems before becoming subject to discipline under this or other Library policies.
- Using the EAP will not be a defense to avoid disciplinary action for violations of this policy.



## Required Testing

- **Reasonable Suspicion:** Employees are subject to testing if a supervisor reasonably suspects them of using or being under the influence of alcohol, cannabis, or other drugs while they are working, on Library premises, or operating Library vehicles. Where there is reasonable suspicion to believe that an employee is impaired due to being under the influence of drugs or alcohol while on duty, that employee may be required to report for drug/alcohol testing. When reasonable suspicion to believe that an employee is impaired due to being under the influence exists, the Human Resources Manager shall be contacted to confirm that suspicion prior to any order to submit to drug/alcohol testing. Refusal of an employee to comply with the order for a drug/alcohol screening will be considered as a refusal of a direct order and will be cause for disciplinary action up to and including termination. Reasonable suspicion exists if the facts and circumstances warrant a rational inference that a person is impaired by alcohol or controlled substances. Reasonable suspicion will be based upon the following:
  - Observable phenomena, such as direct observation of use and/or the physical symptoms of impairment by alcohol or controlled substances.
  - Information provided by an identifiable third party which is independently corroborated.
- **Random:** For persons with a CDL license, the Library is part of a small business pool administered by a third party. Names from this pool are randomly drawn four (4) times per year.
- **Return to Duty and Follow-Up:** Employees who have tested positive or violated this Policy, and who are not terminated or are reinstated, are subject to testing prior to being returned to duty. Follow-up testing at times and frequencies determined by the Library may also be required for up to three (3) years.

## Collection and Testing Procedures

Employees subject to alcohol testing shall be sent or driven to a Library-designated clinic and directed to provide breath specimens. Specimens shall be collected by trained technicians, using federally approved testing devices, which are regularly calibrated and capable of producing printed results that identify the employee. Positive or inconclusive breath tests or other indications that an employee may be under the influence may require the employee to be subjected to additional tests (urine or blood).

Applicants and employees subject to drug testing shall be sent or driven to a Library-designated clinic and directed to provide urine specimens. Applicants and employees may provide split specimens and may provide specimens in private unless they appear to be submitting altered, adulterated, or substitute specimens. Collected specimens shall be sent to a federally certified laboratory and tested. There shall be a chain of custody from the time specimens are collected through testing and storage.

The laboratory shall transmit positive drug tests results to a doctor called a medical review officer ("MRO"), retained by the Library, who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by lawful (under both federal and state law) prescribed medicines or other lawful substances. A medical marijuana/cannabis prescription or a claim that cannabis was used "off duty" is not a defense to a reasonable suspicion or post-accident test. Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified lab, to be tested at the employee's or applicant's own expense. Such requests must be made

within three (3) working days of notice of test results. If the second lab fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test.

### Consequences

- Employees who refuse to consent and/or cooperate in required tests, found to be under the influence of illegal drugs or who use, possess, buy, sell, manufacture, or dispense illegal drugs in violation of this Policy will be terminated.
- Employees found to be under the influence of cannabis or who possess or consume cannabis on Library premises, while operating a Library vehicle, or while working will be terminated.
- Unless aggravating circumstances are present, the first-time employees test positive for alcohol or possess, consume, or are under the influence of alcohol, they will be suspended and referred to the Library's Employee Assistance Program (EAP). Continued employment and/or reinstatement will be conditioned on cooperation with the EAP, successful completion of any prescribed treatment, passing follow-up tests and other appropriate conditions.
- Employees who test positive for alcohol more than once or otherwise violate this Policy's alcohol rules more than once will be terminated.

### Confidentiality

The Library strives to maintain confidentiality with respect to employee programs involving alcohol or drug use, consistent with legal, safety and security considerations and obligations. Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the MRO shall be kept confidential and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

This Policy is not a contract of employment and may be modified by the Library. To the extent non-employees, who are present on Library premises, engage or appear to have engaged in conduct that would violate this Policy if engaged in by an employee, such non-employees will be barred from Library premises.

### Driving Safety

Any employee who has driving responsibilities for the Library, be it using their own vehicle or using a motor vehicle owned by the Library, shall adhere to the following requirements:

- Must have and provide the Business Manager with proof of a current valid driver's license that is appropriate for the type of motor vehicle being driven and valid vehicle insurance.
- Must keep their Manager informed of any changes in the status of their driver's license and record, including expiration, suspension, or revocations.
- All motor vehicle accidents or violations which occur while an employee is carrying out the duties of their position must be reported immediately to the employee's Manager.
- Abide by all the current state's motor vehicle operation rules.
- Employees should notify their Manager if placed on a medication that will impair their driving ability or if there are other job restrictions.

If any of the above requirements are not met, they may result in the reassignment of the employee's driving responsibilities. If driving a motor vehicle constitutes an essential function of the employee's duties and responsibilities, the employee may be subject to termination, in the event the employee's ability to drive is restricted and they cannot perform the essential job duties.

## Workplace Violence

The Library is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States. Due to this concern, the Library has taken steps to help prevent incidents of violence from occurring at the Library. The Library expressly prohibits any acts or threats of violence by any employee, former employee, or any third party (including patrons, vendors, and visitors) both in the workplace or at any Library-related events. This includes threatening comments that are intended to be made in a joking manner.

In keeping with the spirit and intent of this policy, and to ensure that the Library's objectives in this regard are attained, it is the commitment of the Library:

- To provide a safe and healthful work environment.
- To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
- To take appropriate action when dealing with patrons, former employees, or visitors to the Library's facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- To prohibit employees, former employees, patrons, and visitors from bringing unauthorized firearms or other weapons onto Library premises in violation of the Illinois Firearm Concealed Carry Act.
- To establish viable security measures to ensure that the Library's facilities are safe and secure to the maximum extent possible and to properly handle access to Library facilities by the public, off-duty employees, and former employees.

All employees are responsible for maintaining a workplace that is free from threatening behavior and violence. Accordingly, each employee has a duty to report any threat, instance of harassment or offensive conduct, or violent act observed or experienced at work. In addition, any employee who has a reason to believe that a violent act may be committed on the worksite or against an individual related to the business in any way, must promptly report that belief or suspicion to the employee's immediate supervisor or the Human Resources Manager. No employee who in good faith either makes a report or participates in an investigation under this policy will experience retaliation of any kind.

Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that Library Management deems offensive or inappropriate will be subject to disciplinary action, up to and including termination.

Any employee who applies or obtains a protective or restraining order which lists Library premises as being protected areas should inform the Human Resources Manager. The Library may require the employee to provide a copy of the order.

## Personal Guests

Employees must remain with their personal guests the entire time the guests are in staff only areas and should limit this time to break and meal periods.

## Emergency Building Closing

The Director will be responsible for making the decision to close the Library due to inclement weather or other unforeseen circumstances. If the decision is made to close the Library prior to opening for business in the morning, an effort will be made to contact employees via phone, text, or e-mail.

If the decision to close the Library is made during the workday, the Director will contact each supervisor with the scheduled closing time to be communicated to employees.

In the event of an emergency closing, full-time employees are paid building emergency leave for all scheduled hours. However, if the Director declares an emergency closing with more than 24 hours' notice, the Library may adjust employees' schedules for the week.

In the event of an emergency closing, part-time and seasonal employees already at work will be paid building emergency leave through the end of their scheduled hours for that day. Part-time and seasonal employees not at work will be told not to report to work, are no longer considered to be scheduled and will not be paid building emergency leave.

Any employee who requests paid time off, chooses not to come to work, or leaves before the emergency closing begins, is no longer considered to be scheduled and will not be paid building emergency leave.

The Director has the ability to adapt these Emergency Building Closing Policies based on the duration and circumstances of the emergency.

## Chapter 5 - Scheduling, Payroll, Timekeeping, and Breaks

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 3 and 6 of the Union Contract for additional applicable terms and conditions relating to hours of work and wages.

### Compensation

All positions in the Library are grouped into classifications and pay ranges based on complexity and difficulty of duties, responsibilities, and qualifications required, including education, technical training, and experience. Nothing in this handbook is intended to be construed as a contract or promise of a set pay.

### Pay Deductions

It is the policy of the Library not to take any improper pay deductions that would be in violation of the Fair Labor Standards Act, its regulations (specifically Section 541.602(a)), or relevant state law or local ordinance.

Employees who believe their pay has been improperly deducted should report such improper deduction immediately to the Human Resources Manager. The complaint will be promptly investigated, and the

results of the investigation will be reported to the complaining employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to the Director.

Any employee whose pay is improperly deducted shall be reimbursed for such improper deduction no later than the next pay period after the improper deduction is communicated to the Human Resources Manager.

### Workweek

The workweek for all employees is Sunday through Saturday. All full-time employees, other than operations employees, work a thirty-eight (38) hour week. The workweek of full-time operations employees consists of a forty (40) hour week. The workweek for the Director and Managers is thirty-eight (38) hours; however, the Director and the Managers are responsible for high quality service and/or production levels in their departments and are not restricted to a fixed number of hours per week.

### Overtime

In accordance with applicable law, non-exempt employees who work more than forty (40) hours in any work week, shall be compensated at one and one-half (1 ½) times their regular rate of pay for the hours worked that exceed 40 hours in a week. An employee may choose to receive overtime payment in the form of compensatory time at the rate of one and one-half (1 ½) times the overtime hours worked. Overtime must be pre-approved by the Manager and the Director.

Paid time off shall not be considered hours worked when calculating overtime.

### Scheduling

Work schedules are established by the Director and/or Manager to meet the needs of Library operations and may require that any and all employees work evenings, weekends, and split days. Work schedules will be posted in advance but are subject to change due to the Library's needs and/or unforeseen staffing shortages. All employees will be notified of such changes as much in advance as possible. It is the personal responsibility of each employee to be at their workstation and fully prepared to begin work at the time the scheduled work hours begin. Employees are not permitted to alter work hours without the permission of their Manager. "Altering work hours" includes arriving early and then leaving early and/or arriving late and staying late. Employees are not authorized to "trade hours" absent the permission of their Manager.

### Work Outside Scheduled Working Hours

Non-exempt employees are not expected to check Library email outside of their scheduled work hours. If an employee does conduct business, exclusive of shift scheduling, via Library email outside of their scheduled hours, they are required to report it to their manager to ensure they are properly compensated. Employees who fail to obtain prior approval for unscheduled work hours may be subject to disciplinary action.

### Breaks

Employees who work six (6) hours or more in any workday shall be entitled to two (2) fifteen (15) minute uninterrupted breaks. Employees who work more than two (2) hours but less than six (6) hours in any workday shall be entitled to one (1) fifteen (15) minute uninterrupted break. The time of such

break(s) shall be arranged by the employee and the employee's Manager, in a manner that ensures the Library's continued operational needs are met.

### Meal Periods

In accordance with applicable law, all employees shall be granted a one (1) hour unpaid, uninterrupted meal period during each work shift of more than six (6) consecutive hours. The meal period should be taken in full and approximately midway in the shift. The meal period must be scheduled in a manner that ensures the Library's continued operational needs are met.

## Chapter 6 - Leaves and Approved Absences

It is understood that libraries provide a service critical to the welfare of the people of Illinois and that leave requests may be reasonably denied if granting said leave request would significantly impact the business operations due to the size of the library staff team.

For additional information on leaves in this section and/or other leaves that may be available, including, but not limited to leaves under the Illinois Victims' Economic Security and Safety Act (VESSA) and Illinois School Visitation Rights Act, employees should ask the Human Resources Manager.

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 4 of the Union Contract for applicable terms and conditions relating to holidays.

### Holidays

The following days are recognized paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day (library will be open)
- Easter
- Memorial Day
- Juneteenth (library will be open)
- Independence Day
- Labor Day
- Veterans Day (library will be open)
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve

### Holiday Pay Eligibility Requirements

Full-time employees shall be eligible for pay for any holiday, provided compensation has been paid for the last scheduled workday before and the first scheduled workday after the holiday.

### Holiday Pay

Full-time employees will be paid their regular rate, for 8 hours, for holidays which occur on a day the employee is regularly scheduled to work. Holiday pay will not result in overtime pay.

When a holiday falls on a full-time employee's regularly scheduled day off or on a day when the library is open, they will receive a floating holiday which may be taken within 30 days prior or 30 days after the holiday. The exceptions are Martin Luther King, Jr. Day, Juneteenth, and Veteran's Day, which may be taken on or within 60 days after the actual observance of the holiday. Floating Holidays are subject to Manager approval and must be taken at a time convenient to the employee's department and to the Library. Requests must be submitted before leave time has been taken. With prior approval of the Library Director or HR Manager, employees can use these floating holidays beyond this limit for holidays not covered. The prior approval must be requested, in writing, on or before MLK Jr. Day, Juneteenth, and/or Veteran's Day and the request must indicate on which day the employee intends to use these floating holidays.

## Vacation Leave

The Director must approve any deviation from vacation leave policy in writing in advance.

## Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 5 of the Union Contract for applicable terms and conditions relating to accrual and eligibility for vacation time.

## Management

The Director and Managers are granted vacation on the anniversary of their start date, according to the following terms:

After 90 days, 50 hours (6.25 days)

After 6 months, 50 hours (6.25 days)

After 1 year, 100 hours (12.5 days)

After 2 years, 200 hours (25 days)

## Non-Bargaining Unit Full-Time Employees

Eligible non-bargaining unit employees are granted vacation on the anniversary of their start date, according to the following terms:

After 90 days, 24 hours (3 days)

After 6 months, 24 hours (3 days)

After 1 year, 40 hours (5 days)

From 2 to 4 years, 112 hours (14 days)

From 5 to 10 years, 152 hours (19 days)

From 11 to 19 years, 176 hours (22 days)

20 years or more, 200 hours (25 days)

### Vacation Carry-Over

Vacations must be taken within the vacation year in which they are due unless an exception is granted by the Director. Full-time employees may carry over up to but no more than forty (40) hours of vacation time annually. Except in extreme cases, unused, earned vacation exceeding the amounts designated in this paragraph will be forfeited and employees will not be entitled to pay in lieu of time off.

### Vacation Scheduling

Vacation is an earned privilege and must be taken at a time convenient to the employee's department and to the Library. Vacations of one week or longer should be scheduled at least a month in advance if possible and must be approved by the Manager. When the absence of several employees during the same period of time would jeopardize operations, the employee who first requested the time off will typically be given priority. If employees requested time off at approximately the same time, the employee with seniority will typically be given priority. Vacation requests must be submitted before leave time has been taken.

Vacation leave can be taken in fifteen (15) minute increments after the first half hour. Example: .5 hour; .75 hour; 1 hour; 1.25 hours; 1.5 hours; 1.75 hours, etc.

### Vacation Rights in Case of Separation or Layoff

Accrued but unused vacation leave shall not be compensated by a cash settlement except upon separation of employment. In accordance with Illinois law, employees shall be paid for their accrued, unused vacation at separation of employment or in the event the employee is permanently laid off.

### Sick Leave

An employee who is unable to report to work for a period of three consecutive days may be required to bring a certificate of treatment from a reputable physician licensed in the state where medical treatment was provided stating that they personally treated said employee for the sickness which kept employee from work and that the physician personally knew the employee was unable to perform the duties of their employment during the entire absence from work. In cases of inordinate use or possible abuse of sick leave the three-day period can be waived, requiring the employee to bring certification for each day of missed work.

Taking sick leave under false pretenses is a violation of trust that is subject to disciplinary action, up to and including termination.

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 12 of the Union Contract for applicable terms and conditions relating to sick leave accrual, sick leave abuse, sick leave buy back, IMRF creditable service, and Retirement Health Savings.

### Management and Non-Bargaining Unit Full-Time Employees

All full-time management and other non-bargaining unit employees shall accrue 8 hours of sick leave per month, up to a maximum of 960 hours.

### Use of Sick Leave

Employees may use sick leave for absences due to an illness, injury, or medical appointment of the employee. Employees may also use sick leave for absences due to an illness, injury, or medical



appointment of the employee's child (including foster child or a child for which the employee serves as the legal guardian), spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent in which the employee's attendance is necessary.

Sick leave can be taken in fifteen (15) minute increments after the first half hour. Example: .5 hour, .75 hour, 1 hour; 1.25 hours; 1.5 hours; 1.75, etc.

### Reporting Illness

Employees who know in advance that they will be absent for health reasons must give their supervisor advance notice, including the probable start date and duration of the absence. If an employee is unable to report to work because of their own illness or the illness of a child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, the employee shall contact their Manager as soon as practical.

### Employee Accessibility During Illness

The Director or designee reserves the right to contact any employee during the course of the first day of absence or any subsequent days of absence due to illness. Any employee who cannot be contacted by the Director or designee during their absence, and after diligent effort on the Library's part, will have to show to the Director due reason for the inaccessibility before the days of absence will be compensated.

### Medical Record Keeping

The Library will maintain complete and up-to-date records on all employees as regards to their health, sick leave record, job injury record, or any other information as deemed appropriate by the Director. All information about an employee's medical condition is confidential and will be kept in separate files by the Human Resources Manager. The employee's regular personnel file may contain only the dates of the medical absence, not the medical reason(s) for the absence.

### Sick Leave Buy Back Program

For all employees hired prior to May 1, 1997 who retire or leave the employment of the Library, under honorable circumstances, and with twenty (20) or more continuous years of service and at age 55 or older, with a minimum of 350 hours of usable sick leave, eligible sick time shall be paid at the employee's final hourly rate for up to 100% of 1440 hours of the employee's accrued sick leave. The 1440 hour maximum Sick Leave Buy Back shall consist of the employee's balance of usable sick leave first, plus any Supplemental Sick Time for Creditable Service up to a total maximum Sick Leave Buy Back payment of 1440 hours. Under no situation will an employee be paid for more than 1440 hours of sick leave. Supplemental Sick Time for Creditable Service shall no longer accrue after April 30, 2020.

For all employees hired between May 1, 1997 and April 30, 2010, who retire or leave the employment of the library under honorable circumstances and with twenty (20) or more continuous years of service and at age 55 or older, with a minimum of 350 hours of usable sick leave, eligible sick time shall be paid at the employee's final hourly rate for up to 75% of 960 hours of the employee accrued sick leave. The 960 hour maximum Sick Leave Buy Back shall consist of the employee's balance of usable sick leave first, plus any Supplemental Sick Time for Creditable Service up to a total maximum Sick Leave Buy Back payment of 960 hours. Under no situation will an employee be paid for more than 720 hours of sick leave. Supplemental Sick Time for Creditable Service shall no longer accrue after April 30, 2020.

All employees hired on or after April 30, 2010 are not eligible to receive payment of accrued sick leave upon retirement under the Library's Sick Leave Buy Back Program.

All Sick Leave Buy Back (regardless of SLBB Tier) will be paid to the employee via a Retirement Health Savings Account deposit, in a manner in which SLBB earnings are no longer IMRF eligible and will therefore avoid any accelerated payment under IMRF provisions.

### IMRF Creditable Service

Employees who had a balance of Supplemental Sick Leave for Creditable Service for Illinois Municipal Retirement Fund ("IMRF") purposes on April 30, 2020 may maintain said balance. The employee's Supplemental Sick Leave for Creditable Service balance shall be frozen, shall be used for IMRF creditable service purposes only, and may never be used for any form of paid sick leave, except as outlined in the Sick Leave Buy Back Program section, above.

### Retirement Health Savings

Employees shall have 50% of their monthly unused accrued sick time above 960 hours paid into the Retirement Health Savings (RHS) account, such contributions will be made on a monthly basis.

### Paid Leave Donation

The Library recognizes that employees may have a catastrophic medical emergency, removing their ability to care for themselves and resulting in a need for time off in excess of available sick/vacation/personal time. To address this need, co-workers may donate accrued but unused paid leave time to an employee in need of additional paid leave due to a catastrophic medical emergency, in accordance with the policy below.

### Eligibility Guidelines

A request to receive donated time must be approved by the employee's Department Manager, Human Resources (HR), and the Library Director. Consideration for approval includes:

- Full-time employment with the Library for at least one year.
- That the employee has been diagnosed with a terminal or other serious and catastrophic non-work-related medical condition that requires an extended absence of the employee from their position for at least 30 consecutive days, resulting in a substantial loss of income. Medical documentation from a physician is required.
- That the employee has exhausted the accrued paid leave hours available to them.
- That the employee's sick leave use over the past 3 years complies with the Library's policies, as defined in the Employee Handbook or Collective Bargaining Agreement (CBA).

### Paid Leave Donation Specifics

- A co-worker's donation of paid leave time is strictly voluntary. Donated hours will be transferred from the employee donating the hours to the qualifying employee, if the individual meets the Eligibility Guidelines listed above.
- Employees donating paid leave time will be required to sign a Paid Leave Donation Form which is available on the staff intranet.

- The donating employee must indicate where donated time is to be taken from. Available sick/vacation/personal time may be donated to the eligible employee, but compensatory (comp) and wellness hours are excluded from this policy. Paid leave time may only be donated in full-day increments.
- Employees cannot donate future, non-accrued paid leave time. Hours donated must be available to the employee at the time of the donation.
- A co-worker may donate accrued paid time in eight (8) hour increments. The total amount of leave time donated by an employee may not exceed 40 hours in a rolling year. Donated time is transferred from the donating employee to the recipient employee, effective the date HR receives a signed and approved Paid Leave Donation Form. Time is used by the receiving employee in the order each Paid Leave Donation Form is received.
- In the event all donated time is not used by the recipient employee, unused time will be returned to the donating employees in the reverse order in which Paid Leave Donation Forms were received.
- Employees on a leave of absence may not donate time.

### Requesting Donated Time

- Employees requesting donated time must complete a Paid Leave Donation Request Form, obtain all necessary approvals and submit the form to HR. The requesting employee will be required to sign a release for HR to communicate the need Library-wide.
- If the employee has accrued paid time available, such time will be used prior to any donated time. Donated time may only be used for time off related to the catastrophic medical emergency.
- Employees may receive no more than 480 hours of donated time within a rolling 24-month period. Donated hours are not eligible to be used as credit towards an employee's rapid accrual benefit.
- Receiving employees will continue to accrue leave benefits and are eligible for other benefits (including health insurance) during the use of paid donated leave.
- Employees returning to full duty may continue to use donated leave time for medical appointments and absences directly related to the catastrophic medical emergency, for up to 45 calendar days. All such absences must be accompanied by a physician's note.
- The receiving employee must comply with all notice and procedural requirements with respect to the use of paid leave.
- Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

### Parental Leave

#### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 13 of the Union Contract for applicable terms and conditions relating to parental leave.

#### Management and Non-Bargaining Unit Full-Time Employees

All full-time employees who provide proof of their pregnancy or that of their partner at least 30 days prior to the expected due date will be eligible for 20 workdays of paid parental leave for each pregnancy resulting in birth or multiple births. Should both parents be employees of the Library, they shall be

allowed to split the 20 workdays. The Library may require proof of the birth and paternity. Leaves under this Section shall also be granted in cases of a full-term stillborn child.

All full-time employees are eligible for 20 workdays of paid leave with a new adoption of a child, with the leave to commence no earlier than when physical custody of the child has been granted to the employee, provided that the employee can provide proof at least 30 days prior to the formal adoption that reflects the formal adoption process is underway, as well as final proof that such adoption was finalized. In the event the child was in foster care immediately preceding the adoption process the leave will commence once a court order has been issued for permanent placement and the foster parent has been so notified of their right to adopt, as long as the foster child has not resided in the home for more than one (1) year.

Employees taking legal guardianship of a child (lasting for one year or more) will receive up to twenty (20) working days of paid leave initiating after the receipt of court documentation.

Such leave must be taken consecutively once it is started until the leave is completed, and all such leave must be taken within a year of the child's birth or adoption. Regardless of the number of pregnancies or adoptions in a year, no employee shall receive more than 20 workdays of paid leave under this section per rolling year.

Parental leave is for the purpose of bonding with the new member of the household. Employees are not eligible for leave under this section in the event the adoption is for a step-child or relative with whom the employee has previously established residency for a period of one (1) year or more.

Such leave will run concurrently with FMLA Leave.

## Wellness Leave

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 13 of the Union Contract for applicable terms and conditions relating to wellness leave.

### Management and Non-Bargaining Unit Full-Time Employees

In the spirit of promoting wellness, full-time employees will be eligible for one day (8 hours) of paid time off that can be earned per fiscal year (from May 1 – April 30). In order to earn a Wellness Day an employee must satisfy the requirements outlined in the Wellness Day application. An employee earning a day may use it at any time during the next fiscal year, following approval of the application and with prior approval of their Department Manager. A Wellness Day cannot be rolled over into future years and must be taken in a full day increment. A Wellness Day is not paid out upon separation of employment.

## Personal Leave

### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 13 of the Union Contract for applicable terms and conditions relating to personal leave.

### Non-Bargaining Unit Part-Time Employees

Part-time employees will accrue 1 hour of personal leave for every 40 hours worked.

Employees may begin using the personal leave that they have earned, 90 calendar days after their start date.

Use of personal leave is restricted to the employee's regularly scheduled hours.

Employees may carryover their unused personal leave, up to a maximum of 15 hours.

Personal leave is not paid out upon separation of employment.

### Management and Non-Bargaining Unit Full-Time Employees

All eligible full-time employees shall be authorized three (3) personal days (up to 24 working hours) each fiscal year without loss of pay. This amount is prorated for employees starting after May 1st.

### Use of Personal Leave

Personal leave must be approved by the Manager in advance of the time off to ensure the Library's continued operational needs are met.

Personal leave can be taken in fifteen (15) minute increments after the first half hour. Example: .5 hour; .75 hour; 1 hour; 1.25 hours; 1.5 hours, 1.75 hours, etc. Personal leave under this policy does not carry over from year-to-year and is not paid out upon separation of employment.

### Bereavement Leave

#### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 13 of the Union Contract for applicable terms and conditions relating to bereavement leave.

#### Management, Non-Bargaining Unit Full-Time Employees, and Non-Bargaining Unit Part-Time Employees

The Library recognizes the importance of family and the difficulties an employee faces following the loss of a loved one. Eligible employees will be granted up to four scheduled days within a two-week period, to grieve and/or attend or prepare for the funeral of a covered family member, which will be paid at the straight time rate at the time of the leave. For purposes of this policy, a covered family member is defined as an employee's parent, spouse, domestic partner, child, sibling, grandparent, grandchild, as well as covered family members of the employee's spouse and the covered stepfamily members of the employee or their spouse.

An additional day to total five paid bereavement days will provided for the loss of the employee's spouse, domestic partner, child, sibling or parent.

Furthermore, an employee who has been employed by the Library for at least 12 months and worked at least 1,250 hours in the last 12 months may be entitled to take two weeks of unpaid time off (inclusive of the paid bereavement leave mentioned above) for the death of the employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent; a stillbirth; a miscarriage; an unsuccessful reproductive procedure; a failed adoption match or an adoption that is not finalized because it is contested; a failed surrogacy agreement; or a diagnosis that negatively impacts pregnancy or fertility. A portion of this time may be paid pursuant to the above

provisions. For all other time off taken pursuant to this provision, an employee may use accrued PTO or take unpaid time off.

In the event of the death of an employee's or the employee's spouse's aunt, uncle, niece, or nephew, the employee shall be permitted one bereavement day.

In the event of the death of an employee, at the discretion of the Director, employees may be granted time to attend the visitation and/or funeral service.

Employees who are needed to serve as a pall bearer at a funeral in McLean County shall be excused from work without loss of pay to attend the service.

The Library reserves the right to receive documentation of the death, funeral, or service.

## Civil Leave

### Bargaining Unit Employees

The following policies apply to bargaining unit employees, to the extent a provision is inconsistent with the term of the Union Contract. For bargaining unit employees, Article 13 of the Union Contract shall control.

### Jury Duty

Employees will be granted time off when summoned to jury duty. It is the employee's responsibility to notify their manager as soon as possible after receiving the summons for jury duty. The employee will receive their normal straight time compensation for their scheduled hours while reporting for jury duty. Employees requesting and/or returning from jury duty leave may be required to provide verification of jury duty service. In cases where jury duty does not require a full day, employees are expected to spend as much time as possible at their regular duties in the office. Otherwise, the employee should report back at the beginning of their next work shift. All jury duty pay received other than meal or travel allowances shall be returned to the Library.

### Voting

An employee will be permitted two hours of paid leave for the purpose of voting in a local or state or national election if the employee's working hours begin less than two hours after the opening of the polls AND end less than two hours before the closing of the polls. If an employee needs to take time off to vote, the employee should notify their supervisor no later than the day before the election. The employee's supervisor may assign them a two-hour block of leave time for voting purposes. Proof of attendance at the polls may be required.

### Blood Donation Leave

An employee will be permitted one hour of paid leave for the purpose of donating blood, once every 56 days. Employees must obtain permission from their supervisor in advance of the blood donation appointment. The employee may be required to provide documentation of the blood donation appointment.

### Political Activity Leave

Employees who seek a City of Bloomington political office shall, at least thirty (30) days prior to a primary and again thirty (30) days prior to a regular election, be required to take a leave of absence. If

elected, the employee must resign from the Library immediately. If an employee receives an appointment by the Mayor, where a conflict of interest is present (e.g. appointment to the Library Board of Trustees), the employee must resign from the Library immediately.

### Court Appearances

Employees are sometimes called upon to make court appearances in connection with their job. These appearances may relate to proceedings instituted by the Library, such as matters in which the Library is a party. Employees may also be required to give testimony in connection with litigation between private parties where information regarding Library policies or practices is relevant. Employees who must attend court proceedings as part of their job duties will be considered to be at work during such appearances. Employees are expected to turn over any witness fees or similar payment they receive to the Business Manager.

Employees absent for court appearances that are not required as part of their job duties are required to charge any resulting absences to their available vacation or personal time. For example, employees attending workers' compensation court proceedings as a result of their own claim will need to use their personal time to do so. Employees may retain any pay they receive for court appearances not required as part of their job duties. Benefits may be available under the Victims Economic Security and Safety Act (VESSA).

### Military Leave

Military leave shall be granted to all employees for participation in the National Guard or the U. S. Armed Forces Reserves. Employees called to active military duty or to reserve or National Guard training, or volunteering for the same, should submit copies of their military orders to their supervisor as soon as is practicable. This includes time off for (i) service in a federally recognized auxiliary of the U.S. Armed Forces when performing official duties in support of military or civilian authorities as the result of an emergency; (ii) service covered in the Illinois State Guard as defined by the Illinois State Guard Act; and (iii) a period for which an employee is absent from a position of employment for the purpose of medical or dental treatment for a condition, illness, or injury sustained or aggravated during a period of active service in which treatment is paid by the United States Department of Defense Military Health System. Employees will be granted a military leave of absence without pay for the period of military service or training in accordance with applicable Federal and State laws. Employees who are reservists or members of the National Guard are granted time off without pay for required Military training. Their eligibility for reinstatement after the completion of their military duty and training and benefit continuation/eligibility issues are determined in accordance with applicable Federal and State laws. Employees may elect, but are not required, to use any vacation entitlement for the absence. Training leaves will not normally exceed two weeks per year, plus reasonable travel time.

### Leave for Service-Connected Injury

An employee who suffers an on-the-job injury shall be allowed full pay, at their regular rate of straight time at the time of injury, during the first three (3) working days without the utilization of any accumulated sick leave or other benefits. Thereafter, the employee shall be permitted to utilize accumulated sick leave and/or take an unpaid leave not to exceed one (1) year from the onset of the event. In the event such service-connected injury becomes the subject of an award by the Industrial Commission, the employee shall reimburse the Library the dollar equivalent which duplicates payment

received as sick leave days, and the employee's sick leave account shall be credited with the number of sick leave days used.

## Family Medical Leave Act ("FMLA")

*This policy contains information consistent with and in addition to the information contained in the "Employee Rights under the Family and Medical Leave Act" notice and is meant to provide additional information about the Library's specific policies and procedures under the Family and Medical Leave Act (FMLA). In the event of any conflict between the "Employee Rights under the Family and Medical Leave Act" notice and this policy, the "Employee Rights under the Family and Medical Leave Act" notice will prevail.*

## Bargaining Unit Employees

The following policies apply to bargaining unit employees, to the extent a provision is inconsistent with the term of the Union Contract. For bargaining unit employees, Article 13 of the Union Contract shall control.

## Basic Leave Entitlement

An employee may be eligible to take up to 12 weeks of unpaid family/medical leave within a 12-month period and be restored to the same or an equivalent position upon return provided that the employee has worked for the Library for at least 12 months AND worked at least 1,250 hours in the last 12 months AND at least 50 employees are employed by the Library within 75 miles of the employee's work location.

The 12-month period in which the 12-week leave entitlement occurs shall be a rolling 12-month period measured backward from the date an employee uses any leave under FMLA. Thus, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

## Reasons for Leave

If an employee is eligible, the employee may take family/medical leave for any of the following reasons:

- Birth and/or care of a newborn child of the employee.
- Placement of a child into the employee's family by adoption or by a foster care arrangement.
- In order to care for the employee's spouse, child or parent who has a serious health condition.
- A serious health condition which renders the employee unable to perform one or more of the essential functions of the employee's position.

Leave because of reasons one and two above must be completed within the 12-month period beginning on the date of birth or placement.

## Definitions

The following definitions shall apply:

- Serious Health Condition means an illness, injury, impairment, or physical or mental condition that involves either:
  - inpatient care in a hospital, hospice or residential medical care facility, or
  - continuing treatment by a health care provider.
- Continuing treatment means:



- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment thereof, or recovery therefrom) of more than three (3) consecutive calendar days (and any subsequent treatment or period of incapacity involving the same condition) involving treatment two (2) or more times by a health care provider--within thirty (30) days of the incapacity--or treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the health care provider's supervision.
- Any period of incapacity due to pregnancy or prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition that requires periodic visits for treatment by a health care provider; continues over an extended period of time; and may cause episodic rather than continuing incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, severe stroke, terminal stages of a disease).
- Any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g., chemotherapy for cancer, physical therapy for severe arthritis, or dialysis for kidney disease).
- Health care provider means a physician, dentist, podiatrist, clinical psychologist, or optometrist who is authorized to practice medicine or surgery in the state in which the individual practices his/her profession. In cases limited to treatment consisting of manual manipulation of the spine to correct a subluxation, medical certification may be provided by a chiropractor.

### Military Family Leave Entitlement

If an employee is eligible, the employee may use the 12-week FMLA leave entitlement to take military family leave. This leave may be used to address certain qualifying exigencies related to the covered active duty or call to covered active duty of a spouse, son, daughter or parent. Qualifying exigencies may include: (1) attending certain military events; (2) arranging for alternative childcare; (3) addressing certain financial and legal arrangements; (4) attending certain counseling sessions; (5) addressing issues related to short-notice deployment; (6) spending time with a covered family member who is resting and recuperating; (7) attending post-deployment briefings; and (8) for certain activities relating to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty.

An employee may also be eligible for up to 26 weeks of leave to care for a covered servicemember during a single 12-month period if the employee is the spouse, son, daughter, parent, or next of kin of the covered servicemember. This single 12-month period begins with the first day the employee takes the leave. A covered servicemember includes: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty; or (2) a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness incurred in the line of duty and: (i) was a member of the Armed Forces (including a member of the National Guard or Reserves); and (ii) was

terminated or released under conditions other than dishonorable within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.

### Improper Use of Leave

An employee may not be granted a FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an FMLA leave or take FMLA leave, the employee may be subject to immediate termination.

### Notice of Leave

If the FMLA leave is foreseeable, the employee must give the Library at least 30 days' notice in accordance with the usual procedure for requesting leave time. Failure to provide such notice may be grounds for delay of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the Library as soon as practicable and, absent unusual circumstances, in accordance with the Library's normal leave procedures.

### Medical Certification—Leave for Employee's Own or a Covered Family Member's Serious Health Condition

If the employee is requesting leave because of the employee's own or a family member's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be provided within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The Library, at its expense, may require an examination by a second health care provider designated by the Library, if it reasonably doubts the medical certification the employee initially provides. If the second health care provider's opinion conflicts with the original medical certification, the Library, at its expense, may require a third, mutually agreeable health care provider to conduct an examination and provide a final and binding opinion. The Library may also require medical recertification periodically during the leave, and employees may be required to present a fitness-for-duty verification upon their return to work following a leave for the employee's own medical condition specifying that the employee is fit to perform the essential functions of the job.

### Certification for a Qualifying Exigency

If the employee is requesting leave because of a qualifying exigency arising out of a covered family member's active duty or call to active duty, the employee must supply a copy of the covered military family member's active duty orders or other documentation issued by the military indicating that the covered military member is on active duty or call to active duty (including the dates of the active duty service). The Library may also request additional information pertaining to the leave.

### Certification for Servicemember Family Leave

If an employee is requesting leave because of the need to care for a covered servicemember with a serious injury or illness, the Library may require the employee to supply certification completed by an authorized health care provider of the covered servicemember. In addition, the Library may also request additional information pertaining to the leave.

### Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave

If an employee is requesting leave because of the need to care for a covered veteran with a serious injury or illness, the Library may require the employee to supply certification completed by an authorized health care provider of the covered veteran. In addition, the Library may request additional information pertaining to the leave.

### Substitution of Paid Leave

FMLA leave is unpaid leave. If an employee requests leave for any FMLA-covered reason, the employee will be required to exhaust all available vacation time, and, when leave is taken due to a serious health condition, all available sick days. The exhaustion of this paid leave does not extend the leave period. In addition, if an employee is eligible for any additional paid leaves, such as short term/long term disability or workers' compensation, these leaves will also run concurrently with FMLA leave (where appropriate) and will not extend the leave period. When using paid leave in conjunction with FMLA leave, an employee must comply with the requirements of the applicable paid leave policy.

### Benefits During Leave

During an approved FMLA leave, the Library will maintain the employee's health benefits as if the employee continued to remain actively employed, but the employee must continue to pay his or her share of the premium. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee may be required to reimburse the Library for payment of health insurance premiums during the FMLA leave.

During the unpaid portions of FMLA leave, the employee will not accrue employment benefits, such as vacation pay and sick/personal pay, etc., if the unpaid leave extends beyond thirty consecutive calendar days. Also, during the unpaid portions of FMLA leave, the employee will not receive pay for holidays. Employment benefits accrued by the employee up to the day on which the unpaid FMLA leave begins will not be lost.

### Intermittent Leave/Reduced Schedule Leave

In the case of unpaid leaves for serious health conditions, to care for a servicemember with a serious injury or illness, or because of a qualifying exigency, the leave may be taken intermittently (in separate blocks of time due to a single qualifying reason or health condition) or on a reduced hours basis if necessary. When the leave is needed for planned medical treatment, employees must attempt to schedule treatment so as not to unduly disrupt the Library's operations. Furthermore, if intermittent or reduced hours leave is required for planned medical treatment, the Library may temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates that type of leave. If leave is unpaid, the Library will reduce the employee's pay based on the amount of time actually worked. A fitness-for-duty certification may be required to return from an intermittent absence if reasonable safety concerns exist concerning the employee's ability to perform their job duties.

### Job Restoration

An employee who returns to work from an approved FMLA leave of absence is entitled to return to their job or an equivalent position without loss of benefits or pay. An employee who took leave because of their own serious health condition who wishes to return to work from FMLA leave may be required to

present a fitness for duty release by a doctor prior to being restored to employment. An employee who fails to provide the certification will not be permitted to resume work until it is provided.

### Break in Service and Benefits

When an employee is on unpaid leave under the policies outlined in this section, it shall not constitute a break in service. However, the employee shall not accrue or receive any benefits unless specified to the contrary under the policies outlined in this section.

### Job Restoration

At the expiration of any unpaid leave provided for under the policies outlined in this Article, the Library will make every effort to return the employee to the position they vacated if the position still exists, or if not, to any other vacant position in the same classification. The Library makes no guarantees with respect to job restoration.

Failure to return from a leave of absence within three (3) days after the expiration date will be regarded as the employee having resigned their position.

## Chapter 7 - Benefits

For more information on benefits, please contact the Human Resources Manager.

### Insurance

Full-time non-bargaining unit employees are eligible for insurance as offered by the City of Bloomington Employee's Health Care Plan. Dependent, vision, and dental coverage may also be obtained according to provisions set forth in the plan. Bargaining Unit employees shall refer to Article 14 of the Union Contract for information relating to insurance.

### Retirement Plan

Eligible employees must participate in the Illinois Municipal Retirement Fund as administered by the City of Bloomington. Specific details regarding eligibility and amounts withheld may be obtained from the City of Bloomington's Human Resources Department.

### Training and Education

#### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 11 of the Union Contract for additional applicable terms and conditions relating to training and education.

#### Library Professional Development

Every effort is made by the Director and/or Manager to allow as many employees as possible to participate in professional development opportunities (including library conferences and non-credit courses), subject to availability of funds. Employees must receive the Director and/or Manager's approval in advance of attendance.

For attendance at an event that takes place over more than one day and/or more than 70 miles from the Library, a Professional Development Request form (available on the Library's intranet in the Forms section) is to be completed.

### Calculating Hours Worked for Professional Development Opportunities

When attendance is approved, the time spent at a training/event will be considered as hours worked in calculating wages and overtime.

Travel time shall be considered as time worked to the extent required by the Fair Labor Standards Act. When attending events in Bloomington-Normal, travel time to the event is not part of the paid workday, just as the employee's travel time to work at the Library is not part of the paid workday. The employee is just traveling to a different work site for the day.

When attending events in Bloomington-Normal, if lunch is part of the event and was included in the registration fee, it is paid by the Library and considered work time. If the lunch is not part of the event, it is treated exactly as a lunch hour is during a normal workday. The Library will not pay for lunch and the lunch break is not considered work time.

When attending events outside of Bloomington-Normal, meal breaks at events are considered work time. Mealtimes that occur before/after the day's event begins and extended free times (over 2 hours) that would not reasonably be considered a mealtime per the event schedule are not considered work time.

Time before/after the day's travel or event begins, extended free times (over 2 hours), and elective activities are not considered work time. To insure the employee a full workweek, the employee and the Manager, with consideration of departmental needs, may use the Professional Development Request Form Schedule worksheet to adjust the schedule.

- If the length of time advertised for the event is more than the number of hours the employee is normally scheduled for the day, the employee and the Manager will adjust the schedule for the week, prior to the event.
- If the time advertised for the event is less than the normal work hours, the employee and the Manager need to adjust the schedule for the week, prior to the program, so that the employee is scheduled the regular number of hours.
- If the actual number of hours spent at the event is less than the length of time advertised for the event, the employee shall return to the Library to finish the remainder of their shift or shall turn in a paid time off request.
- If the actual number of hours spent at the event is more than the length of time advertised for the event, the employee shall alert their manager as soon as possible in order to make appropriate adjustments to their timecard and schedule.

### Professional Development Expenses

Registration and other expenses related to approved professional development opportunities are eligible for reimbursement according to the Library Expenses section in this handbook.

### Travel Companions

Employees may have family/friend(s) accompany them to out-of-town events, with the understanding that event participation is the primary reason for being there. Travel companions will not result in any increased costs for the Library and the Library will not pay for any of the travel companion's expenses, even in the case of an employee receiving a travel scholarship from an outside entity.

### Professional Development Report

Employees should share a written report of information learned at professional development opportunities with their Manager, Human Resources Manager, and others who will benefit. This should be done in a timely manner.

### Tuition Program

#### Bargaining Unit Employees

Bargaining Unit employees shall refer to Article 11 of the Union Contract for additional applicable terms and conditions relating to tuition reimbursement.

#### Management and Non-Bargaining Unit Full-Time Employees

Consistent with the potential benefit to the Library and the availability of funds, the Library may provide tuition for job or library related course work of full-time employees, who have at least one (1) year of continuous service. Employees must receive the Director's approval in advance of enrollment. Employees must complete the course in order to be eligible for the tuition program. In the event that tuition is paid in advance and employee fails to complete the course, employee will be responsible for refunding the total amount paid to the Library. The maximum level of tuition payment will be dependent on the grade an employee receives upon completion of the course. At the end of the course, the employee will reimburse the Library according to the following schedule:

0% for a grade of "A"

25% for a grade of "B"

50% for a grade of "C"

100% for a grade of "D" or lower

In the case of a pass/fail course, 0% for a grade of "Pass"

Any employee who leaves the Library, for any reason, within one (1) year of completing a course will be required to refund the Library the total amount paid for the course or reimbursed by the Library.

Employees who accept tuition payment consent to this repayment and consent to deduction of amounts owed from their final paycheck, to the extent permitted by applicable law.

Elective coursework, including homework, shall not be performed on work time.

### Taxes

The Internal Revenue Code sets a limit each year for what an organization can pay for an individual toward educational assistance. If the tuition payment level from the Library exceeds the government limit of that year, the employee will have to pay tax on that amount over the limit. Since this limit can fluctuate from year to year, the Library encourages employees to check with the Business Manager on an annual basis to see what the limit is for that particular year.