



# **PERSONNEL POLICIES**

**MAYWOOD PUBLIC LIBRARY DISTRICT  
PERSONNEL POLICIES  
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## Additional Benefit Time-Off – Birthdays and Personal Days

Approved 1/2023

### Birthdays

Library staff shall have their birthday, or a day of their choosing, as a paid leave day, not cumulative.

There will be no payment for unused birthday time upon separation of the employee.

**Effective January 1, 2024, the paid birthday leave day will cease.**

### Personal Days

The library provides personal days as a benefit to full-time employees and part-time employees. Personal days are to be used for personal business that cannot be accomplished during non-working time. This includes such things as appointments with attorneys, accountants, home repairs, mortgage closings/moving, etc.

Full-time employees will be granted up to three paid personal days (22.5 hours) per calendar year. During their first calendar year of employment, eligible employees hired from January 1<sup>st</sup> to March 31<sup>st</sup> are granted 2 days; eligible employees hired from April 1<sup>st</sup> to September 30<sup>th</sup> are granted 1 day; and eligible employees hired from October 1<sup>st</sup> to December 31<sup>st</sup> receive no personal days until the following January 1.

Part-time employees regularly scheduled to work at least 15 hours per week are eligible for 7 personal hours per calendar year. A regular part-time employee hired July 1 and after will be eligible for 7 personal hours beginning of the following calendar year.

These days may be taken at any time during the year with the prior consent of the manager.

Personal days may not carry over to the next year and must be taken within the year awarded. There will be no payment for unused personal time upon termination of the employee.

## At-Will Employment

Approved 4/2022

Employment and compensation with the library are “at will” which means that either the employee or the library may terminate the employment relationship at any time, for any reason or no reason, with or without cause or notice.

This employee handbook does not constitute a contract of employment with the library. Nor shall it or any of its provisions be construed as a term of any employment contract or be interpreted to give the right to any employee to be retained in the service of the library.

## Bloodborne Pathogens Policy

Approved 6/2016

While normal library operations are not likely to involve circumstances exposing employees or users to bloodborne pathogens, the Maywood Public Library District complies with Illinois Department of Labor regulations and therefore the federal Occupational Safety and Health Administration regulations relating to occupational exposures to bloodborne pathogens which have been incorporated by administrative actions.

**Exposure Determination:** No particular job classification of the Library has occupational exposure (meaning “reasonably anticipated...contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties”), however, emergencies may occur with staff or patrons, particularly youth or elderly patrons, to which library employees in all classifications may be called upon to respond with assistance. Or emergencies with “out of control” individuals (e.g. biting, spitting, etc.) could present an individual threat.

**Universal Precautions:** All potential circumstances of exposure must be taken into account by the Library and its employees to protect against exposures. Hepatitis B (HBV), human immunodeficiency virus (HIV), and other bloodborne pathogens found in human blood and other body fluids cause life-threatening diseases. In emergency or other such circumstances, when contact with blood or other potentially infectious materials may result, the Library’s approach to infection control requires all human blood and body fluids to be treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens. Engineering and work practice controls shall be used to eliminate or minimize employee exposures, and if a possibility of exposure remains, personal protective equipment shall also be used.

**Exposure Control Plan:** At any time within the Library environment that human blood, human body fluids, or other potentially infectious materials are presented, the area contaminated shall be immediately cordoned off and quarantined, even if the entire library must be closed to accomplish this completely. Personal protection clothing, such as gloves, gowns, masks, etc., shall be provided and used in the cleanup and safe disposal of contaminated waste such as diapers, blood-tinged materials (e.g. Band-Aids, gauze, cotton, clothing, etc.), etc. If advisable, a professional hazardous/contaminated cleanup firm shall be contacted and retained for complete cleanup and decontamination. The quarantine shall be effective until complete cleanup and disposal is obtained. Hand-washing facilities are provided by the Library and must be used by the employees as soon as feasible, including following the removal of personal protective equipment. A complete record of all incidents, exposures, cleanup, and disposals shall be kept as required by the regulations.

**Training and Immunizations:** The Library shall provide directly or through System, State, or associational programs, annual in-service training/educational programs for all affected

employees. Any employee who has an occupational exposure shall be offered, at no charge, the hepatitis B vaccine series, in accordance with the regulations. Following the report of an exposure incident, the Library will make immediately available to the exposed employee or employees a confidential medical evaluation and follow-up as provided in the regulations.



## Code of Conduct (Pending)

Placeholder

## Breaches of Conduct

Additional Text

## Disciplinary Steps

Additional Text

## Dress Guidelines

Approved 3/2023

Employees must present a professional appearance, appropriate to their job position, at all times while working. Employees are expected to be dressed and well-groomed in a manner appropriate for:

- Daily responsibilities and for specific events and programs
- The patron group(s) being serviced
- Safety requirements for work being performed

Generally, appropriate dress will be “business casual.” Examples of inappropriate dress include but are not limited to:

- Shorts (above mid-thigh) or mini-skirts
- Athletic, exercise (sweatshirts, yoga pants) or beach attire
- Leggings unless worn with an appropriate length top, sweater or dress
- Any item with images or words (except that small brand logos are acceptable)

Closed-toe shoes are required for employees who regularly work with or near book carts.

Maintenance employees are to be attired for the work that they perform and are also required to wear closed-toe shoes.

Blue jeans (neat, clean, hemmed and without holes) may be worn.

Hats and other head coverings may be worn inside the library for religious, cultural, or medical reasons only.

Employees are prohibited from wearing or maintaining in their workspace any type of strong smelling substance, including but not limited to: perfumes, after shaves, colognes, or other such substances. Employees are expected to maintain appropriate hygiene standards while at work or performing library work.

Any temporary exceptions based on season or special events will be communicated to all staff. Employees should discuss any questions about professional appearance with their manager.

An employee who fails to meet the above dress guidelines, as determined by their manager or the Library Director, may be sent home to change attire and receive a verbal warning. For non-exempt employees, time taken away from work to correct wardrobe choices will not be paid. Additional violations of this policy may lead to further disciplinary action, up to and including termination.

## Drug and Alcohol-Free Workplace

Approved 4/2022

The library has a strong commitment to its employees to provide a safe and healthy work environment. The library expects all employees to report for work in a condition to perform their duties. The presence of drugs or alcohol on the job and the influence of these substances on employees during working hours are inconsistent with these objectives. The library's policy with respect to drugs and alcohol is as follows:

### Prohibited Activity

The possession, consumption, purchase, sale, transfer, or distribution of alcohol on library premises is prohibited, unless an exception is made by the library. No employee shall be under the influence of alcohol while working or operating a library vehicle.

"Legal drugs" are: (1) drugs that are permitted under state or federal law, (2) obtained by an employee with a physician's prescription or over-the-counter, and (3) used for the purposes for which they were prescribed or sold. Employees are responsible for consulting with their doctors about a prescription medication's effect on their ability to work safely, and promptly disclose 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.

Employees using cannabis (including medical cannabis) must be aware of any potential effect such drugs may have on their judgment or ability to perform their duties and may not possess, use, or be under the influence of cannabis while performing their duties, while on the library's property, or while operating vehicles for the library.

"Illegal drugs" are drugs or controlled substances that are: (1) not legally obtainable under federal or state law, or (2) legally obtainable under federal and state law, but not obtained and/or used in a lawful manner. The use, purchase, sale, transfer, possession, being under the influence, or the presence in one's system of a detectable amount of an illegal drug by any employee is prohibited: (1) on library premises or (2) where the employee is performing library business off library premises.

### Testing for Alcohol and Drugs

The library will require a drug and alcohol test of any employee where there is a reasonable suspicion to believe that he or she may be using drugs or may be under the influence of drugs or alcohol while working, on library premises, or operating library vehicles. "Reasonable suspicion" will be based on objective factors such as the employee's appearance, speech, behavior, or other conduct or facts that indicate the employee is under the influence of legal or illegal drugs, cannabis, alcohol, or any or all of the above. Involvement in an injury or accident

at work or while performing library business may also be grounds for testing if a member of management has a reasonable belief that drugs/alcohol may have contributed to the injury or accident. Employees will be required to sign a consent and release form prior to drug or alcohol testing. Test results will be kept confidential to the extent possible and consistent with applicable law.

Employees who refuse to cooperate in required tests; test positive for alcohol, cannabis, or illegal drugs; are found to be under the influence of alcohol, cannabis, or illegal drugs; or use, possess, buy, sell, manufacture or dispense alcohol, cannabis, or illegal drugs in violation of this policy (as discussed above) will be terminated. In addition, if an employee fails to report immediately to the testing location upon request, comply with any testing procedures (including attempting to substitute, dilute, or otherwise change specimens to be tested) and/or fails to provide specimens unless medically incapable, he or she will be considered as refusing to test and subject to discipline, up to and including termination.

The laboratory conducting the tests 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 prescribed medicines or other lawful substances. (A medical cannabis prescription or a claim that cannabis was used "off duty" is not a defense to a reasonable suspicion 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.

### Employee Assistance Program

The library will assist and support employees who voluntarily seek help for alcohol or drug problems *before* they become subject to disciplinary action under this or other library policies. Employees who seek such assistance will be allowed to use accrued paid time off, placed on leaves of absence, where available, referred to treatment providers or otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and required to take and pass follow-up tests.

## FLSA Classification

Approved 4/2022

Each position is designated as either non-exempt or exempt based on the laws and regulations of the Fair Labor Standards Act (FLSA). 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 excluded from specific provisions of federal and state wage and hour laws.

## Family and Medical Leave (FMLA)

Approved 4/2022

The U.S. Department of Labor's rules (federal rules) implementing the Family and Medical Leave Act (FMLA), as they may be amended from time to time, control FMLA leave. This policy summarizes important aspects of the rules. 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.

### Basic Leave Entitlement

Employees 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 been employed by the library for at least 12 months AND worked at least 1250 hours in the last 12 months. 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: (1) the birth and first-year care of a child and in order to care for such child; (2) the placement of a child with the employee for adoption or foster care including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date; (3) to care for a spouse, son, daughter or parent ("covered family member") with a serious health condition; or (4) because of the employee's own serious health condition which renders the employee unable to perform the 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. In addition, spouses employed by the library who request leave because of reasons one or two or to care for an ill parent may only take a combined aggregate total of 12 weeks leave for such purposes during any 12-month period.

### 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; and (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 service member during a single 12-month period. *This single 12-month period begins with the first day the employee takes the leave.* A covered service member includes: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy or is in outpatient status; or (2) is on the temporary disability retired list for a serious injury or illness incurred in the line of duty; or (3) a covered veteran meaning one who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness incurred in the line of duty and who: (i) was a member of the Armed Forces (including a member of the National Guard or Reserves); and (ii) was discharged 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

Employees may not be granted an FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an 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 a leave of absence. 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. The employee needs to contact his/her manager on the first day of the absence within 15 minutes of scheduled starting time, explain the reason for the leave and give an expected date of return to work.

Employees must provide sufficient information for the library to reasonably determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

## 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 you initially provide. 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 illness 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 Service Member Family Leave

If an employee is requesting leave because of the need to care for a covered service member 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 service member. 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 you request leave for any FMLA-covered reason, you are required to exhaust any remaining applicable paid time in the following order – sick (if applicable) and then vacation. The exhaustion of this paid leave does not extend the leave period. In addition, if you are eligible for any additional paid leaves, such as long term disability or worker’s 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, employees 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. During any paid portion of FMLA leave, the library will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. Sick time does not accrue during the unpaid portions of FMLA leave. In addition, an employee on any unpaid leave, including unpaid FMLA leave, does not receive holiday pay.

## Intermittent Leave/Reduced Schedule Leave

Leave because of a serious health condition, to care for a service member with a serious injury or illness or because of a qualifying exigency may be taken intermittently (in separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday) if necessary. If leave is unpaid, the library will reduce the employee’s pay based on the amount of time actually worked. 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. In addition, if the employee is on an intermittent or reduced scheduled leave for planned medical treatment, the library may temporarily transfer the employee to an available alternate position which better accommodates the recurring leave and which has equivalent pay and benefits. 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 job duties.

## Job Restoration

If the employee wishes to return to work at the expiration of the leave, the employee is entitled to return to the same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment. If the employee takes leave because of the employee’s own serious health condition, the employee may be required to provide medical certification

that the employee is fit to perform the essential functions of the job. Employees failing to provide the certification will not be permitted to resume work until it is provided.

## Grievance Procedure

Approved 8/2016

An employee with a grievance (complaint) shall first review the problem with his or her immediate supervisor within five working days of the incident.

If the grievance is unresolved, the employee may request an appeal to the Library Director within five working days of the conference with the immediate supervisor. This request must be in writing. The immediate supervisor has five days to respond.

If the grievance remains unresolved, the employee may present the problem in writing to the Maywood Public Library Board of Directors with copy to the Library Director. Within 30 days the Maywood Public Library Board of Directors and the Library Director will meet to discuss the problem. A written reply will be sent to the employee.

If the grievance is still unresolved, the employee can then request, within five working days of receiving the letter from the Maywood Public Library Board of Directors for consideration at the next regularly scheduled Board meeting. Actions will be in compliance with existing by-laws and current policy.

## Group Health Insurance Plans

Approved 5/2022

Full-time employees may participate in a group medical, dental, life, and/or vision plan offered through the library.

Health, dental and vision coverage is effective the first of the month following 30 days of eligible employment. Employees can review and make changes to their benefit elections annually during open enrollment or within 30 days of a qualified event during the plan year.

The library contributes 85% of the single premium coverage as approved by the Board of Trustees. The remaining amount is the responsibility of the employee. The library will provide a \$50,000 life insurance benefit for each covered employee, with the full premium paid by the library. The employee may choose to increase life insurance coverage for an additional fee, which they are responsible for.

The employee may choose to add dental or vision to their plan, to which they will be responsible for the entire premium. Family coverage is available to employees and they will be wholly responsible the premium for said coverage.

Payroll deductions (pre-tax) will be made for the difference between the amount contributed by the library and the premium amount.

Medical, dental and vision benefits for full-time employees end the last day of the month in which the employee terminates. Information concerning the continuation of medical and/or dental coverage for those eligible under COBRA (Consolidated Omnibus Reconciliation Act of 1985) will be mailed to the employee's last known mailing address.

Employees who retire from the library are eligible to continue their healthcare benefits pursuant to state statute (COBRA), until they are Medicare eligible, at which time the Library plan becomes supplemental, with the premium being wholly responsible by the retired employee.

## Harassment, Discrimination, and Retaliation

Approved

The Library is committed to maintaining a work environment free of discrimination, harassment and retaliation. In keeping with this commitment, the Library will not tolerate harassment of Library employees or officials by anyone, including any supervisor, co-worker, elected or appointed official or any third-party. All employees and officials are expected to avoid any behavior or conduct which could reasonably be interpreted as harassment. All employees and officials are expected to make it known promptly, through the avenues identified below, when they experience or witness offensive or unwelcome conduct.

All employees and officials must comply with this Policy. Violations will not be tolerated. Even where conduct is not sufficiently severe or pervasive to constitute an actionable legal violation, the Library discourages such conduct in the workplace.

### Discrimination

#### Prohibited Conduct.

The Library prohibits discrimination, harassment and retaliation on the basis of race, color, religion, sex, sexual orientation, national origin, age, disability, or any other characteristic protected by law. A violation of this Policy, however, does not necessarily rise to the level of a violation of the law.

#### Application of Policy.

This Policy applies to all employment-related decisions, actions, conduct and terms and conditions of employment, such as, but not limited to, hiring, training, promotion, wages, hours, assignments, benefits and termination of employment. Employment decisions at the Library will be based on considerations such as, but not limited to, the following: skills, experience, qualifications and merit, to the extent that any of those considerations would apply to the specific circumstances and position involved.

### Harassment

Harassment is a form of discrimination and is prohibited. The Library seeks to provide a work environment in which all individuals are treated with respect and dignity and which is free from sexual harassment as well as other types of harassment described in this Policy.

All employees and officials are responsible for conducting themselves in accordance with this Policy. The Library will not condone harassment, whether engaged in by employees, supervisors, management, officials or by those who do business with the Library, such as, but not limited to, vendors, contractors, patrons, visitors and other third parties. Violation of this Policy shall be considered grounds for disciplinary action, up to and including termination of employees and reporting officials to appropriate authorities.

### Harassment Relating to a Protected Status:

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, sexual orientation, color, race, religion, national origin, age, physical or mental disability or other protected group status. The Library will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

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

- Slurs, negative stereotyping, demeaning or degrading comments, nicknames or intimidating acts that are based on a person's protected status;
- Written or graphic material that is circulated, available on the Library's computer system or technology resources, or posted or distributed in the workplace that shows hostility toward a person or persons because of their protected status.

### Sexual Harassment:

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same-sex. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature become sexual harassment when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such person; or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

This Policy forbids harassment based on sex, regardless of whether it rises to the level of a legal violation. The Library considers the following conduct to represent some of the types of acts that violate this Policy:

1. either explicitly or implicitly conditioning or providing preferential treatment in any term of employment (such as continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
2. physical contact, such as patting, pinching or brushing against any part of another's body or physical assaults of a sexual nature;
3. sexual propositions, sexual innuendo, suggestive comments;
4. continuing to ask an employee to socialize on or off-duty when the employee has indicated that she or he is not interested;
5. displaying or transmitting demeaning, obscene or sexually suggestive pictures, objects, cartoons, or posters anywhere in the Library workplace;
6. sexually oriented kidding, teasing, practical jokes, or threats;
7. referring to or calling a person a sexualized name;

8. telling sexual jokes or using sexually vulgar or explicit language;
9. making derogatory or provoking remarks about or relating to an employee's sex or sexual orientation;
10. harassing acts or behavior directed against a person on the basis of an employee's sex or sexual orientation; or
11. off-duty conduct that falls within the above definition and affects the work environment.

Everyone is required to avoid behavior or conduct that could reasonably be interpreted as prohibited harassment under this Policy. Employees and officials are encouraged to inform others in the workplace when their behavior is unwelcome, offensive, inappropriate, or in poor taste.

Employees and officials are expected to come forward promptly and report any violations pursuant to this Policy before the alleged offending behavior becomes severe or pervasive.

### Retaliation

The Library will not retaliate or allow retaliation against an individual who has made a report of a violation of this Policy or for cooperating in an investigation. This, of course, means that employees and officials also must not retaliate against any individual who has made a report of a violation of this Policy or who has cooperated in an investigation. Retaliation by anyone against anyone else for reporting violations of this Policy or cooperating in an investigation is strictly prohibited. Anyone who is found by the Library to have engaged in retaliation may be subject to discipline, up to and including termination of employment, or reporting conduct of officials to appropriate authorities.

Whistleblower protections and remedies are available under the Whistleblower Act, 740 ILCS 174/1 et seq., the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., and the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

### Procedure for Reporting and Investigation of Harassment, Discrimination and Retaliation

1. Reporting: All employees and officials are responsible for helping to avoid all forms of harassment. Anyone who believes he or she has experienced conduct inconsistent with this Policy or otherwise learns of conduct prohibited by this Policy is responsible for reporting the conduct through the Complaint procedure.

This Policy does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination. Employees or officials may make an incident report for this purpose or may report conduct in any other manner, including making a confidential report to a supervisor, ethics officer, Inspector General, or the Department of Human Rights.

In addition, each supervisor must immediately report to the Human Resources Department, the Executive Director, or an official any complaint or observation of conduct which may violate this Policy. Supervisors or managers or officials who have knowledge of any conduct inconsistent with or prohibited by this Policy and do not report it to one or more of the above are subject to disciplinary action, up to and including termination or reporting officials to appropriate authorities.

2. Report Immediately: Verbal complaints, as stated, must be made immediately. The Library may follow up in writing in order to assure complete understanding of and resolution of the specific complaint.
3. No Exception to Reporting: Please note that there are no exceptions to this reporting requirement. There is no friendship exception. Even if the alleged victim or perpetrator of the conduct is a friend, acquaintance, family member, relative or co-worker, each and every employee and official is required to report the incident or complaint, as the case may be.
4. Investigation: Any conduct inconsistent with or prohibited by this Policy will be investigated promptly. The Library is committed to investigating and taking prompt and appropriate action with respect to all such claims and strongly urges internal utilization of this Policy. The Library may put reasonable interim measures in place, such as a leave of absence (with or without pay) or a transfer, while the investigation takes place.
5. Disciplinary Action: All reports of violations of this Policy shall be made in good faith. Therefore, all reports will be taken seriously and they will be promptly investigated. Employees and officials are required to cooperate with investigations conducted by the Library.

Employees or officials who engage in conduct that is found by the Library to be inconsistent with or prohibited by this Policy are subject to disciplinary action, up to and including termination or reporting to appropriate authorities. Persons knowingly making a false report are subject to disciplinary action, up to and including termination or reporting to appropriate authorities. Failure to cooperate in an investigation also will subject an employee to the same disciplinary action. The Library may discipline an employee for any inappropriate conduct discovered in investigating reports made under this Policy.

6. Confidentiality: To the fullest extent practical, the Library will keep complaints and the terms of their resolution confidential. However, in order to effectively investigate such complaints, the Library must inquire of employees or officials involved. The Library also has sole discretion to determine the scope of the investigation and, within that scope, the individuals who should be informed of and asked about the allegations.
7. The EEOC, State and Local Agencies: Employees and officials are encouraged to use the above complaint procedure(s) to report and resolve their complaints of harassment or



retaliation to promote prompt resolution of any problems. However, employees and officials may also file a charge in writing with the Illinois Department of Human Rights within 180 days of the conduct and/or the Equal Employment Opportunity Commission at:

Illinois Department of  
Human Rights  
100 W. Randolph St., Ste 10-100  
Chicago, IL 60601  
(312) 814-6200

Equal Employment Opportunity  
Commission  
500 West Madison Street, Ste. 2800  
Chicago, IL 60661-2511  
(312) 353-2713

## Holidays

Approved 11/2022

The library closes to observe the following holidays, and eligible staff will be paid:

- New Year's Day
- Martin Luther King Birthday
- Presidents Day
- Memorial Day
- Juneteenth
- Independence Day (4<sup>th</sup> of July)
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Eve Day
- Christmas Day
- New Year's Eve

Eligible staff will be paid for the holiday closing. Eligible staff are full or part time staff who are regularly scheduled to work on the days the library is closed. They will be paid for the hours they are normally scheduled. Normally scheduled hours are defined as the typical hours worked on that day four out of every five weeks.

Religious holidays not observed by the library may be taken as vacation, or time off without pay or subject to workload and manager approval, as time off to be made up within the same pay period.

There will be no payment for unused holiday time upon termination of the employee.

## Leave of Absence

Approved 8/2016

### Jury Duty

Leave of absence with pay shall be granted for all employees who are serving jury duty or as witnesses in court pursuant to a duly served subpoena, provided that any net fees or compensation from such service be turned over to the Library, after deducting unreimbursed cost of transportation. However, such employees are expected to give as much time to their regular duties as jury service will permit. Employees shall continue to earn sick and vacation time during such service.

### Bereavement Leave

Leave of absence with pay may be granted by the Library Director for a reasonable period of time in cases of death in the immediate family (father, mother, sister, brother, husband, child, grandchild, grandmother, grandfather, mother-in-law, father-in-law, sister-in-law, and brother-in-law) of a full-time staff member.

### Leave Without Pay

Leave of absence without pay may be granted for a good cause with the approval of the Library Director upon an employee's written request if the employee's leave does not interfere with normal, good Library service. Vacation and sick leave credits shall not be earned during such an absence.

## Military Leave and Reserve Duty Leave

Approved 4/2022

Leaves of absence for Military or Reserve duty are granted to all employees of the Library. 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. Employees will be granted a Military leave of absence for the period of Military service in accordance with applicable Federal and State laws. Employees who are reservists or members of the National Guard are granted time off for required Military training. This leave of absence 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.

Their eligibility for reinstatement after the completion of their military duty, and benefit continuation/eligibility, and payment for leave issues are determined in accordance with applicable Federal and State laws. Employees may elect, but are not required, to use any vacation entitlement for any portion of the absence that may be unpaid. Training leaves will not normally exceed two weeks per year, plus reasonable travel time.

## No Smoking Policy

Approved 4/2022

The library is committed to protecting the safety and welfare of its employees, patrons and visitors.

Smoking or vaping of any kind is prohibited in the library or within 15 feet of any entrance, exit, window that opens, or ventilation intake that serves an enclosed area where smoking is prohibited. This policy applies to the use of both traditional smoking products, such as cigarettes, cigars, and pipes, and electronic smoking devices, such as e-cigarettes and vaporizers. Any employee who fails to comply with this policy will be subject to disciplinary action, including written warnings, and possible termination for continued violations. This policy applies equally to all employees, patrons, and visitors. Supervisors and managers are generally responsible for reporting no-smoking violations and enforcing the no-smoking rule. We encourage you to report violations of our smoke-free facility policy to a manager.

## Professional Memberships

Approved 8/2016

The Board members, the Library Director, the Head of the Children's Department, and the Head of Information Services and other full-time department heads shall be members of the American Library Association and the Illinois Library Association after a period of two years. Basic dues are to be paid out of Library funds.

## Sexual Harassment Policy

Approved 03/2016

The Maywood Public Library District recognizes that sexual harassment is illegal under both State and Federal Law, and as a matter of policy, prohibits any form of sexual harassment of its officers or employees.

### Definition

Sexual harassment means: unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature, when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

Submission to or rejection of such conduct is used as a basis for employment or other decisions affecting such individual.

Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment prohibited by this policy includes verbal, physical or other conduct of a sexual nature. The terms intimidating, hostile or offensive as used above include conduct, which has the effect of humiliation, embarrassment or discomfort. Sexual harassment can occur between men and women, or members of the same gender. This behavior is unacceptable in the work place itself and in other work-related settings such as business trips and business-related social events.

### Prohibited Conduct

Prohibited acts of sexual harassment can take a variety of forms ranging from subtle pressure for sexual activity or contact to physical contact. At times the offender may be unaware that his or her conduct is offensive or harassing to others. One example of sexual harassment is where a qualified individual is denied employment opportunities and benefits that are, instead, awarded to an individual who submits (voluntarily or under coercion) to sexual advances or sexual favors. Another example is where an individual must submit to unwelcome sexual conduct in order to receive an employment opportunity. Other examples of conduct, which could be considered sexual harassment, include:

- a) Persistent or repeated unwelcome flirting, pressure for dates, sexual propositions, sexual comments or touching.
- b) Sexually suggestive jokes, innuendos, comments, gestures or sounds (e.g. whistling, "catcalls", "smooching" or "kissing" noises) directed toward another, or sexually oriented or degrading comments about another; humor and jokes about sex, anatomy or gender-specific traits; obscene gestures; leering;

- c) Preferential treatment of an employee, or a promise of preferential treatment to an employee, in exchange for dates or sexual conduct; or the denial or threat of denial of employment, benefits or advancement for refusal to consent to sexual advances;
- d) the open display of sexually oriented pictures, posters, slogans or other material offensive to others;
- e) retaliation against an individual for reporting or complaining about harassing conduct.
- f) unwelcome hugging or kissing, pinching, brushing the body, unwelcome sexual intercourse or actual assault.

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 trend in the courts is to assess sexual harassment by a standard of what would offend a “reasonable woman” or a “reasonable man”, depending on the gender of the alleged victim.

An example of the subtlest form of sexual harassment is the use of endearments. The use of terms such as “honey”, “darling”, and “sweetheart” is objectionable to many women who believe that these terms undermine their authority and their ability to deal with men on an equal and professional level.

Another example is the use of compliment that could potentially be interpreted as sexual in nature. Below are three statements that might be made about the appearance of a woman in the work place:

- “That’s an attractive dress you have on.”
- “That’s an attractive dress. It really looks good on you.:
- “That’s an attractive dress. You really fill it out well.”

The first statement appears to be simply a compliment. The last is the most likely to be perceived as sexual harassment, depending on the individual’s perceptions and values. To avoid the possibility of offending an employee, it is best to follow a course of conduct above reproach, or to err on the side of caution.

### Individuals Covered Under the Policy

This policy covers all officers and employees of the Library District. The Library District will not tolerate, condone or allow sexual harassment, whether engaged in by fellow employees, supervisors, or officers, or anyone doing business with or using the services of the Library District. The Library District supports and encourages reporting of all incidents of sexual harassment, regardless of who the offender may be, and will promptly investigate all reported incidents.



## Responsibility of Individual Employees

1. Each individual employee has the responsibility to refrain from sexual harassment in the work place.
2. An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct.
3. The harassing employee will be subject to disciplinary action up to and including discharge in accordance with the Library District's policy as appropriate.
4. An employee who either observes or believe herself/himself to be the object of sexual harassment is responsible for reporting the incident(s) to his/her supervisor.

## Responsibility of Supervisory Personnel

1. Each supervisor is responsible for maintaining the work place free of sexual harassment. This is accomplished by promoting a professional environment and by dealing with sexual harassment as you would deal with other forms of employee misconduct.
2. The courts have found that the organization, as well as supervisors, can be held liable for damages related to sexual harassment by an officer, supervisor, employee, or third party (an individual who is not an employee but does business with an organization, such as a contractor, customer, sales representative, or repair person.)
3. Specifically, a supervisor must address an observed incident of sexual harassment or a complaint with seriousness, take prompt action to investigate it, report it, and end it, recommend appropriate disciplinary action, and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint.
4. Supervisors must report all incidents or complaints of sexual harassment to the Administrative Librarian on the date of the alleged occurrence, or on the very next business day.
5. In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.
6. Supervisors in need of information regarding their obligations under this Policy or the procedures to be followed upon receipt of a complaint should contact the Administrative Librarian.

## Reporting

Any incident of sexual harassment must be reported by the complainant as quickly as possible but in not event later than six (6) months after the occurrence. All reports and investigative procedures shall be confidential. Reports should be made to an Administrative Librarian as outlined about as outlined above and submit a written

report to the Administrative Librarian within (7) seven days of receiving the report. If the immediate supervisor is involved in the sexual harassment the complainant may inform the

Administrative Librarian directly and/or submit a written report. All complaints of sexual harassment will be investigated where indicated and a written report of the disposition of the claim will be returned to the complainant within thirty (30) days of the date upon which the Administrative Librarian, where indicated or requested, may take immediate action to eliminate further harassment by separating from contact the complainant and the suspected offender. Direct contact to the Board of Library Trustees may be made should the complaint involve actions or inaction by the Administrative Librarian.

### Disciplinary Action

There shall be no retaliatory action taken by any employee, or supervisor or by the Administrative Librarian against any person making a sexual harassment complaint. Any employee who is found to have sexually harassed another employee shall be disciplined by the discretion of and in the manner determined appropriate by the Administrative Librarian or the Board of Library Trustees as the case may be. Notwithstanding the terms of this policy, all employees of the Library District shall remain at-will employees of the Library District and this policy does not abrogate the Library District's right to terminate employment for non-discriminatory cause or for no cause, except that retaliatory discharge for making a sexual harassment complaint is prohibited.

### Recourse, Investigative and Complaint Process Through Illinois Department of Human Rights and The Illinois Human Rights Commission.

It is hoped that most sexual harassment complaints and incidents can be resolved through the Library District's internal complaint process established above. However, an individual has the right to contact, file a complaint with, request an investigation by, and/or seek recourse through the Illinois Department of Human Rights (the "Department") and the Illinois Human Rights Commission (the "Commission"). Any such complaint must be filed within 180 days of the incident of sexual harassment or of the incident of unlawful retaliation. The exact rules, procedures and other information regarding filing a complaint with, requesting an investigation by and/or securing recourse from the Department or Commission (including the nature and extent of such recourse) can be obtained by contacting the Department or Commission as follows:

If the Department: Illinois Department of Human Rights  
100 West Randolph Street Suite 10-100  
Chicago, Illinois 60601  
312/814-6200 or 312/263-1579 – TDD

If the Commission: Illinois Human Rights Commission  
100 West Randolph Street Suite 5-100  
Chicago, Illinois 60601  
312/814-6269

## Sick Leave

Approved 10/2022; effective 1/1/2023

Maywood Public Library District provides regular, full-time and part-time employees paid time off in the event of the employee's own illness, injury or scheduled medical or dental appointments, or in the event of the employee's qualified family member's illness, injury or scheduled medical or dental appointments.

A qualified family member includes an employee's biological child, step-child, adopted child, foster child, legal ward child, grandchild or any other child in loco parentis, spouse, domestic partner, sibling, parent or step-parent, mother-in-law or father-in-law, and grandparent.

Full-time employees shall accrue 7.5 hours (1 day) of sick leave per month, up to a maximum accumulation of 240 days (1,800 hours) per IMRF retirement policies. Part-time employees shall accrue 4 hours of sick leave per month, up to a maximum accumulation of 240 days.

Employees who have accrued the maximum of 240 days (1,800 hour) may not accrue beyond the 240-day (1,800 hour) maximum

Sick leave will be paid in increments based on the hours for which the employee was scheduled to work. Sick leave may also be requested in 1-hour increments for the purposes of allowing employees to attend their medical/dental appointments, pick up prescriptions and/or take care of any other medically related needs pertaining to aforementioned persons identified above.

In order for the employee to receive compensation while on sick leave, the employee must notify their immediate supervisor prior to the hour stated for beginning their daily duties. If sudden illness makes it impossible for an employee to request sick leave one (1) hour before their daily duties, the employee must notify their supervisor as soon as reasonably practicable, but ordinarily with one (1) hour after their scheduled start time.

For sick leave more than three (3) consecutive business days, or frequent absences claimed as sick days, the employee may be required to provide written verification from a licensed medical doctor to the effect the illness or injury involved was sufficient to justify the employee's absence from work and certifying also the employee is medically fit to return to work. If an employee does not provide appropriate medical documentation, the employee will not be allowed to return to work, and such time off will be considered unpaid leave of absence subject to the terms and conditions of this policy. Employees absent for three (3) consecutive days without notifying their supervisor will be considered to have voluntarily resigned.

Any illness that occurs during an employee's scheduled vacation or on a designated holiday is considered holiday or vacation time and not sick leave.

No compensation will be paid for unused sick days at the end of an employee's employment. Illinois Municipal Retirement Fund (IMRF) eligible employees may credit unused sick leave toward service time for retirement in accordance with IMRF rules and regulations.

No sick leave is accrued by an employee on an unpaid leave of absence.

Any employee receiving compensation under the Worker's Compensation Law is not eligible for sick benefits for the same incident or absence.

## Staff Personal Device Policy

Approved 7/2019

Effective January 1, 2019, an amendment to the Illinois Wage Payment and Collection Act (“IWPCA”) requires that Illinois employers reimburse employees for “all necessary expenditures or losses incurred by the employee within the employee’s scope of employment and directly related to services performed for the employer.” 820 ILCS 115/9.5.

Under the discretion of the Library Director, an employee may be approved for reimbursement of their personal devices used in conjunction with employment at the Maywood Public Library. An employee may not decide on their own to use a personal device without approval from the Maywood Public Library and then demand reimbursement.

An employee cannot receive reimbursement for multiple personal devices.

In July of every year, employees approved for reimbursement will receive a payment of \$120.00 for their personal devices. This payment will cover the expenses of the months of January through June of that year (\$20.00 for each month).

In January of the following year, employees approved for reimbursement will receive a payment of \$120.00 for their personal devices. This payment will cover the expenses of the months July through December of the previous year (\$20.00 for each month).

Before reimbursement, an employee must submit the monthly bills or payments for the months in which the employee is requesting reimbursement.

Upon the event that the employee terminates employment from the library, they may request reimbursement for the completed months of personal device use.

The Maywood Public Library is not responsible for personal devices. It is the responsibility of the employee to seek service, choose plans, and maintain condition of the device(s).

## Travel and Meeting Allowances

Approved 8/2016

Board members and staff members traveling on Library business will be reimbursed by the library after submitting a statement of expenses (e.g. gas, transportation, food, hotel, resignation and other related expenses.) If an individual's own car is used, he or she will be reimbursed at the rate per mile used in the current Tax form 1040.

Any travel or meeting expense incurred by a staff member must first be authorized by the Library Director. All funds for travel to out-of-state conferences shall be approved by the Library Board of Trustees.

## Vacation

Approved 10/2022; effective 1/1/2023

Maywood Public Library District provides regular, full-time and part-time employees paid vacation leave benefits. Vacation time is calculated on calendar year according to the schedule below. Benefit-eligible employees accrue paid vacation each pay period in which they work, take approved paid time off or take approved unpaid FMLA.

To schedule vacation time, employees must submit a completed leave form to their supervisor at least two (2) weeks before the requested leave period. Employees must ensure they have enough accrued leave available to cover the dates requested. Requests will be approved based on several factors, including but not limited to department operating and staffing requirements. If vacation requests conflict within a department and departmental operations are such that the conflicting parties cannot be spared at the same time, the department manager shall decide the issue on the basis of seniority and/or skill needs. The supervisor shall return the leave request to the employee within three (3) business dates from submission indicating whether the request was approved or denied. If denied, the supervisor shall provide an appropriate reason on the form returned to the employee.

Employees are encouraged to use vacation time in the calendar year in which it accrues and are permitted to take up to two weeks of vacation at one time. Vacation requests over two weeks must be approved, in writing by the library director.

One week (5 days) of unused vacation may be carried over into the following year. Carry over of over five (5) days must be requested and approved by the library director in writing. Any unused vacation time in excess of the carry-over five (5) day maximum or library director approved amount will be lost at the end of the calendar year. Unused vacation time will be paid out upon termination of employment from the library.

Employees will not accrue vacation time during unpaid leaves of absence, except for approved FMLA or ADA leaves of absence.

The vacation time award is as follows:

Director: Upon hire, the Director receives 20 vacation days. After 5 years, a day for each year of additional employment will accrue (25 days at 10 years, 30 days at 15-years). A maximum of 30 vacation days can be earned.

Managers/Supervisors: Upon hire, a Manager/Supervisor receives 15 vacation days. After 5 years, a day for each year of additional employment will accrue (20 days at 10 years, 25 days at 15 years). A maximum of 25 vacation days can be earned.

Full-Time Staff: Upon hire, Full-Time staff receives 10 vacation days. After 5 years, a day for each year of additional employment will accrue (15 days at 10 years, 20 days at 15 years). A maximum of 20 vacation days can be earned.

Part Time Staff: Vacation is calculated on the average hours an employee worked in their previous calendar year and is awarded in hours. A new employee's vacation time is based on the average hours worked in an average week. Calendar year is January 1–December 31. Calculation is as follows:

Total number of hours worked annually ÷ 52 = average weekly hours.

After 5 years, 5 more hours for each additional year of employment will accrue (an additional 25 hours at 10 years, an additional 50 hours at 15 years). A maximum of 50 additional hours can be earned.

Vacation for new employees will be awarded after 180 days of employment, on a prorated basis. Proration will be calculated on 26 weeks in lieu of 52.

Employees who change status from regular part-time to full-time or from full-time to regular part-time begin accruing at the new rate on the effective date of the change. Years of service accumulated during regular part-time status will count towards vacation eligibility if the employee changes status to full-time

Vacation is paid at the employee's rate of pay in effect at the time the employee uses the vacation time. Vacation time is paid leave. Staff may not work and collect vacation pay at the same time. There will be no cash reimbursement instead of taking paid leave. Payment for accrued but unused vacation will be made to employees who separate employment from the library.

Employees hired prior to the passage of this policy shall not forfeit any accrued vacation time. However, said employees shall not accrue additional vacation time until their previously accrued time is at five (5) days, at which point said employees will receive vacation time under the new policy.

This policy replaces any prior vacation policies approved by the Board of Trustees.

The policy is in force effective January 1, 2023 after board approval and is subject to change from time to time. Nothing in this policy creates an employment contract or any promise of continued employment.



## Victims' Economic Security and Safety Act (VESSA)

Approved 4/2022

In accordance with the Victims' Economic Security and Safety Act ("VESSA"), an employee who is a victim of domestic, or sexual, or gender violence, or whose family or household member is a victim, may take unpaid leave for up to 12 work weeks per 12-month period for any one or more of the following reasons:

- A. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic, sexual, or gender violence to the employee or the employee's family or household member; or
- B. Obtaining services from a victim services organization for the employee or the employee's family or household member; or
- C. Obtaining psychological or other counseling for the employee or the employee's family or household member; or
- D. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic, sexual, or gender violence or to ensure economic security; or
- E. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic, sexual, or gender violence.

All employees are eligible to apply for this leave. The following definitions are used in this policy:

- **"12-Month Period"** means a rolling 12-month period measured forward from the date leave is taken and continuous with each additional leave day taken.
- **"Family or Household Member"** means a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household;
- **"Parent"** means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
- **"Son or Daughter"** means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.
- **"Domestic, Sexual or Gender Violence"** means domestic violence, sexual assault, gender violence, or stalking.

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule.

The employee shall provide the Library Director with at least 48 hours' advance notice of the employee's intention to take leave pursuant to this policy when the leave is foreseeable. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

Certification that the employee or a member of the employee's household is a victim of domestic, sexual, or gender violence and that the leave is being taken for one of the purposes listed above (A-E) must be provided for any leave taken pursuant to this policy. Certification must be provided as soon as reasonably possible, but in most cases, within 15 days of the request. The employee can satisfy the certification requirement by providing one of the following:

- A. Documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic, sexual, or gender violence and the effects of the violence
- B. A police or court record
- C. Other corroborating evidence

Any information submitted by an employee shall be kept in confidence and will not be disclosed unless the employee consents in writing to the disclosure or unless otherwise required by applicable federal or State law. While on leave, the employee will be required to periodically report to the Library Director on their status and intention about returning to work.

An employee may elect to substitute accrued paid vacation, sick or personal time or any other applicable paid time off for any part of victims' economic security and safety leave. Such substitution will not extend the employee's total allotment of time off under this policy.

During an approved VESSA leave, the library will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid VESSA leave, the library will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the library for the cost of the premiums paid by the library for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuation, recurrence, or onset of domestic, sexual, or gender violence or other circumstances beyond your control.

If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and

conditions of employment. If you take leave because of your own medical condition, you are required to provide medical certification that you are fit to resume work. Employees failing to provide the required medical certification will not be permitted to resume work until it is provided.

The library supports the Victims' Economic Security and Safety Act and will attempt to provide reasonable accommodations for people who are entitled to protection under this Act in a timely fashion, unless such accommodations would present an undue hardship for the library.

Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure or assistance in documenting domestic, sexual, or gender violence that occurs at the workplace or in work related settings, in response to actual or threatened domestic, sexual, or gender violence.

A qualified individual is an individual who, but for being a victim of domestic, sexual, or gender violence or with a family or household member who is a victim of domestic, sexual, or gender violence, can perform the essential functions of the employment position that such individual holds or desires.

If you wish to request a reasonable accommodation related to this policy, contact the Library Director.

## Whistleblower Protection

Approved 4/2022

A whistleblower as defined by this policy is an employee of the Maywood Public Library District 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. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Library or the Board of Trustees. 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. The library will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes they are being retaliated against must follow the steps outlined below.

### Whistleblower Reporting and Anti-Retaliation Policy

It is the policy of the Maywood Public Library District to act in accordance with Illinois Public Act 101-652 generally, and specifically Section 4.1 of that Act and prohibit any official from retaliating against any employee who: (a) reports an improper governmental action, (b) cooperates in the investigation related to a report of an improper governmental action, or (c) testifies in a proceeding or prosecution of an improper governmental action. An improper governmental action is defined as follows.

“Improper governmental action” includes any action by a unit of local government employee, an appointed member of a board, commission, or committee, or an elected official of the unit of local government that is undertaken in violation of federal, State, or unit of local government law or rule; is an abuse of authority; violates the public’s trust or expectation of his or her conduct; is of substantial and specific danger to the public’s health or safety; or is a gross waste of public funds.

“Improper governmental action” does not include a unit of local government personnel actions, including, but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, reprimands, or violations of collective bargaining agreements, except to the extent the actions amounts to retaliation. Retaliation, in this context means retaliatory action that results from an employee’s protected activity of reporting improper governmental action, cooperating in the investigation, proceeding or prosecution of a reported improper governmental action.

Copies of this Policy and Procedure, along with a copy of Section 4.1 of Public Act 101-652 will be given to every employee upon hiring. Additionally, these same documents will be furnished or made available to all employees on an annual basis.

### **Procedures for Reporting and Investigating Reports of Improper Governmental Action**

#### **Reporting an “Improper Governmental Action” or Retaliation.**

1. If an employee believes that he/she has witnessed an improper governmental action, as defined in the Policy above, the employee must submit a written report of the improper governmental action to the Auditing Official, which Auditing Official has been designated in Section III.
2. If an employee believes that he/she has been retaliated against for reporting improper governmental action, or cooperating in the investigation, or procedure involving an improper governmental action, the employee must report such alleged retaliation to the Auditing Official within sixty (60) days of the retaliatory action taking place.
3. The Auditing Official may transfer the complaint to another auditing official, including the States Attorney, if he/she determines that it is appropriate.
4. If the Auditing Official is also the subject of the complaint, the Complainant may file the complaint with any States Attorney.

#### **Investigation of Complaint.**

- 1) Identity of the Complainant
  - a) The Auditing Official will keep the identity of the Complainant confidential to the extent allowed by law.
  - b) The Complainant may waive confidentiality in writing on a form presented to the Auditing Official.
- 2) The Auditing Official shall investigate the complaint promptly and thoroughly and conclude whether or not the evidence gathered through such investigation warrants merit of a finding that either an improper governmental action, or retaliation for filing such a complaint or complying with such investigation occurred or did not occur.

- 3) The investigation by the Auditing Official may include:
  - a) Interviews of the Complainant and witnesses;
  - b) Interviews of governmental officials who may have knowledge about the complaint or may be the subject of the complaint;
  - c) Inspection of documentation (in written, printed, or electronic format) relevant to the complaint;
  - d) Take any other appropriate measures to ensure that the complaint has been thoroughly investigated.
  - e) Make a determination whether the complaint has merit or whether the complaint does not have merit.

#### Determination and Remedial Action If Necessary.

1. If the Auditing Official determines that the complaint has no merit, the complaint can be dismissed.
2. If the Auditing Official determines that the complaint has merit, they may take remedial action on behalf of the Complainant, including reinstatement, reimbursement for lost wages or expenses, promotion, or other remedial action that the Auditing Official deems appropriate. The Auditing Official may also make the investigation findings available to the Complainant's attorney if the Auditing Official finds that restitution is not sufficient.
3. Any person who engages in prohibited retaliation under Section 4.1 of Public Act 101-652 may also be subject to fines, appropriate employment action, civil or criminal prosecution, or any combination of these actions.

#### Designation of Auditing Official

The Library designates the Library Director, Board President or Vice-President to serve as the Auditing Official of the Library, with the duties and responsibilities set forth in 50 ILCS 105/4.1 and this Policy.

## Workers' Compensation

Approved 4/2022

When an employee is injured in his or her scope of employment, the employee may be eligible for workers' compensation benefits.

All accidents in which employees are injured, regardless of whose fault the accident is, must be reported immediately to a manager so that an incident form can be completed. Failure to immediately report an accident may result in discipline, up to and including termination.