

**MADISON COUNTY LIBRARY SYSTEM**

**PERSONNEL POLICIES**

Revision  
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Compiled and Edited

By

The Administrative Staff of the  
Madison County Library System

with editorial assistance from  
The Madison County Library System Board of Trustees

and legal assistance from  
Madison County Library System Counsel,  
Bob Sanders of Young Williams P.A.

## **MISSION STATEMENT**

*The Madison County Library System provides materials and services to meet the changing personal, educational, professional, and cultural needs of all the citizens of Madison County.*

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## **AUTHORITY**

### **ORGANIZATION OF THE LIBRARY SYSTEM**

The Madison County Library System (hereafter referred to as “Library System”), is governed by an administrative Board of Library Trustees (hereafter the "Board of Trustees"), consisting of nine members: one appointee from each of the four cities in Madison County, and one appointee from each of the five Supervisors' Districts. The Board of Trustees serves without remuneration of any kind, except for mileage for traveling to and from regular board meetings.

The Board of Trustees is the governing authority of the Library System, serving both the Library System and the surrounding communities. The Board of Trustees' powers and duties are set forth in Section 39-3-17 of the Mississippi Code. It is the duty of the Board of Trustees to adopt written policies for the governance and administration of the Library System. Assisted by the Director of the Madison County Library System (hereafter referred to as “Library Director”), the Board of Trustees establishes Library System goals and objectives, and adopts written policies to govern the operation, use, and services for the Library System. It is the duty of the Library Director to recommend policies for Board of Trustees' action and to carry out and interpret Board of Trustees' approved policies. The Board of Trustees is responsible for employing the Library Director and, upon his or her recommendation, other staff deemed necessary.

### **LIBRARY SUPPORT**

The Library System is largely supported by local taxation. Appropriations are provided each year from Madison County and from each municipality in the county based upon the request of the Board of Trustees. Additional income comes from a per capita grant from the State of Mississippi (administered by the Mississippi Library Commission), and from a number of miscellaneous grants, gifts, and Library System fees.

### **EMPLOYMENT AT WILL**

By signing the Personnel Policy statement you acknowledge that you have entered into this employment relationship voluntarily and that there is no specified length of employment. Accordingly, your employment is at-will, and either you, or Madison County Library System can terminate this employment at any time with or without cause or notice. Nothing contained in these policies and procedures is intended to, or shall be interpreted to create any property right, contract or continued employment.

## **GENERAL PROVISIONS**

### **PURPOSE**

The purpose of this policy manual is to inform employees of the benefits, work rules, and procedures of the Library System. The contents of this manual are not presented as terms and conditions of employment, but as a matter of information to acquaint employees with the benefits, work rules, and procedures of the Library System. The manual is not all-inclusive; it does not create rights or benefits; and it is not an employment contract, or an invitation to contract. Amendments and revisions will be made, whenever necessary, to assure effective administration of the Library System's personnel program. Every three years the Library Director and Library System Administrative Staff will review the personnel manual and make recommendations for revisions.

### **POSITIONS COVERED**

The rules and amendments, when approved by the Board of Trustees, shall be applicable to all positions in all branches within the Library System.

### **ADMINISTRATION**

These rules shall be administered by the Library System upon adoption by the Board of Trustees. Employees not following the policies of this manual will receive an *Employee Warning Notice* (See Appendix A).



## **EMPLOYMENT PROCESS**

The Library System will use fair and equitable hiring practices consistent with State and Federal laws and standard employment guidelines.

### **RECRUITMENT/SELECTION TO FILL A VACANCY**

The Library System will attempt to fill all positions with the most qualified applicant for the position. Preference will be given to candidates whose education, skills, and work history most closely match the requirements of the position.

### **PROCEDURE**

- All position descriptions will include the following:
  - specification of minimum qualifications
  - specification of required knowledge, skills, and abilities
  - identification of duties and responsibilities
- The system shall attempt to fill a vacancy first by promotion within the Library System and second from applications on hand and from outside recruitment.
- The Library Director will screen all applications for the position against the desired qualifications established. In cases where qualifications are equal, current employees will be given preference over other applicants.
- The Library shall reject any application which indicates that the applicant does not possess the minimum qualifications required for a particular position. Applicants shall also be rejected if the applicant:
  - has been convicted of a felony or of misdemeanors other than minor traffic violations, except in cases where the Library Director finds satisfactory evidence of rehabilitation
  - has made false statements or committed fraud in his application
  - has failed to properly fill out and sign his application
- All candidates must submit an application on the Library System's official employment application form. At least three professional references are required of all applicants for employment.
- Administrative/managerial/supervisory positions may require resumes as part of the application process. M.L.S. or M.L.I.S. positions require transcripts.
- Only those candidates with minimum qualifications are interviewed.

- Applicants will not be asked about or engaged in discussion of the following: race; age; religion; gender title (Ms., Miss, Mrs.); sexual orientation; marital status, family situation or family planning, to include questions regarding the type of work family members do, origin of candidate or candidate's relatives, native tongue, etc.; arrest and/or conviction record; disabilities; military experience; personal finances; and credit history.

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

The Library System is an equal opportunity employer which complies with the employment practices established by Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1963; and the Americans with Disabilities Act of 1990, and all amendments thereof.

The Board of Trustees takes a firm and positive approach to assure that all personnel actions are administered in accordance with the equal opportunity laws and regulations. These include, but are not limited to, recruitment, promotions, retention, discipline or any other aspect of personnel administration.

The Library System is committed to complying with all applicable laws providing equal employment opportunities to individuals regardless of race, color, religion, sex, marital status, age, national origin, physical handicap or disability. This commitment applies to all persons involved in the operations of the Library System and prohibits unlawful discrimination by any employee of the Library System, including supervisors and co-workers. To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Library System will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual or employee with a disability unless undue hardship would result for the Library System.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Library Director and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The Library System will then conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The Library System will identify possible accommodations, if any, that will help eliminate the limitations. If the accommodation is reasonable and will not impose an undue hardship, the Library System will make the accommodation.

If an employee believes he or she has been subjected to any form of unlawful discrimination, the employee should provide a written complaint to the Library Director as soon as possible. If the complaint relates to the Library Director, the employee should provide a complaint to the Library Board of Trustees. The complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The Library System will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation.

If the Library System determines that unlawful discrimination has occurred, effective remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also

be taken to deter any future discrimination. Whatever action taken will be made known to the aggrieved party. The Library System will not retaliate against any employee for filing a complaint and will not willingly permit retaliation by supervisors or co-workers.

The following guidelines are adopted for employment inquiries and medical examinations under the Americans with Disabilities Act (ADA):

- The interviewer may not make pre-employment inquiries regarding the existence, nature, or severity of a job applicant's disabilities, if any.
- The interviewer must know in detail the requirements of the position for which application is being made. In that regard, the interviewer may ask the job applicant about his or her ability to perform all job-related functions.
- Medical examinations may no longer be required before an employment offer is made to a job applicant. However, prior to the commencement of employment, the Library System may require applicants for certain positions (e.g., those positions requiring a higher degree of security and/or safety), to submit to a medical examination. Actual employment may or may not be made on the results of such an examination. The examination may not be used to determine whether an applicant is an individual with a disability. The information obtained from the examination will be collected and maintained separately and treated as confidential medical records.
- The information obtained from medical examinations will be safeguarded and the results may be disclosed only to the following:
  - to supervisors and managers for purposes of identifying necessary restrictions on the employee's work and duties or identifying necessary accommodations.
  - to first aid and safety personnel if the disabled employee requires emergency treatment.
  - to government officials as requested and relevant to their investigations of claims of discrimination.
- These guidelines do not apply to pre-employment drug tests or to voluntary medical examinations (e.g., for employee health programs sponsored by the Library System).

The Library Director is designated to comply with and carry out the Library System's responsibilities under the ADA, including any investigation or any complaint communicated to the Library System alleging its noncompliance with the ADA.

## IMMIGRATION REFORM AND CONTROL ACT COMPLIANCE

The Library System is committed to full compliance with the federal immigration laws. These laws require that all applicants pass an employment verification procedure after being hired. The law requires that within three (3) business days after commencing work, employees must produce documents providing satisfactory evidence of identity and authority to work in the United States, or receipts showing application for acceptable documents. Employees who present receipts showing application for acceptable documents must present within an additional eighteen (18) days (twenty-one (21) days after hire), documents establishing satisfactory proof of identity and legal authority to work in the United States. Employees who cannot present such documents shall be terminated from employment.

## TYPES OF APPOINTMENTS

All employees of the Library System are employed for an indefinite term and nothing contained in these Personnel Policies is in any way intended to limit or restrict the Board of Trustees complete discretion in hiring, determining compensation and benefits, creating and implementing policies and procedures, and disciplining and discharging employees.

All applicants must be sixteen (16) years of age or older.

As was approved by the Board of Trustees in September of 2002, employees will no longer be hired to work between 20 and 39 hours per week.

- **Salaried Employees** Employees who are salaried are considered regular employees and are eligible for benefits as set forth under each specific benefit plan.
- **Hourly Employees** Employees working less than 39 hours per week are considered hourly employees. Employees working less than 20 hours per week are not eligible for holidays, paid annual or sick leave, and other leaves of absences or benefits.
- **Shelvers** Shelver positions must be pre-approved by the Library Director and must not exceed 79 hours per month. All shelver positions will be paid at the current federal minimum wage rate and are not eligible for raises or benefits of any kind.
- **Transfer, including Lateral Transfer** Contingent upon the needs of the Library System and the situation that may exist at the time, the Library Director may transfer employees within the same position classification to a lower position classification (without loss of benefits) or to a higher position classification. Employees may submit a request for a lateral transfer (within the same position classification) to the Library Director. When all parties and supervisors are in agreement, the Library Director may approve or deny such request.
- **Emergency Appointments** Emergency conditions may exist that require the immediate appointment of an individual to fill a staff vacancy. When the Library Director determines that such conditions exist, he/she may appoint a qualified individual to fill

that vacancy. Such appointments may come from within the ranks of current staff or, if proper employment procedures are followed, from qualified individuals coming from outside the Library System. All “emergency” appointments are made pending approval of the Board of Trustees.

- **Temporary Appointments** A temporary appointment is an appointment to any position expected to be six (6) months or less. Temporary employees shall not be eligible for any benefits or leave time.

## **PROBATIONARY PERIOD**

The probationary period for all employees is the first three (3) calendar months of employment with the Library System unless prescribed otherwise by administration or the Board of Trustees. Termination may be initiated by either party during the probationary period. A probationary employee whose performance, attitude, or personal philosophy of public library service does not meet the standards, requirements and philosophy of service of the Library System may be dismissed at any time during the probationary period without right of appeal or hearing.

The probationary period is the final phase of the appointment process for all employee appointments. It is used by Library System administration to determine the probationary employee’s capabilities, compatibility with staff and the organization, and adjustment to the philosophy of the Library System.

All employees may be evaluated by their supervisor/Branch Manager at the mid-point of the probationary period and within two (2) weeks before the end of the probationary period, at which time they will be recommended for permanent appointment, dismissal or an extension of the probationary period not to exceed three (3) additional months. Performance evaluations may be conducted at any time during the probationary period at the discretion of the immediate supervisor, Branch Manager or Library Director.

## **PERSONNEL PERFORMANCE EVALUATION**

Performance evaluation of all employees of the Library System will be conducted annually. Supervisors may formally evaluate an employee’s performance at any time they deem necessary.

Performance evaluations will usually be conducted by the employee’s immediate supervisor.

The personnel performance evaluation procedure has been designed to identify the contributions and needs of each staff member and to assist in his/her career development. Every employee deserves the courtesy of an honest evaluation that can lead to progress in the desired field of work.

Any exemplary work, as well as deficiencies in job performance, will be noted and explained to the employee. If necessary, the employee will be told what he/she must do to bring his/her work up to an acceptable level. The employee is then given a reasonable length of time to improve. If performance does not improve, the employee may be subject to further personnel action.

After reviewing the performance evaluation, the employee must acknowledge the review by signing and dating the completed evaluation form. Provision for written employee comments will be included on the evaluation form.

All completed performance evaluations are submitted to the Library Director for review. The original signed copy will be filed in the employee's personnel folder; a photocopy will be forwarded to the employee from the Library Director's office.

### **HIRING OF RELATIVES OF STAFF OR TRUSTEES – NEPOTISM**

Two or more members of a family shall not be employed by the Library System if such employment results in one's supervising a member of his/her family, or where one member of a family occupies a position which has influence over another's employment, promotion, salary administration or other related management or personnel consideration.

A family shall include parents, parents-in-law, grandparents, husbands, wives, brothers, sisters, children, step-children, aunts, uncles, brothers and sisters-in-law, nieces, nephews, and grandchildren.

Relatives of Trustees shall not be employed by the Library System. The Mississippi Public Library Trustee Manual addresses the question of nepotism as follows:

“Acquaintances, friends, or family members often approach trustees to help them secure a job with the library they represent. Informally called “the good old boy network,” it is legally known as nepotism and is against the law to use one's influence to obtain a job for a friend or family member in a public agency of which you serve on the board.”

“Nepotism is prohibited by Mississippi state law (Mississippi Code of 1972, #25-1-53). This means that it is unlawful for any public official or trustee to appoint or employ any person that is paid with public funds, if that person is related to the public official or trustee by blood or marriage within the third degree as computed by civil law.”

First Degree: parents, spouse, children

Second Degree: Brothers, Sisters, Grandparents, Grandchildren

Third Degree: Uncles/Aunts, Nephews/Nieces, Great-Grandparents

## **TIME AND ATTENDANCE**

All employees are required to punch in or out on-line in the time and attendance software using a staff computer (no remote devices). Staff members are given a badge number and password to use to punch in and out of the software. Time for salaried employees covers the calendar month. Time for part-time hourly employees covers the period beginning the 1st through the 15th of the month and the 16th through the last day of the month.

Non-exempt employees are expected to punch in no earlier than five (5) minutes before the shift begins. Punch outs/ins for lunch and dinner periods must be as close as possible to the assigned sixty (60) minutes or thirty (30) minutes period. At the end of the shift, employees must punch out no later than five (5) minutes after the shift ended. Staff should not be scheduled more than 30 minutes before the library opens without prior approval.

Except for regularly scheduled breaks, in order to leave the library building for personal, non-library business, permission must be obtained from the supervisor. If permitted, the employee must punch out when leaving the building and punch in when he/she returns to duty. Non-exempt employees must make up this time during normal operating hours the workweek in which the time was taken and at the convenience of the library or take appropriate leave. Exempt staff must make up this time during the month in which the time was taken or take the appropriate leave.

Any staff that comes to the library when the facility is closed for reasons incidental to employment such as due to a security alarm going off in the building, will be given at least one hour of time on their time card. If possible, staff must clock in and clock out to validate their response to an event at the library after hours.

## **ATTENDANCE RECORDS**

The Administrative Office shall maintain an attendance record for each employee. This record shall reflect all absences and shall be made available to an employee for inspection upon request.

Records will be kept in accordance with the *Fair Labor Standards Act* and include the following:

- personal information, including employee's name, home address, occupation, sex and birth date (if under 19 years of age)
- hour and day when work week begins
- total hours worked each work day and each work week
- annual, sick, funeral leave, etc.
- deductions from or additions to wages
- total wages paid each pay period
- date of payment and pay period covered

## **SALARIES AND MERIT RAISES**

- **SALARIES**

The Library Director will review the Library System's salary schedule annually, including position reclassifications, and will submit recommended adjustments to the Board of Trustees for review and consideration.

The Library System's fiscal year runs from October 1 through September 30. An employee must begin work at least six months prior to the beginning of the next fiscal year to be eligible for a raise.

The Board of Trustees may, but is not required to, grant an annual across-the-board cost-of-living salary increase to salaried and full-time hourly employees.

Direct Deposit is mandatory for employees. Any additions or changes to direct deposit need to be turned in to the Business Manager by the 7th of the month to be eligible for direct deposit that month. Any changes or additions after the 7th of the month will take effect the next month.

- **PAY PERIODS**

The payroll period starts on the first day of the month and runs through the last day of the month for regular salaried employees. Hourly workers will be paid according to the cut-off date set each month by the Business Office. All employees, both salaried and hourly, will receive semi-monthly paychecks.

- **MERIT RAISES**

Merit raises for salaried employees of the Library System will be determined by the overall average of the most recent annual performance evaluation completed by the employee's Branch Manager, immediate supervisor, or the Library Director.

The amount of merit raise granted will be determined by the Board of Trustees upon recommendation of the Library Director. The Board of Trustees will consider merit increases for individual employees on a case-by-case basis. The decision to grant merit raises rests exclusively with the Board of Trustees

- **OVERTIME**

The Library System will comply with all provisions contained in the Fair Labor Standards Act and other applicable Federal and State employment laws.

On the recommendation of the Library Director, the MCLS Board of Trustees may designate certain executive, administrative and professional positions as "exempt" under FLSA. All other positions will be designated as "non-exempt."



All work performed for the Library System is performed on library time and for pay. During off hours, employees are prohibited from volunteering their services at any library within the Library System.

It is imperative that employee time reports accurately reflect all work time. Compensated overtime is applicable to employees classified as "non-exempt" under the Fair Labor Standards Act. Non-exempt employees may not work more than 40 hours in a workweek without the prior approval of their supervisor and the Library Director. If a non-exempt employee has received approval to work overtime, the employee will be compensated at his/her regular established hourly rate for the first 40 hours worked during the work week and at time and one-half for all hours worked in excess of 40 hours during the work week.

- **ALCOHOL AND DRUG-FREE WORKPLACE**

The MCLS Board of Trustees intends and directs that the library and its employees shall be and remain in compliance with the Drug-Free Workplace Act of 1988.

The Madison County Library System adopted an Alcohol and Drug-Free Workplace policy on July 30, 2015 pursuant to Miss. Code Ann. 71-7-1, et seq., Miss Code Ann. 71-3-201, et seq., and applicable regulations promulgated by the Mississippi Department of Health. This policy is adopted and implemented by and through Madison County Library System as a public employer with the State of Mississippi.

A copy of this policy will be distributed to all staff. Personnel will be required to sign an Acknowledgement of the Alcohol and Drug Policy of MCLS. (*See appendix G1*).

## **MCLS BENEFITS**

### **HEALTH INSURANCE**

Library System employees who are regularly scheduled to work twenty (20) or more hours per week are eligible to enroll in group health insurance through the State and School Employees' Health Insurance Plan. The state pays 100% of the active employee premium for base coverage for all Legacy Employees (those initially employed before January 1, 2006) and all Horizon Employees (those initially employed on or after January 1, 2006). Legacy and Horizon Employees may enroll in Select Coverage and pay a portion of the premium. The cost of dependent coverage is the employee's responsibility under both coverage types. Premiums for the cost of dependent coverage for active employees are paid through payroll deductions.

Details about health insurance may be obtained by visiting the Mississippi Department of Finance and Administration's website at <http://knowyourbenefits.dfa.state.ms.us>.

Staff members who do not join the group at the time of employment, but choose to do so at a later date, must make application to do so during open enrollment or a qualifying event.

Employees covered under group health insurance who leave the employment of the Library System have the right to continuation of coverage under the provisions of COBRA (the Consolidated Omnibus Budget Reconciliation Act of 1985).

For additional information regarding group health insurance contact Blue Cross Blue Shield at 1-800-709-7881 or 1-888-996-0050 for pharmacy card questions. Staff are encouraged to read all literature provided by BCBS and to visit the BCBS website.

### **LIFE INSURANCE**

Library System employees who are regularly scheduled to work twenty (20) or more hours per week are eligible to enroll in group life insurance through the State and School Employee's Life Insurance Plan. This is a term life policy with face value of two hundred (200) per cent of an employee's annual earnings, rounded to the next higher \$1,000, if not an integral multiple of \$1000. Minimum coverage is \$30,000 and maximum coverage is \$100,000. Half of the employee's premium is paid by the State of Mississippi. The Library System pays the remainder of the premium for full-time (39 hrs/wk) employees.

### **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

The Health Insurance Portability and Accountability Act of 1996 provides for improved portability and continuity of health insurance coverage. HIPAA is designed to combat fraud, waste, and abuse in health insurance and long term care delivery, to promote the use of medical savings accounts, to improve access to long term health care services and coverage, to simplify the administration of health insurance, and for other purposes.

## **RETIREMENT**

The Library System will abide by regulations issued by the Mississippi Public Employees' Retirement System (PERS).

Full-time employees and officials of the Library System become members of PERS as a condition of employment.

Retirement System participation and coverage is provided to employees in positions requiring employees to work and receive compensation for **not** less than 20 hours per week **OR not** less than 80 hours per month. Participation is restricted to employees whose wages are subject to payroll taxes and are reported on Form W-2.

When an employee is first employed, the Library System will furnish that employee with a member information form to establish a membership account. The employee's social security number will serve as a membership number. A fiscal year membership statement will be sent to the employee each year containing data pertinent to contributions paid into the Public Employees' Retirement System. Additional information is contained in the *PERS Member Handbook* which the employer will provide. Employees may also contact the Public Employees' Retirement System by calling 1-800-444-7377 or (601)359-3589 or visit the website at <http://www.pers.state.ms.gov>

## **SOCIAL SECURITY**

Every employee of the Library System is required by law to participate in the federal Social Security program (Federal Insurance Contribution Act of 1954-FICA). Both the employer and the employee contribute an equal percentage of salary to the individual's account for Social Security and Medicare, which can be drawn upon at retirement, or with certain disabilities.

## **WORKERS' COMPENSATION**

All Library System employees are covered by the Mississippi Workers' Compensation Law which provides certain benefits in the event an employee suffers a work related injury or illness. In case of a work related fatality, this Law guarantees the payment of benefits to the spouse and dependents of the deceased. The benefits in either case are provided at no cost to the employee or their dependents.

For injuries or illnesses, the benefits provided may include payment of all reasonable and necessary medical expenses as well as partial compensation for wages lost because of the injury or illness. The wage loss benefits are generally payable in addition to any accrued leave which the employee may be able to use. However, wage loss benefits for injury or illness are not paid for the first five (5) days of disability unless the employee's disability extends fourteen (14) or more days. These benefits are payable at the rate of two-thirds of the employee's average weekly wage. These benefits may also be subject to a weekly maximum set by law. In certain cases, vocational rehabilitation assistance may also be available.

In case of death, income benefits are paid to the spouse and dependents, and compensation is also paid to help offset funeral expenses. There is no minimum waiting period for benefits in death cases.

Any injury or illness, no matter how minor, which is work related should be reported to the supervisor immediately. Reports must be filed with the library's administrative office within 48 hours. It is not necessary that the employee seek medical attention immediately, only that the report be filed in case of late complications. Timely reporting also insures that any wage loss benefits which are due will be paid without undue delay.

If an employee is receiving Worker's Compensation, he/she may also request sick leave and /or annual leave to equal the pay that they would receive if not on Worker's Compensation. Requests for such leave will be granted in accordance with provisions contained in these these policies. FMLA leave will run concurrently with Worker's Compensation if the employee is out of work more than 4 days and the need for leave is FMLA qualifying. Employees will be eligible for health insurance under Worker's Compensation as long as the employee has either FMLA or paid leave available. Once all paid and FMLA leave is exhausted, the employee will no longer have health benefits paid by the state. After all paid leave and FMLA leave is exhausted this employment can be terminated.

**MCLS employees on Workers' Compensation will not accrue sick leave or annual leave during any period of absence related to Workers' Compensation not covered by paid leave.** *When an employee returns back to active work status their accrual rate will be adjusted, if applicable, to account for their full seniority with no penalty for time not worked while on Workers' Compensation.*

Madison County Library System will not be responsible for payment of worker's compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored by MCLS.

For assistance in the event of injury or for questions concerning workers' compensation, contact the Mississippi Workers' Compensation Commission at (601) 987- 4200 or visit the website at <http://www.mwcc.state.ms.us>.

## **DEFERRED COMPENSATION PLAN**

Deferred compensation is a supplemental, voluntary savings plan administered by the Public Employees' Retirement System (PERS) Board of Trustees offering tax advantages to participants. Employees who choose this plan may set aside part of their salary each year. MCLS will match contributions up to \$25/month for full time employees enrolled in the program after 6 months of employment and part time employees after 5 years of continuous employment. Income tax liability is postponed on that part of the salary until the year in which the employee actually receives the deferred amount. Interest and/or earnings are tax deferred until withdrawal. Interested employees may contact Deferred Compensation at (601) 364-9350 or (800) 846-4551 or visit the website at <https://mdcplan.empower-retirement.com>

## **CAFETERIA PLAN**

The Library System offers this tax savings mechanism which is permitted by Section 125 of the Internal Revenue Code and Sections 25-17-1 to 25-17-9, Mississippi Code of 1972, Annotated, as amended. Every salaried employee working over twenty (20) hours per week is eligible to participate.

A cafeteria plan allows employees to withhold a portion of their pre-tax salary to cover certain medical or child-care expenses. Because these benefits are free from federal and state income taxes, an employee's taxable income is reduced, which increases the percentage of their take-home pay. Under the cafeteria plan, employees can take advantage of three specific flexible benefits:

1. Pre-tax health insurance premium deductions, also known as a Premium Only Plan (POP). This plan allows employees to elect to withhold a portion of their pre-tax salary to pay for their premium contribution for health, life, and dental insurance as well as a cancer policy, an accident policy, a supplemental hospital policy.
2. Out-of-pocket reimbursed medical expenses, also known as flexible spending accounts (FSAs). This plan allows employees to fund certain medical expenses on a pre-tax basis through salary deduction to pay for out-of-pocket expenses that aren't covered by insurance (for example, annual deductibles, co-payments, prescriptions, and glasses).
3. Dependent care flexible spending accounts. This plan allows employees to hold back a portion of their pre-tax salary for dependent care expenses. Qualified dependent care expenses may include – but are not limited to – the care of a child under the age of 13, long-term care for parents, care for a disabled spouse or a dependent incapable of caring for himself, and summer day camps. By paying for dependent care with pre-tax dollars, employees can save approximately 20-40 percent on their child-care expenses.

## **VISION / DENTAL INSURANCE**

Library System employees who are regularly scheduled to work twenty (20) or more hours per week are eligible to enroll in group vision and/or dental insurance. The premium is paid by the Library System. Coverage is available for an employee's spouse and/or dependent children, with the employee paying one hundred percent (100%) of the additional premium cost through payroll deductions.

## **OTHER**

Employees may choose to have payroll deductions for participation in the credit union, cancer insurance, disability insurance, life insurance, accident insurance, and a supplemental hospital policy.

## **STANDARDS OF EMPLOYEE CONDUCT**

Employees are expected to maintain professional decorum in all working relationships and to promote professional standards. Professional study, publications and continuing education will be encouraged.

Pride in, and commitment to, librarianship is necessary and expected of all employees.

### **ATTENDANCE POLICY:**

Regular attendance during scheduled hours of work, reporting on time and continuing to work to the end of the work period are expected of all employees. Failure to do so may be cause for disciplinary action, including discharge. Desk schedules permitting, five minutes are allowed as preparation time before commencing or leaving work. When a staff member expects to be more than 15 minutes late for work, his/her immediate supervisor should be notified by telephone. Planned annual and sick leave are to be arranged in advance through the on-line time and attendance software. Unexpected absences are to be reported promptly. When calling in sick, or for any other unexpected reason, the employee must talk to his/her immediate supervisor during operating hours. Employees may not leave messages on library answering machines. If the employee is unable to call, he/she must have someone make the call for them. Branch Managers should report their own absences directly to the Administrative Office. Appropriate leave should be requested through the on-line time and attendance software as soon as possible for all unexpected absences. Absences, tardiness, and early departures due to approved FMLA leave, military leave, jury duty, workers' compensation, other approved leave or reasonable accommodation as required by law will not be counted against the employee.

Tardiness and absenteeism are harmful to the productivity and staff morale of any organization. Employees who cannot report to work on time must call their supervisor as soon as possible. While exempt staff may be on flex-time they are expected to model the standards for tardiness and absenteeism set for non-exempt staff. Tardiness is defined as more than 5 minutes past the expected time of arrival either at the beginning of a shift or on return from a meal break or other time spent off the clock during a work period. Excused tardiness includes incidents such as vehicle malfunctions, vehicle accidents, illness, extreme weather conditions, doctor or other important appointments extending past expected end time, and other unavoidable incidents. Oversleeping, traffic, personal errands, eating, or picking up food on the way to work are examples of unexcused tardiness incidents. Where possible the supervisor will work with each employee to alter their schedule to make up time missed due to excused tardiness or allow them to take sick or annual leave if needed. No employee will be paid the time spent off the clock involved in an excused tardiness incident, but they are not penalized by any personnel actions for excused tardiness incidents.

A recognizable pattern of incidents of unexcused tardiness can lead to disciplinary action including counseling, written reprimand or probation. Any unexcused incidents of tardiness while an employee is on probation can result in extending the probationary period or termination. It is the duty of the supervisor or Branch Manager to discourage frequent tardiness, and the Library Director should be notified of habitual tardiness on the part of a staff member.

MCLS provides its employees ample sick and vacation leave as a benefit of employment. All employees are expected to use accrued paid leave responsibly and manage leave to ensure hours are available for both planned and unplanned situations. Any employee who uses all available paid leave to a zero balance and misses work is considered to be abusing leave benefit and is subject to disciplinary action, up to and including termination. An exception will be employees using FMLA Leave (See FMLA). All managers are expected to counsel any staff members in jeopardy of using all available leave.

### **Definitions:**

*No call/no show:* An unscheduled absence without proper notification to the employee's supervisor.

*Pattern Absences:* Unscheduled absences the day before or after a scheduled holiday, vacation, or personal day; on a desirable day off, a specific day of the week, or a weekend; a specific or unique work day; or as earned sick or vacation leave is accrued.

*Scheduled/Excused Absence:* A scheduled absence occurs when an employee requests and is approved to take time off in accordance with library policies. Some examples of scheduled absences include approved vacation or sick leave, jury duty, military related bereavement leave, and FMLA leave. Employees must take earned sick or vacation leave for every absence unless otherwise allowed by MCLS policy (e.g. Administrative Leave, Emergency/Disaster Leave, Funeral Leave, Holiday Leave, Jury Duty/Court Witness Leave, FMLA Leave or Military Leave).

*Unexcused Tardy:* Failure to report to assigned work area and be prepared to start work at scheduled start time, including returning from breaks and meal periods without credible or acceptable reason.

*Unscheduled Absences:* Failure to report to work or leaving early on a scheduled workday without a prior approved time off request, or working less than half of a scheduled workday due to tardiness. Some examples of unscheduled absences include absences due to car trouble, unexpected illness, caring for an ill family member, and home emergency.

*Unexcused Absences:* Failure to report to work or leaving early on a scheduled workday without a prior approved time off request or credible, acceptable reason; working less than half of a scheduled workday due to tardiness without credible, acceptable reason; or insufficient leave to cover absence.

### **Guidelines:**

1. Supervisors should communicate to staff employees the importance of timely and regular attendance.
2. Notification of any unscheduled absence, tardiness, or unscheduled early departure must be made as far in advance as possible. An employee who will be unable to report to work

as scheduled, tardy, or leaving early must contact his/her supervisor or supervisor on duty as far in advance as possible and at the latest prior to the start of the shift or the departure. Notification and acknowledgment of tardiness, unscheduled early departure, or unscheduled absence will not excuse it.

3. Employees must record attendance and absences in the on-line time and attendance program. Supervisors are responsible for reviewing and verifying attendance records and acknowledging exceptions daily.
4. No exceptions will be recorded for scheduled absences or proper use of accrued sick leave under library policy. However, pattern usage, failure to provide timely notification, or failure to comply with Sick Leave Policy may result in absences being counted as unscheduled absences.
5. Supervisors should follow the corrective action guidelines described below to address unexcused absences, pattern absences, unexcused tardiness, and unscheduled early departures. However, depending on the situation, corrective action may be accelerated, repeated, or taken out of sequence, and MCLS reserves the right to effect immediate termination should it be warranted.
  - Verbal warning
  - Written warning upon subsequent occurrence
  - Final warning and probation or suspension upon subsequent occurrence
  - Termination of employment upon subsequent occurrence

**FOR UNEXCUSED ABSENCES:**

An employee will receive a verbal warning for the first unexcused absence incurred in a 12-month period. An employee will receive a written warning for the second unexcused absence incurred in a 12-month period.

Accrual of 3 unexcused absences in a 12-month period will result in termination.

**FOR NO CALL/NO SHOW:**

Employees will be subject to immediate corrective action for no call/no show. Two (2) or more consecutive workdays of no call/no show will be considered job abandonment and result in termination of employment.



## **ATTITUDE TOWARD PUBLIC AND COLLEAGUES**

The first responsibility of every Library System staff member is to offer courteous, prompt and efficient service to the public, to whom all library services are directed. To accomplish this, every staff member needs the cooperation of every other member. Working well with colleagues is everyone's responsibility.

An unsatisfactory attitude towards the job, co-workers, supervisors or the library itself is grounds for dismissal. As public service employees, all staff members are expected to exhibit courtesy and respect to all co-workers and library patrons. Personal problems must not be allowed to affect the work environment. The primary consideration at all times is the prompt and courteous provision of library service to all. It is essential that all library staff work together toward this goal. Respect for the highest ethical standards is more important than any short-term gain the library or the employee may receive. All employees should act as leaders and their conduct should set an example among their business, personal and professional acquaintances. Any violations will result in the issuance of an employee warning notice or discharge.

- Display a polite, positive attitude at all times.
- Treat patrons as the reason for our being here, not as an interruption of our duties.
- Respond to all patrons' requests in a timely manner.
- Promptly welcome patrons in a friendly manner by smiling warmly, making eye contact and speaking clearly and distinctly.
- Listen carefully to your patrons' requests. Always focus on the patron. Take patrons to where they will find the information or service they need instead of giving verbal directions or "finger pointing". Stay with the patron until they are satisfied and no longer need assistance.
- Communicate with patrons effectively, checking on patrons from time-to-time to make sure their needs are being satisfied.
- Exhibit pleasant non-verbal communication skills; understand that words are important but non-verbal communication sometimes speaks louder than words.
- Use easily understood and appropriate language when speaking with patrons. Library jargon and technical terms may be confusing. (Online Catalog instead of OPAC)
- As patrons depart, ask if they found everything they need and tell them to come back again.

## **TELEPHONE ETIQUETTE**

- Always answer the telephone within three rings and identify yourself and your branch.
- The patron in front of you at the desk takes priority over telephone calls. Politely ask the caller if they can hold or take necessary call back information. When transferring a call or placing a call on hold, tell the caller what you are doing.
- Speak deliberately and clearly when answering the telephone; document complete telephone messages, including a return telephone number. When the conversation is finished, make sure the patron is satisfied; tell them to call back if they need anything else.

## **PRIVACY/CONFIDENTIALITY**

- Maintain strict confidentiality of all patron information.
- Never discuss patrons with other employees in public areas.

## **COMMITMENT TO TEAMWORK**

- Treat fellow employees with respect at all times. Be flexible, consider co-workers' priorities or responsibilities and demonstrate teamwork through compromise and cooperation.
- Work together to meet the customers' needs. Accept the responsibility of meeting a patron's request or finding the appropriate person to do so. Do the job accurately the first time and complete all tasks in a timely manner.

## **BOOK SALES AND/OR SURPLUS PROPERTY**

Employees may not purchase directly or indirectly discarded library materials or surplus property unless such materials are donated to the Friends of the Library and included in their book sales or when offered to the general public on a uniform price schedule.

## **BREAKS/MEAL BREAKS**

One 15 minute break is allowed each staff member during each 4-hour period of work, or one 10 minute break during each 3-hour period of work. For example, if a staff member works a regular seven to eight hour day, he/she should take two 15 minute breaks. If a staff member works a six hour day, he/she should take two 10 minute breaks. This break may be taken when the work load permits, but is not cumulative and may not be added to meal periods or used to change either the beginning or the end of a scheduled assignment or work day. This rest period should be utilized as close to the midpoint of the work period as operating needs allow. Break time shall not be used as time worked for purposes of early dismissal or late arrival.

Employees working 6 or more hour days should take a 30 minute or one hour lunch according to scheduling needs. Actual time is contingent on the schedule and workload. Employees must clock in/out for all lunch and dinner periods. This lunch period should be taken as close to the midpoint of the work day as possible, is not cumulative and may not be skipped and added to the beginning or end of a scheduled work day.

## **CHILDREN IN THE WORKPLACE**

MCLS recognizes that due to occasional child care limitations and emergencies, there are circumstances when children of employees should be allowed on the premises during business hours. To minimize safety risks and other disruptions employees should follow these rules:

1. Notify supervisor that the child is in the Branch/Department
2. Ensure the child refrains from making excess noise or disrupting work flow
3. Clean up after the child.

## **CONFLICT OF INTEREST**

Employees should be careful to avoid using, or appearing to use, an official position for personal gain, giving unjustified preferences, or losing sight of the need for efficient and impartial decisions in the Library System's method of operation. Solicitors, sale of tickets and the circulation of petitions are prohibited in the public service areas of the library. The Library Director may give permission for these activities if Library business is involved. The Library System's bulletin boards should display only official public information materials.

No one should be selling goods or services for personal gain while on the clock at MCLS. All conversations about transactions and personal sales of any items have to take place when neither staff member involved is on the clock. There should be no advertisements, displays, or verbal promotions of any goods.

## **DRESS CODE**

The image that the community has of the Library System is projected by the apparel and appearance of staff members. The Board of Trustees expects the staff to present a professional appearance at all times. In order to allow employees to work comfortably in the workplace, yet still project a professional image to our patrons, a Business Casual Dress Code has been established. The job search engine Monster.com offers this definition: "In general, business casual means dressing professionally, looking relaxed yet neat and pulled together."

The following information from <http://humanresources.about.com> gives a general overview of appropriate business casual attire:

Because all casual clothing is not suitable for the office, these guidelines will help you determine what is appropriate to wear to work. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, and sports contests are not appropriate for a professional appearance at work.

Clothing that reveals too much cleavage, your back, your chest, your feet, your stomach or your underwear is not appropriate for a place of business, even in a business casual setting.

Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures (except staff t-shirts and related library clothing) is unacceptable.

Also, due to the nature of library work, skirts that are excessively short (more than 3 inches above the center of the knee) or tight are inappropriate. Leggings must be worn with a dress or tunic that is at least fingertip length on all sides and should not be worn with t-shirts, sweatshirts or other shirts traditionally worn with pants. Supervisors will discuss inappropriate dress with individual staff members. Employees who are not appropriately dressed will be asked to return home to change clothes.

All MCLS employees are required to cover/remove any body art and or piercings, etc. that can be reasonably seen as profane, political or distracting while on the job.

On certain days, such as Staff Development Day, or days when staff will be weeding and shifting the collection or cleaning storage areas, notification will be given in advance that employees may wear more casual work attire.

### **EATING, DRINKING AND SMOKING**

Food and beverages should not be consumed in the public service areas of the Library System. Beverages are allowed in offices or enclosed work areas; however, food should be confined to the staff lounge. Gum chewing is inappropriate for staff members working with the public. Smoking is not permitted inside the buildings or on Library System property.

### **GIFTS FROM VENDORS**

Any rebates, refunds, coupons, merit points, gratuities or any article of value tendered or received by any library staff member from any vendor of material, supplies, equipment or other articles shall be used to the benefit of the library making the purchase. The library may, in accordance with its best interest, either take delivery of the article of value tendered and use the same or convert it to cash by selling it for its fair and reasonable value, making use of the proceeds from such sale for the exclusive benefit of the library.

### **HOUSEKEEPING**

Good housekeeping is the responsibility of every employee. Everyone must help in keeping the Library System buildings, furnishings, and equipment clean and in good condition in both the staff and public areas.

Break rooms are for the benefit of all employees. Together, all employees shall be responsible for general clean-up of the area, including the washing of personal dishes and utensils and cleaning of appliances. Housekeeping is responsible for floor care (washing, waxing, vacuuming, etc.) and other routine maintenance duties including general trash disposal.

### **STAFF USE OF LIBRARY MATERIALS**

Employees have the same privileges for borrowing and reserving Library System materials as the general public, with these exceptions:

- Overdue charges: there are no overdue charges for employees or Trustees, since prompt return is expected. Employees and Trustees will be asked to return overdue reserve items at once.
- Employees who plan to use circulating materials within the library for a day or more should check them out.

## **PARKING POLICY**

Each of the five libraries has parking lots for the benefit of its patrons while using the libraries.

Parking has also been provided for staff members. Spaces are available on a “first-come” basis. Staff should always park in the spaces furthest from the building. Staff members who will be working at night may move their cars nearer to the library before dark.

## **POLICY INTERPRETATION**

Library employees should be supportive of the policies and decisions made by the Board of Trustees and Library Administration. Questions concerning the basis and reasons for these policies should be referred first to the employee’s immediate supervisor, and then to the Library Director.

## **POLITICAL ACTIVITIES**

Staff members may not participate in any political activity during working hours. Employees who wish to seek office may do so provided that they shall not campaign during working hours and provided that they abide by any state or local laws pertaining to government employees and politics. An employee may expect to work in an atmosphere that is free from political influence.

## **PRIVACY OF RECORDS/WORK ENVIRONMENT**

- **Employee Records** Personnel records and applications for employment in the possession of a Library System, as defined by paragraph (a) section 25-61-3 of the Mississippi Code, except those which may be released to the person who made the application or with prior written consent of the person who made the applications, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. Letters of recommendation in the possession of a Library System, as defined by paragraph (a) section 25-61-3, respecting any application for employment, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. See Miss. Code Ann. § 25-1-100 (1972)
- **Patron Records** Pursuant to Section 39-3-365 Miss Code Ann. (1972) records which contain information relating to the identity of a library user, relative to the user’s use of books or other materials or services at the library are confidential. Such records may only be released with written permission of the respective library user or as the result of a court order.

The library staff member receiving the request to examine or obtain any confidential patron records will immediately refer the person making the request to the Library Director, who will inform the person that such records are confidential.

- **Other Records** The Library System is subject to the provisions of the Mississippi Public Records Act of 1983. All requests for records must be in writing and submitted to the Library Director.

The Director, upon receipt of such request, process, order, or subpoena shall consult with the appropriate legal officer assigned to the Library System to determine if such request, process, order, or subpoena is in good form and to determine the appropriate responses in accordance with the Mississippi Public Records Act of 1983 and the policies and procedures adopted pursuant thereto. No such records shall be released unless required by the Mississippi Public Records Act of 1983.

If the request, process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be cured before any records are released. (The legal process requiring the production of circulation or other library records shall ordinarily be in the form of subpoena *duces tecum* [bring your records] requiring the responsible officer to attend court or the taking of his/her deposition and may require him/her to bring along certain designated circulation or other specified records.)

- **Work Environment** As an employee of MCLS you can expect privacy in regards to your personnel file and health documents maintained by administration. In addition, your records as a borrower of library materials are also protected. There should be no expectation of privacy in any assigned work station including library provided desks, cabinets, equipment and supplies or assigned library email addresses. This policy also applies to access and disclosure of electronic mail messages sent and received by you on library computers, whether on a personal address or a library assigned address, the access and research functions of the Internet and the use of the library's automation and computer systems.

## **PUBLICATIONS/PUBLIC INFORMATION**

All publications, announcements, schedules, program information, signage, etc. must be approved by both the Director of Public Information/Webmaster and the Library Director. All publications, news releases, etc. must state that the branch is a member of the Madison County Library System.

## **DIVERSITY ACTION PLAN AND POLICY**

### **DIVERSITY STATEMENT**

An organization that accepts diversity and recognizes the contributions of all employees is a healthier and more productive organization than one that does not. Understanding and recognizing diversity enables an organization to capitalize on the differing views and contributions that each of its employees bring to the workplace. Such an organization provides for a richer work environment and ensures that employees work more closely with one another in carrying out organizational goals and objectives.

### **NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

MCLS is committed to maintaining a workplace in which a diverse population can live and work in an atmosphere of tolerance, civility, and mutual respect for the rights and sensibilities of each individual regardless of differences in personal characteristics and beliefs. The library recruits, selects and promotes staff members on the basis of their ability, knowledge and skills. MCLS does not discriminate in its employment practices and programs on the basis of race, creed, gender, marital status, age, sexual orientation, political beliefs, disabilities, ethnicity, socioeconomic status, religion, genetic information or any other characteristic protected by law.

In order to provide equitable library services for all Mississippians, employees are expected to distinguish between their personal convictions and their professional duties. The expression of religious, political, or moral beliefs or convictions is not allowed in the workplace, whether it is through speech or expressive conduct.

It is important that the staff enjoy an environment free from implicit and explicit behavior used to control, influence, or affect the well-being of any member of our community. Harassment of any individual based on race, creed, gender, marital status, age, sexual orientation, political beliefs, disabilities, ethnicity, socioeconomic status, religion or genetic information is unacceptable and grounds for disciplinary action, and also constitutes a violation of Federal law. All discrimination and harassment prohibited by this policy, whether verbal, physical or environmental, is unacceptable and will not be tolerated, whether it occurs in the workplace or at outside sponsored activities.

Harassment on the basis of race, religion, gender, national origin, age, disability or genetic information is a form of unlawful discrimination prohibited under federal law. The principles for defining sexual harassment in the workplace apply as well to harassment based on race, religion, gender, national origin, age, disability or genetic information. When such harassment has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment, it rises to the level of unlawful discrimination.

Employees who believe they have been harassed by a co-worker, supervisor, or other employee of the Library System should report the facts of the incident promptly to their supervisor, Branch Manager, or in the alternative, to the Library Director or Board of Trustees. Supervisors should

immediately report any incidents of harassment reported by their employees to their Branch Manager who will report them to the Library Director. The Library Director shall ensure that all such claims are promptly investigated and that appropriate disciplinary action is taken, up to and including dismissal of employees who have violated this policy.



## **SEXUAL HARASSMENT**

The Library System is committed to providing a work environment that is free from discrimination in any form. In keeping with this commitment, the Library System maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy applies to all Library System employees, including supervisors and non-supervisory employees. Furthermore, it prohibits harassment in any form, including verbal, physical, and visual harassment.

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either: (1) submission to such conduct is made an explicit or implicit term or condition of 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. Employees who violate this policy shall be subject to discipline.

Employees who believe they have been harassed by a co-worker, supervisor, or other employee of the Library System should report the facts of the incident promptly to their supervisor, Branch Manager, or in the alternative, to the Library Director or Board of Trustees. Supervisors should immediately report any incidents of harassment reported by their employees to their Branch Manager who will report them to the Library Director. The Library Director shall ensure that all such claims are promptly investigated and that appropriate disciplinary action is taken, up to and including dismissal of employees who have violated this policy.

If employees believe they have been sexually harassed by a co-worker, supervisor or other employee of the Library System and if they believe they could talk to the offender without jeopardizing personal safety, job or status, then they may communicate clearly to the offender that the behavior should cease immediately. The employee should keep a record of the incident and the date it took place.

Any retaliatory action taken by employees of the Library System against any other employee because of a harassment complaint is prohibited and shall be regarded as a separate and distinct cause for complaint under the appropriate procedures.

MCLS has a "no-tolerance" policy for any type of discrimination or sexual harassment by staff. Staff will not engage in any type of discrimination or sexual harassment with regard to any other staff member or patron. Violators subject themselves to disciplinary action that may include, but is not limited to, suspension and termination of employment.

Staff who are made aware of violations of this policy or feel that he or she is a victim of a violator of this policy should immediately utilize the complaint procedure herein.

## **VIOLENCE IN THE WORKPLACE**

The safety and security of all employees is of primary importance at Madison County Library System. Threats, stalking, threatening and abusive behavior, or acts of violence against employees, visitors, patrons, and/or library facilities or property by anyone on library property, on a library-controlled site, or in connection with library employment or library business will not be tolerated (even those made in jest). Violations of this policy will lead to corrective action up to and including termination of employment and/or library privileges, and/or referral to appropriate law enforcement agencies for arrest and prosecution. MCLS reserves the right to take any necessary legal action to protect its employees.

Any person who makes threats, stalks, exhibits threatening behavior, or engages in violent acts on library premises, on a library-controlled site, or in connection with the library employment or library business shall be removed from the premises as quickly as safety permits and shall remain off library premises pending the outcome of an investigation. Following investigation, MCLS will initiate an immediate and appropriate response. This response may include but is not limited to suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment with the library system and/or library privileges, and/or civil or criminal prosecution of the person or persons involved.

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or that could endanger the health or safety of an employee or visitor when the behavior has been carried out on library premises, on a library-controlled site, or is connected to library employment or library business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. MCLS understands the sensitivity of the information requested and respects the privacy of the reporting employee. Even though we cannot promise absolute confidentiality because we may have to report the incident to a law enforcement agency we will do our best to maintain the anonymity of the reporting individual when at all possible.

## STAFF TECHNOLOGY AND COMPUTER USE

Computer workstations are provided to conduct library business only. Do not send library-related confidential information via email (*see Internet and Computer Policy for Staff, Appendix B*).

This policy is applicable to all technology owned by the Library System, with the exception of public access workstations. Technology provided at library sites is to be used exclusively for library purposes. Only those employees and volunteers authorized by their supervisor will be allowed access to, and use of, library owned technology. No employee has a right to privacy while using the library system technology. All library owned technology is subject to random electronic monitoring. We expect you to be respectful to the library system, supervisors, all employees, volunteers, members, and patrons when using library assigned workstations and email addresses. Any employee who uses a workstation or email address to disparage the name or reputation of the library, its practices, employees, volunteers, members or patrons will be subject to serious discipline, up to and including immediate termination of employment. All employees and volunteers must read and understand the Staff Technology Use policy and sign the Acknowledgement form. (*See Appendix B*).

## PERSONAL SOCIAL NETWORKING

MCLS staff members are encouraged to use technology and stay abreast of what it can do for them while away from the job. We will employ parts of the new technologies at MCLS as well. Employees of MCLS may be seen to outside parties, as well as other staff, as a representative of the library system. Therefore, as in all areas of daily life, a library staff member's personal website or weblog can be a reflection on the Library System, whether or not the system is specifically discussed or referenced. If you choose to identify yourself as a library employee or to discuss matters related to the library on your website or weblog, please bear in mind that, although you may view your site as a personal project, many readers will assume you are speaking on behalf of the library. In light of this possibility it is important staff observe the following guidelines:

**Respect Confidentiality.** Take proper care not to purposefully or inadvertently disclose any information that is confidential or proprietary to the Library System. Any employee who violates our policies regarding confidentiality will be subject to serious discipline, up to and including immediate termination of employment. Under no circumstances should staff take or post the Internet pictures of library patrons or co-employees without the patron or employee's explicit permission. Violation of this rule may result in immediate termination.

**Respect the Staff and Patrons.** Since your site is a public space, we expect you to be respectful to the library system, supervisors, all employees, volunteers, members, and patrons. Any employee who uses a personal website to disparage the name or reputation of the library, its practices, employees, volunteers, members, or patrons will be subject to serious discipline, up to and including immediate termination of employment.

**Respect Copyright.** Do not use the library's logos on your site or reproduce library material without first obtaining permission from the Director.

**Use Common Sense.** Use common sense in all communications, particularly on a website accessible to anyone. What you say on your site could potentially be grounds for dismissal.

**For Your Own Protection:** Future employers, college admission officials, recruiters for the Armed Services or private companies and others are now including web searches on individuals as part of their background checks at times. It is in your own best interest to think before entering information on a social networking site.

## **STAFF TRAINING**

Individual departments and branches shall be responsible for the training of their staff in departmental policies, procedures and skills unique to that department or branch. Staff training and development will be made available to employees several times each year through participation in professional workshops and seminars, or through scheduled staff development days.

## **STAFF MEETINGS**

The purpose of staff meetings is to present and explain matters of policy; to discuss professional problems; to promote progress in the library profession; and to examine new trends and techniques. Staff members are urged to suggest questions for consideration, and all staff members are invited to participate in any discussion period. There are two staff development days each year. They will always fall on the second Thursday in May and the second Thursday in October. Staff development day attendance is mandatory for all salaried staff. Time spent there is considered part of the regular work week for all staff whether full-time or part-time. Shelves, only, are not required to attend staff development days.

## **STAFF ROOM/LOUNGE**

Use of the staff room/lounge is strictly for the use of library personnel. Employees are discouraged from inviting friends and family members into the staff areas.

## **TALKING AND VISITING**

Employees are expected to conduct library business during working hours. Visitors disrupt business. All employees should remind friends and relatives that unless there is an emergency involved, they should not disturb you while you are working.

## **TELEPHONE USE**

Personal telephone calls are discouraged. Use of cell phones for personal calls while on the job is also discouraged. Telephones are provided to conduct library business. Employees should remind family and friends of the regulation. Continued abuse of the library or cell phones will result in the issuing of an employee warning notice and affect an employee's evaluation. Personal telephone calls should never be made at the circulation desk. If employees receive personal calls while on duty at the front desk, they should be limited to one or two minutes.

## **USE OF LIBRARY EQUIPMENT**

The use of computers, photocopy machines, and faxes are permitted with prior approval of the employee's supervisor but only during unscheduled work time. Staff and Friends of the Libraries must pay 5 cents per copy, 25 cents per color copy, and 25 cents per fax page for any program info or personal copies, etc. Staff members are not permitted to use library supplies for personal use or to borrow non-circulating equipment for home use. Library furniture should never be removed from any library for personal use.

## **WORK SCHEDULES**

The regular work week for full-time employees shall be thirty nine (39) hours per week at the scheduled hours needed for the efficient operation of the department in which the employee is working.

Each month, work schedules are prepared for all libraries. These schedules will reflect each employee's scheduled hours for the month, anticipated vacation leave, travel plans, holidays and other items that might have an impact on the efficient operation of the libraries.

The Library Director or a Branch Manager may, at any time, change any employee's scheduled hours, if the Administration deems it necessary, to coincide with a change in Library hours or Library business. An employee is expected to re-adjust his own schedule to coincide with the Library's changes.

## LEAVE TIMES AND HOLIDAYS

### LEGAL WORK WEEK/OVERTIME

The Library System's work week runs from Saturday through Friday and may include day, evening and weekend hours. All full-time (39 hours per week) employees who work an unscheduled Saturday **must** take off the equivalent scheduled hours within that calendar week. Full-time employees cannot exceed 40 hours per week without prior approval.

All employees regularly scheduled to work twenty (20) or more hours a week are entitled to pro-rated holidays, and a pro-rated share of vacation, sick leave and other leave benefits.

Pro-rated holidays, vacation and sick leave benefits will be calculated by using a thirty nine (39) hour week for 100 percent.

Hourly employees working fewer than 20 hours per week are not eligible for holidays, paid vacations, sick leave or other leaves of absence.

Planned absences are to be arranged in advance through the on-line time and attendance system. If an employee is unable to report for duty during his/her regular shift, he/she must contact his/her Branch/Department head or supervisor no later than 60 minutes before the shift is scheduled to begin. Unexpected absences will be corrected in the time and attendance system by the employee's supervisor.

### AUTHORIZED HOLIDAYS

**Salaried Employees** The Board of Trustees has authorized that the holidays listed below and those days named by the Governor as additional holidays be given to salaried employees when announced through the Mississippi Library Commission. The Library System will be closed on these officially announced days. Libraries will close at 5:00 p.m. on a day preceding a holiday, unless they are normally scheduled to close earlier. All libraries will close at 6:00 p.m. the week preceding and the week following Christmas unless they are regularly scheduled to close earlier. Salaried employees will be paid for the holidays listed below and for those additional days named by the Governor.

#### **January**

New Year's Day	1st Day
Robert E. Lee/Martin Luther King	3rd Monday

#### **February**

Presidents' Day	3rd Monday
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#### **April**

Confederate Memorial Day	Last Monday
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(taken as ½ day the day prior to the start of the Thanksgiving holiday and ½ day the day prior to the start of the Christmas holiday)

**May**  
National Memorial Day/  
Jefferson Davis' Birthday                      Last Monday

**July**  
Independence Day (July 4th)                      4th Day

**September**  
Labor Day    1st Monday

**November**  
Armistice Day (Veteran's Day)                      11th Day

All branches close at Noon the day prior to Thanksgiving (in lieu of  
Confederate Memorial Day)  
Thanksgiving Day                                      4th Thursday

The day of Thanksgiving is fixed by proclamation by the Governor and shall be fixed to correspond to the date proclaimed by the President of the United States. (Section 3-3-7, Mississippi Code of 1972, annotated.) The Governor may, at his discretion, designate any additional day(s) for further observance of the Thanksgiving Season by the same proclamation.

**December**  
All branches close at Noon the day prior to Christmas Holiday (in lieu of  
Confederate Memorial Day)  
Christmas Day    25th Day

In addition to Christmas Day, any day(s) designated, at the Governor's discretion, for the observance of the Christmas Season are fixed by proclamation by the Governor.

Employees who work between twenty (20) and thirty nine (39) hours per week shall be paid on a pro-rated basis for holidays which fall on the days they are scheduled to work according to the pro-rated schedule.

Employees working less than twenty (20) hours per week, temporary employees, substitute employees and shelvers are not eligible for paid holidays.

## **ANNUAL LEAVE**

Employees are encouraged to use earned annual leave. No annual leave may be taken without written prior approval of the immediate supervisor or Branch Manager and the Library Director. Annual leave must be requested two (2) weeks in advance unless an emergency exists. Annual leave may be used for vacations and personal business. **The Library System will only pay for four (4) weeks (160 hours) of personal leave in the event of termination or retirement from employment.** Any unused annual leave above the four weeks (160 hours) will be transferred to

state retirement upon termination of employment with the Library System. Maximum accumulated unused, non-compensated combined sick and annual leave time that can be applied to State Retirement service credit is 11,200 hours.

New employees must complete three (3) consecutive full calendar months of active employment in order to be eligible to receive vacation benefits. Once the eligibility requirement is met, the new employee will receive vacation accruals equal to the total number of months worked, retroactive to the date of hire. However, if an employee terminates prior to three (3) months of employment, he/she is not eligible to receive vacation pay since no vacation hours have been awarded.

All full-time regular employees will be allowed credit for annual leave computed as follows:

**Continuous Service Accrual Rate Per Month/Accrual Rate Per Year:**

1-60 months	<b>(1-5 years)</b> 10 hours per month or 15 days per year
61-120 months	<b>(6-10 years)</b> 12 hours per month or 18 days per year.
121-180 months	<b>(11-15 years)</b> 14 hours per month or 21 days per year.
181 or more months	<b>(over 15 years)</b> 16 hours per month or 24 days per year.

An employee holding an ALA-accredited M.L.S. degree and employed in a position requiring this educational background is granted 24 days of annual leave per year and is accrued at the rate specified for 15+ years of service.

Part-time employees working 20 hours or more earn annual leave on a pro-rated basis. The time is based on a standard work week of 39 hours. (For example: An employee working 20 hours per week would earn 4 annual leave hours per month.) See table below. **Part-time employees do not earn additional hours for continuous service.**

20 - 24 hours = 4 hours per month
25 - 29 hours = 5 hours per month
30 - 34 hours = 6 hours per month
35 - 38 hours = 7 hours per month

Student assistants, shelvers, substitutes, and hourly employees working less than 20 hours per week do not receive annual or sick leave.

Department Heads at the Administrative Office and Branch Managers are responsible for approving and arranging annual leave for employees, and such time shall be based upon the branch/department's workload.

Requests for annual leave shall be submitted in the on-line time and attendance software as far ahead of time as possible and before the monthly schedule is prepared for each branch.

Minimum annual leave allowed is 1 hour, but half hour increments may be taken after the first hour.



Holidays which fall within an employee's annual leave are not charged to their leave time.

On the death of an employee, all earned annual leave credits shall be paid to the estate of the employee.

## **SICK LEAVE**

Employees earn and accumulate sick leave after completing one month of continuous service. The leave is available for the employee's use the first day of the month after the leave is earned. The Library System cannot increase the amount of sick leave to an employee's credit, and it is unlawful for the Library System to grant sick leave in an amount greater than was earned and accumulated by the employee.

Sick leave may be used for the illness or injury of an employee or member of the employee's immediate family which is defined as spouse, parent, step-parent, sibling, child, step-child, grandchild, grandparent, or parents of the employee's spouse.

A doctor's excuse will be required if the sick leave extends past three (3) days or in case of repeated use of single days or part days.

All full-time employees earn sick leave at the rate of 10 hours per month or 15 days per year.

Minimum sick leave allowed is 1 hour, but half hour increments may be taken after the first hour.

- All employees working between 20 and 38 hours per week will earn sick leave at a pro-rated rate according to the table below:

20 - 24 hours = 4 hours per month

25 - 29 hours = 5 hours per month

30 - 34 hours = 6 hours per month

35 - 38 hours = 7 hours per month

- Employees working less than 20 hours a week and temporary hourly employees will not earn paid sick leave.

With appropriate documentation, an employee is entitled to use all accrued sick leave for recuperation from illness. In cases of illness or disability exhausting available sick leave, the employee may be allowed to charge the excess days against accumulated annual leave. If all accumulated sick and annual leave has been used, employees may take leave without pay with the approval of the Branch Manager and the Library Director. Family Medical Leave is also available and is described on pages 34 through 39 of this manual.

Unused sick leave is counted as creditable service for purposes of the retirement system (PERS) when an employee terminates from the Library System. Should an employee die having accumulated sick leave, such leave is counted as creditable service. There is no statutory

authority to pay an employee's beneficiary for unused sick leave in the event of an employee's death.

Every employee should keep in mind that excessive absenteeism is a factor in evaluating job performance. A poor attendance record could result in a staff member not being considered for promotion and/or pay raises. Continued excessive absenteeism can also result in discharge. Comments regarding attendance will be included on all performance evaluations.

Excessive use of sick leave, not supported by a doctor's excuse or letter and over a continuous period of time, will be sufficient grounds for discharge.

## **DONATION OF SICK LEAVE**

The donation of sick leave is a voluntary program designed to contribute to MCLS staff who are dealing with a catastrophic illness or injury for themselves or their immediate family. Each request for use of sick leave donated by MCLS staff will be considered on an individual basis.

A catastrophic illness or injury is considered a severe condition affecting the physical or mental health of an employee or a member of an employee's immediate family that necessitates the services of a licensed practitioner for a prolonged period of time and requires the employee to exhaust all accrued leave and thereby lose compensation.

### **POLICY GUIDELINES:**

- Each request will be considered on an individual basis by a committee to include the Assistant Director, the Business Manager, one Branch Manager and the Supervisor of the individual requesting donated sick leave.
- The staff member requesting donated sick leave must have exhausted all accrued sick and annual leave.
- A staff member can request donated sick leave for illness or injury for themselves or a member of their immediate family. The immediate family includes spouse, parents, children, siblings and domestic partners.
- A physician's statement will be required for the staff member or the immediate family member before consideration for donated leave.
- Those on worker's compensation or receiving disability insurance payments will not be eligible to request any donation of sick leave.
- Staff members can donate 1-3 days of sick leave. Once donated and used by another staff member it cannot be returned to the donation staff member.
- To receive this benefit the staff member has to have completed initial or subsequent probationary periods.
- The staff member requesting donated sick leave can receive up to 30 days if that amount has been donated by other staff. If more than 30 days is donated for an individual, the first 30 days received in the Administrative office from staff will be used. No additional leave will be accepted.
- Donated sick leave will be applied to the current pay period and future pay periods that occur after the donation is made and not in past pay periods.

## FAMILY MEDICAL LEAVE

The Family and Medical Leave Act of 1993 entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave each year for specified family and medical reasons. On the 4th day the employee is absent from the job due to a qualifying illness, Family and Medical Leave will begin to run concurrently with any paid leave the employee may have accumulated after administration receives the "Certification of Health Care Provider for Employee's Serious Health Condition" from the employee's health care provider.

In January, 2009, the U.S. Wage and Hour Division released a revision of this act which covers:

- Changes in the law to allow additional entitlements to military families
- Changes in the law concerning continuing treatment requirements
- Changes in the law concerning verification of need for leave
- Requirement for employers to notify employee if paid leave is designated as FMLA

Please refer to Appendix I for a summary of the revision.

In compliance with Public Law 103-3, the Family and Medical Leave Act of 1993 (effective August 5, 1993), leave is available in accordance with the act to all Library System eligible employees. This policy is issued to ensure that Library System employees receive, as a minimum, the leave time provided them by the provisions of the Family and Medical Leave Act.

FMLA provides eligible employees with up to 12 workweeks (480 hours) of unpaid leave for certain family and medical reasons during a 12 month period. **MCLS employees will not accrue sick leave or annual leave during any period of FMLA not covered by accrued leave. Employees will not be paid for holidays that fall during FMLA unless the holiday falls on a day that would be covered by accruals.** *When an employee returns back to active work status their accrual rate will be adjusted, if applicable, to account for their full seniority with no penalty for time not worked while on FMLA.*

## ELIGIBLE EMPLOYEE

To be eligible for FMLA leave, an employee must have been employed by MCLS:

- a. for at least 12 months (which need not be consecutive); and
- b. for at least 1,250 hours during the 12 month period immediately preceding the commencement of leave.

## QUALIFYING EVENTS

Eligible employees will be entitled to a total of twelve (12) work weeks of leave during a twelve month period for one or more of the following:

- a. because of the birth of a child of that employee and in order to care for the child

- b. because of the placement of a child with the employee for adoption or for foster care or in order to care for the spouse, child, or parent of the employee, if such spouse, child or parent has a serious health condition. Serious health condition is defined by the law as an illness, injury, impairment, or physical or mental condition that involves one of the following: (1) in-patient care in a hospital, hospice, or residential medical care facility or (2) continuing treatment by a health care provider. **Specific documentation by the health care provider is required.**
- c. because of a serious health condition that makes the employee unable to perform the functions or the position of such employee.
- d. because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty or has been notified of an impending call or order to active duty.
- e. to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next-of-kin of the service member

In any case in which the necessity for leave under paragraph **a** or **b** above is foreseeable based on an expected birth or placement, the employee shall provide the Library Director with not less than thirty (30) days' notice, before the date of leave is to begin. If the employee's intention to take leave under such subparagraph, except that of the date of birth or placement, requires leave to begin in less than thirty (30) days, the employee shall provide notice as soon as possible.

The request for leave under subparagraph **b** and **c** above shall be supported by a certificate or letter issued by the *health care provider* (as defined by the *Family and Medical Leave Act*) of the eligible employee or of the spouse or the child or the parent of the employee as appropriate.

The entitlement to leave for a birth or placement of a child shall expire at the end of the 12-week period beginning on the date of such birth or placement. For family and medical leave for care of a covered relative or due to the employee's serious health condition, the 12-month period in which the twelve (12) weeks of leave entitlement occurs is fixed within the twelve-month period from January 1 through December 31.

The Library System requires that employees use all available accrued sick leave and paid vacation leave as part of the 12-week period.

Once authorized paid leave has been exhausted, the remainder of the twelve (12) weeks of leave shall be unpaid.

Leave taken under the Act can be taken intermittently on a reduced leave schedule in certain cases as approved by the Library Director and Board of Trustees.

## DEFINITION OF SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## QUALIFYING EXIGENCIES

Qualifying exigencies include, but are not limited to, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings.

## DEFINITION OF A COVERED SERVICE MEMBER

A covered service member is (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;\* or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness\*

\*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".

## LEAVE ENTITLEMENT

An eligible employee is entitled to up to 12 workweeks of unpaid leave during a 12 month period for any FMLA qualifying reason(s). The 12 month period for all types of leave, with the exception of covered service member leave, is a rolling 12 month period measured backward from the date an employee uses any FMLA leave.

The FMLA includes a special leave entitlement that permits eligible employees to take up to 26 weeks leave to care for a covered service member during a single 12 month period. The single 12 month period for covered service member leave begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### LIMITATIONS OF FMLA LEAVE

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child.

When both spouses are employed by MCLS, they are together entitled to a combined 12 workweeks of FMLA within the designated 12 month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, to care for a parent with a serious health condition, and to care for a covered service member with a serious injury or illness. Each spouse may be entitled to the difference between the leave taken individually for any of the above reasons and 12 workweeks per person for other FMLA qualifying reasons such as to care for his or her own serious health condition, to care for a child with a serious health condition, qualifying exigency military leave, or to care for a covered service member with a serious injury or illness.

#### INTERMITTENT OR REDUCED WORK SCHEDULE LEAVE

Intermittent leave is taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday.

Leave because of an employee's own serious health condition, or to care for an employee's spouse, child or parent with a serious health condition, because of a qualifying exigency or to care for a spouse, son, daughter, parent, or next-of-kin service member with a serious injury or illness may be taken all at once, or where medically necessary, intermittently or on a reduced work schedule.

Leave to care for a newborn or for a newly placed child may not be taken intermittently or on a reduced work schedule unless MCLS agrees with respect to an individual leave request.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt the operations of MCLS. When an employee takes intermittent or reduced work schedule leave for foreseeable planned medical treatment, MCLS may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

#### REQUESTS FOR FMLA LEAVE

An employee should request FMLA leave through their supervisor who will direct the request to Administration.

When the need for leave is foreseeable the employee must provide MCLS with at least 30 days advance notice, or such shorter notice as is practicable. When the timing of the leave is not

foreseeable, the employee must provide MCLS with notice of the need for leave as soon as practicable and must comply with MCLS's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must advise if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employees may be required to submit a fitness for duty certification from their health care provider before returning to work from FMLA leave.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

#### USE OF PAID AND UNPAID LEAVE.

If an employee has accrued sick or annual leave, the employee must first use any available paid leave while taking FMLA leave. The remainder of the 12 workweeks of leave, if any, will be unpaid. Any sick or annual leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or worker's compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12 workweek leave period.

#### DESIGNATION OF LEAVE

MCLS will notify the employee that leave has been designated as FMLA leave. MCLS may provisionally designate the employee's leave as FMLA leave if MCLS has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified MCLS of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the employee must notify Administration within 2 business days of the employee's return to work that the leave was for an FMLA reason.

#### MAINTENANCE OF HEALTH BENEFITS

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued work.

To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid by the employee at the

same time as if made by payroll deduction. MCLS reserves the right to advance the employee's portion of the premium during FMLA leave, and if said premium is advanced, MCLS retains the right to deduct repayment of said premium from the employee's wages upon return to work. If the employee does not return to work at the conclusion of FMLA leave, the employee is responsible for payment of any advanced premiums.

If the employee's payment of health insurance premiums is more than 30 days late, MCLS may discontinue health insurance coverage upon notice to the employee.

#### RETURN FROM FMLA LEAVE

Upon return from FMLA leave, MCLS will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

#### LIMITATIONS ON REINSTATEMENT

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

#### FAILURE TO RETURN TO WORK FOLLOWING FMLA LEAVE

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned.

#### PROTECTIONS

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relation to FMLA.

#### ENFORCEMENT

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

#### ADDITIONAL INFORMATION

For further information or clarification about FMLA leave please contact Administration.



## **FUNERAL LEAVE**

Three days of absence may be counted as paid funeral leave due to a death in the immediate family which is defined as spouse, parent, step-parent, sibling, child, step-child, grandchild, grandparent, or parents of the employee's spouse. Two additional days may be counted as sick leave. Any more time must be counted as annual/vacation leave. Employees working 20 to 38 hours per week will receive funeral leave according to the pro-rated schedule.

Employees working less than 20 hours per week are not eligible for paid funeral leave.

An employee must attend the funeral to be eligible for pay.

## **JURY DUTY/COURT WITNESS**

Any employee who receives notification of jury duty or to serve as a witness in a court proceeding must inform the Library Director immediately and provide the Library Director with a copy of the summons.

The Library System will make up the difference in salary for all full-time staff members serving on jury duty during their regular library working hours when the pay is less than their library pay.

All other employees who are called to jury duty/court witness will be excused from their job in order to serve, but no compensation will be paid by the Library System. If these employees prefer to work their normal number of hours in addition to jury duty/court witness, every effort will be made to rearrange their work schedule so long as the Library System's needs can be met.

An employee should return to work immediately if he/she has been released from jury duty/court witness. Failure to do so will result in the employee being written up and the report being placed in his/her personnel file.

## **USE OF LEAVE DURING PREGNANCY**

Federal law requires that women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. (42 U.S. Code Section 2000e (k))

- All types of leave shall be granted to pregnant women on the same terms as leave is granted to other employees.
- The Library System shall not terminate the employment of any employee because of pregnancy or require that such employee take mandatory leave.

## **MILITARY LEAVE**

Full-time employees requesting leave when ordered to military duty in excess of the fifteen (15) days allowed by law are entitled to leaves of absence from their respective duties without loss of annual leave or sick leave until relieved from military duty. Leave in excess of fifteen days will be without pay. A set of the employee's military leave orders must be filed with the Library Director as soon as possible.

The Uniformed Services Employment and Re-employment Act (USERRA) of 1994, a federal law, requires employers to allow up to five (5) years of leave to a soldier who leaves to perform military duty and performs that duty satisfactorily. An employee may request his/her job back within 90 days of his/her release from active duty. The employee may be re-instated to his/her position or to a position of like seniority and pay if such position is available without regard to whether the military duty was voluntary or involuntary.

Sick and annual leave accumulated and unused by the employee at the time of entrance into the military service will be accorded to them.

A copy of the discharge or release papers is required by the Library System.

## **ADMINISTRATIVE LEAVE**

All employees are eligible for administrative leave at the discretion of the Library Director. All administrative leave must be recorded as such on the employee's time and attendance record.

## **UNAUTHORIZED LEAVE**

Unauthorized leave of any kind will be without pay. If unexcused, the employee shall be subject to disciplinary action. An absence of more than one day without notification to Director (or the Assistant Director in the absence of the Director) will be considered voluntary resignation.

## **EMERGENCY CLOSINGS**

### **EMERGENCY/DISASTER LEAVE**

The Library Director, in consultation with the Board of Trustees when possible, is authorized to close any or all libraries in the event of an emergency/disaster. During the period of emergency/disaster, contingent upon funds, all regular employees will be paid their regular salaries. Hourly or temporary employees will not be paid for weather-related/disaster-related closings. Salaries of regular full-time employees during this emergency/disaster period may be ended by the Board of Trustees if, in their judgment, the length of time constitutes an extreme financial burden to the Library System. The Director and/or Assistant Director and/or the Branch Manager can also assign employees to other branch libraries or agencies if the emergency/disaster is lengthy and assistance is needed to serve the public at other locations.

### **EVACUATION FLOOR PLANS**

All library buildings must have an up-to-date evacuation floor plan for the building displayed prominently throughout the building.

### **POWER OUTAGES**

When a power outage occurs during the day, the Library will remain open. The Circulation Desk will hand-charge materials during this period. Staff will talk to the utility company officials to determine the expected duration of the outage and report to the Library Director. The branch may be closed at the discretion of the Director, or of the Assistant Director in the absence of the Director.

When a power outage occurs after dark, preparations for closing will begin immediately. All Staff will be required to remain on the premises until the closing procedure is complete. If electrical power is restored while the closing procedures are taking place, normal operations will be resumed.

### **STORM POLICY**

In severe weather it is understood that the ability of a staff member to report to work will vary according to prevailing conditions. Staff members are expected to make a reasonable effort to report to work. Staff members are allowed such time as is necessary to reach the library under severe weather conditions. When the Library Director deems it necessary to keep the Library open but severe weather conditions prevail, a volunteer skeleton crew will staff the Library.

Staff who wish to leave early when weather conditions are severe may do so with their supervisor's permission. No compensation will be paid when an employee leaves under these conditions when the Library is not closed. Time taken this way will be recorded as annual leave.

## **TORNADO ALERT POLICY**

The following procedures will be used when a tornado alert is sounded:

- The Branch Manager or highest ranking staff member will notify all staff and patrons of the alert and urge them to quickly move to the safest area in the building.
- The Branch Manager and Circulation Staff will quickly lock the cash drawer and secure any valuables.
- In all two story buildings the second floor will be evacuated immediately to the previously established “safe area” for that building.
- When the alert is over, Staff will resume their regular duties.

## **BOMB THREAT**

The following procedure will be used when the Library receives a bomb threat. The person receiving the telephone call regarding a bomb being placed in the building shall:

- Try to keep the line open and obtain as much information as possible.
- Immediately call the Police Department and report the threat.
- Evacuate and close the building until the emergency personnel give an OK to return.

## **FIRE ALERT**

- Whoever spots the fire will notify the Branch Manager and the Circulation Desk about the problem. The Branch Manager will call the Fire Department.
- A staff person will immediately clear the Library in an orderly manner.
- Each department will be responsible for clearing its own area.
- No one should use the elevator.

## **TRAVEL**

When employees or trustees of the Library System are required to travel on official business, the Library System will pay reasonable costs for transportation, meals and lodging, subject to the library director's approval.

All conference registration, airfare, and hotel/motel reservations will be handled through the Office of the Library Director, unless the Library Director has authorized the employee to make reservations on an individual basis.

Registration, airfare, hotel/motel expenses and vehicle rental costs will be paid using the library travel card whenever possible.

Travel reimbursement procedures for the Library System are based on the rules and regulations adopted by the Mississippi Department of Finance and Administration. All travel reimbursement requests must be submitted to the Business Office for reimbursement.

Travel reimbursements will, by necessity, depend on the amount of money available in the budget. If the Library Director or Board of Trustees determines that full or partial reimbursement is not available, the employee may elect, with permission of the Library Director or Board of Trustees, to pay for his/her own travel expenses rather than miss a meeting.

If employees leave the employment of the MCLS within 6 months of attending a convention or conference, they must reimburse the Library System up to 90% of expenses and costs paid for them to attend. If they do not leave of their own free will, they will not owe any reimbursement. Reimbursement will be based on the following prorated scale:

Within 60 days of last date of convention/conference – 90% payback to MCLS

Between 60 days and 120 days – 45% payback to MCLS

Between 120 days and 182 days – 25% payback to MCLS

Expenses shall be defined to include all expenses paid by MCLS.

Selection of personnel to attend conferences, seminars, and other business-related meetings is based on:

- employee/trustee training needs
- relevance of program to job duties
- relevance of program to improvement of public library services in Madison County
- available funds
- professional association membership.

## **AUTHORIZATION**

All Library System business-related travel, including travel requiring registration fees, overnight accommodations and the use of public transportation, must be submitted to the employee's immediate supervisor on the *Request for Travel Form/Instructions* (see Appendix C1 and C2). The supervisor will forward the request form to the Library Director. A copy of the request will be returned to the employee and will indicate (1) If the request for travel has been approved; and (2) If approved, the amount of travel costs that will be reimbursed to the employee by the Library System.

Local travel in personal vehicles (any vehicle other than library vehicles) must be approved by the Branch Manager and by the Library Director and reported on *Local Mileage Record Form* (see Appendix D).

## **REIMBURSABLE/NON-REIMBURSABLE EXPENSES**

Reimbursement for expenses shall be made in accordance with State law and Library System procedures.

- The following travel expenses are reimbursable:
  - Conference, seminar, etc. registration and other fees (including study materials)
  - Lodging
  - Meals (when staying overnight or at least 50 miles from the library)
  - Transportation, including bridge and highway tolls
  - Parking
  - Business-related telecommunication charges
  - Taxis, buses, subways, etc.
  - Business-related postage/supplies
  - Tips given for meals (maximum of 15%), taxi cab drivers, and other service personnel
  
- The following travel expenses are non-reimbursable:
  - Cleaning and laundry services
  - Alcoholic beverages
  - Entertainment and travel related to personal entertainment
  - Trip life insurance
  - Meals during day trips (less than 50 miles from the library) not requiring overnight accommodations
  - Snack or Grocery items (except for Library System approved programs and meetings)
  - Mileage for travel to staff development days

## **RECEIPTS**

Receipts are required for all reimbursable expenses. No expenses will be reimbursed without receipts. **Itemized** vendor receipts are required.

## **TRANSPORTATION**

Use of a library vehicle is preferred. Reimbursement for use of a private vehicle, when a library vehicle is not available, will be made at the rate determined by the Board of Trustees.

If an employee/trustee elects to travel by personal vehicle when a library vehicle is available for use, mileage reimbursement will be at the rate established by the Board of Trustees **ONLY** with approval by the Library Director **PRIOR** to travel.

Where two or more employees travel in one employee-owned vehicle, only one travel expense allowance at the authorized rate per mile shall be allowed for any one trip. Employees are encouraged to share rides as much as possible.

Travel by airline shall be at the coach rate.

With prior approval by the Library Director, vehicle rental costs will be reimbursed at prevailing rates. If a rental vehicle is required, employees should rent lower cost compact vehicles. Charges for rental cars shall be allowed only when there is a demonstrated cost savings over other modes of transportation, such as buses, subways, and taxis and not strictly for the convenience of the employee/trustee.

## **MEALS**

Refer to Reimbursable and Non-Reimbursable Expense section for details regarding meals.

Meals are reimbursed at the rate established by the Mississippi Department of Finance and Administration. Refer to the following website for the current rates

<http://www.dfa.state.ms.us/Offices/PurTrav/Purchasing.htm> (click on Office of Travel).

Meals (when staying overnight) are reimbursed at 75% of the daily rate. This allows for lunch and dinner on the first day of travel and for breakfast and lunch on the last day of travel. The total amount of meal reimbursement may be spread out over the entire trip.

**Itemized meal receipts are required for reimbursement.**

## **LODGING**

The Library will reimburse hotel/motel accommodations to the employee at the standard rate.

Lodging will be reimbursed only for necessary days, and the employee should request government and/or conference rates.

Employees are encouraged to share a room when the arrangement is acceptable to all parties. An employee shall not be required to share a room with more than one other individual.

If the employee shares a room with an employee representing another library system, the employee should pay and claim only a pro-rated share of the hotel/motel room.

Submitted hotel/motel receipts should be the original that the registration desk provides the employee when the bill is paid, as opposed to charge-card receipts.

The Mississippi Office of General Services, Bureau of Purchasing, maintains an updated agreement with various Mississippi and out-of-state hotels for State employees. The agreements are not intended to include conventions, conferences, seminars, or workshops. These agreements are non-mandatory state contracts and may not always be applicable. The employee should first attempt to secure lodging at a motel/hotel that gives state/government rates.

## **MISCELLANEOUS**

One employee/trustee should not claim expenses for another employee/trustee.

Reimbursement for national and state library conference registration is limited to the "membership" rate.

Pre-payment of registration fees, airfare and hotel/motel expenses may be authorized by the Library Director. However, in the event that any or all of these expenses have been pre-paid and the traveler is, for whatever reason unable to travel, the Library Director may appoint another employee to attend in his place.

## **RECORDING TIME AND MILEAGE**

### **TRAVEL OUTSIDE MADISON COUNTY**

**No overnight travel involved.**

Use of a library vehicle is preferred.

When you travel to a conference, workshop, etc. directly from your home, count the time from when you left your house to when you return, if it is all done in one day.

When you travel to a conference, workshop, etc. from an MCLS branch, count the time from when you arrived at the branch to when you return to the branch, if it is all done in one day.

Personal side trips are NOT included as work time.

If a lunch hour is taken, that is not counted as work time. If lunch is provided/you work through lunch, it is counted as work time.



If a library vehicle is not available you will be paid mileage for whatever you drive that day, deducting for any personal side trips made. i.e. You will be paid for mileage from home to point of pick up or site of conference and back only.

If a library vehicle is available and you elect to use your own personal vehicle you must obtain PRIOR approval from the Library Director to seek reimbursement.

### **Overnight travel.**

For overnight travel, the first day record the time beginning when you leave home (or the time arrived at the branch if leaving from a branch) until the end of the last meeting or training session of the day, subtracting for any non-working meal breaks. On subsequent days of the conference you will record 8 hour work days. On the day you leave, count the time beginning with the first session of the day, if any, (if not, the time you leave the hotel) until the time you reach your home or get back to your work site if you get back in time to complete your shift there.

Mileage would be recorded the same as for a one day trip.

## **LOCAL TRAVEL**

### **Reporting to a site other than your regular work site.**

When working at another branch, public school, or site within the MCLS service area (anywhere in Madison County) other than your regular work site, and you are scheduled to report there at the beginning of a work shift, travel time is not included as work time.

### **Leave regular work site for work elsewhere in service area.**

If you report to your branch or work site and are then asked to travel to another branch, school, etc. within the MCLS service area, the travel time to the other location is included as work time.

### **Reporting back to regular work site.**

If you leave a school, branch other than your own, or any site in the MCLS service area to travel back to your branch or work site to complete a scheduled work shift, that travel time is included as work time.

### **Ending shift at site other than your regular work site.**

If you end a shift at a site other than your regular work site, the time that you leave that site is your end time for the day. Travel back to your home is not considered work time.

When working inside our service area, you should never travel back to your regular work site specifically to clock out, counting that travel time as work time. Only if you are going back to complete a shift at the request of your supervisor do you count the travel time back to your regular work site as time on the clock.

## **PERSONAL SIDE TRIPS DO NOT COUNT AS WORK TIME.**

## **ADMINISTRATION OF STAFF TRAVEL AND EXPENSE REPORTS**

Plan ahead and account for all time involved when scheduling staff travel to be sure your branch or department schedule is covered and no one will be working overtime hours.

Any time worked that is not recorded on the time card by the MCLS Time and Attendance software needs to be submitted by the employee and verified by the supervisor the next time the employee is at his/her regular work site.

All travel-related expense reports must be completed accurately and honestly. They must be signed by the employee and reviewed by the immediate supervisor. Once the supervisor has assured the accuracy of the report the supervisor should forward it to the Business Manager at HQ. This should be done soon after the travel is completed and forwarded to HQ in a timely manner.

Forms submitted without the appropriate review at the departmental or branch manager level will be returned for review and the appropriate signatures.

## **DISCIPLINARY ACTION**

### **GENERAL**

The Library Director is responsible for the efficient operation of the Library System including each of its branches. The Library Director alone, or in consultation with Branch Managers or others of the Library Director's choosing, has authority over discipline and the determination of appropriate action(s) to be taken in the event disciplinary action is required. The provisions of this section are intended to inform all employees of the disciplinary provisions to which they are subject, and to inform the employees of grievance procedures which are available to them.

The provisions of this section reflect the process that is due, and the process which will be accorded, to employees in the event disciplinary action is taken. The provisions of this section are made for the purpose of guidance and definition, and do not create any rights on the part of any employee in addition to those rights created by the statutes which govern the existence and operation of the Library System. The provisions of this section are not intended to, and do not, limit the authority or discretion of the Library Director or the Library System to discipline employees in accordance with the law and/or the Library System's inherent right to manage its employees and facilities.

### **DISCIPLINE**

The Library System will generally attempt to work with employees to correct issues relating to tardiness or absences. Violations of Library System policy relating to tardiness or absences may result in warnings or other guidance to the employee calculated to correct unexcused tardiness or absences. Continued tardiness or absenteeism after warnings may be grounds for discharge.

Violations of Library System policy by employees while at work are viewed differently from violations relating to tardiness or absenteeism. On-the-job violations of Library System policy may reflect behavioral or attitudinal problems that may not be resolved by warnings. On-the-job violations of Library System policy are considered serious violations of Library policy. Disciplinary action(s) may be imposed for serious violations of Library policy. Warnings are not required before disciplinary action(s) can be imposed. Serious violations of Library System policy may result in immediate probation, suspension without pay, or discharge without the need for any prior warning. For serious violations, the Library System is not required to engage in any sort of progressive discipline prior to imposition of any other discipline, including discharge. Serious violations may include, but are not limited to, any of the following:

- a. Insubordination, including, but not limited to, (1) a refusal by the employee to sign an acknowledgment of receipt of any disciplinary notice, (2) resistance to, or refusal of, a job-related instruction by any supervisory personnel, or (3) any overt or obvious demonstration of disrespect for any supervisory personnel
- b. Discourteous or abusive treatment, including abusive verbal treatment, of Library patrons or other employees
- c. Failure to work in harmony with co-workers
- d. Unsatisfactory job performance

- e. Sexual misconduct
- f. Bringing a firearm to the work place
- g. Conviction of a felony, or conviction of a misdemeanor involving dishonesty, violence or illegal drug possession or usage
- h. Drinking or using illegal drugs on the job, or possessing alcohol or illegal drugs on the job
- i. Reporting to work under the influence of alcohol or illegal drugs
- j. Falsification of any Library records, including personnel records
- k. Willful destruction or defacing of Library property
- l. Theft or conversion of any property of the Library or of Library patrons
- m. Abuse of sick leave, vacation time, or other leave
- n. Continued tardiness or unexcused absences after warning or other corrective measures have proven insufficient
- o. Political activity which is in violation of federal, state, or local laws

## **DISCIPLINARY ACTIONS**

The Library Director or the Branch Managers will, at their discretion, determine whether discipline is required, and the appropriate level of discipline in each case where discipline is required. The Library Board of Trustees has the sole authority to impose any level of discipline against the Library Director. Disciplinary measures that may be used include:

- **Verbal Warnings or Reprimands**

Verbal warnings or reprimands are informal warnings to an employee and may be issued by the Library Director, a Branch Manager, or the employee's immediate supervisor. Verbal warnings or reprimands are generally applicable to violations of Library System policy relating to tardiness or unexcused absences. Verbal warnings or reprimands may also be applied to more serious offenses if the direct supervisor, Branch Manager, or Library Director believes that under the circumstance a verbal warning or reprimand may be useful. A written memorandum memorializing the verbal warning or reprimand will be placed in the employee's personnel file.

- **Written Warnings or Reprimands**

Written warnings or reprimands are official warnings to an employee. Written warnings or reprimands will be used in the same manner and for the same purpose as verbal warnings or reprimands. A copy will be placed in the employee's personnel file.

- **Probation**

The Library Director may place an employee on probation, the length of which will be determined by the Library Director. During the probationary period, the employee's performance will be closely evaluated. The employee may be immediately discharged if the employee commits any new violation while on probation. A notice of probation which includes the reasons

for the probation and the terms of the probation will be tendered to the employee, and a copy will be placed in the employee's personnel file.

- **Suspension With Pay**

The Library Director may suspend an employee with pay for a period not to exceed thirty (30) days for any serious violation, or on suspicion of a serious violation. During the period of suspension with pay, the Library Director will determine whether further disciplinary action is appropriate. While on suspension with pay, the employee will continue to accrue the ordinary benefits of employment unless the suspension with pay is terminated, and the employee is suspended without pay or discharged. A notice of suspension with pay which includes the reasons for the suspension will be tendered to the employee, and a copy will be placed in the employee's personnel file.

- **Suspension Without Pay**

The Library Director may suspend an employee without pay for a period not to exceed thirty (30) days for any serious violation. While on suspension without pay, the employee will not accrue the ordinary benefits of employment. A notice of suspension without pay which includes the reasons for suspension will be tendered to the employee, and a copy will be placed in the employee's personnel file.

- **Discharge**

The Library Director may discharge any employee for any serious violation of Library System policy. Such discharge is considered to be discharge for cause. Written reasons for the discharge will be tendered to the discharged employee, and a copy will be placed in the employee's personnel file. In accordance with Miss. Code Ann. §39-3-17(3), discharge for cause is grievable.

## **SEPARATION OF SERVICE**

Responsibility for the separation from service of the library director is vested with the MCLS Board of Trustees. Responsibility for the separation from service of all subordinate employees is vested with the Library Director. The Assistant Director and Branch Managers are responsible for evaluation and recommending changes in staff. All separations from service will be reported by the Library Director to the MCLS Board of Trustees.

### **FORMS OF SEPARATION**

The separation of an employee from service to MCLS shall take one of the following forms:

#### **1. Retirement**

Retirement from MCLS will be in accordance with MCLS policies, the requirements of the State of Mississippi Public Employees Retirement System and other applicable state and federal laws.

#### **2. Resignation**

This separation shall include all employees who voluntarily terminate their employment with MCLS. Voluntary separation from service shall include, but is not limited to, unauthorized absence of one day and employee resignation. Unauthorized absence of one day will be interpreted as a voluntary separation from service.

Written resignation should be submitted to supervisor and library director at least ten (10) working days prior to effective date.

Professional staff are expected to remain on-the-job during their final working days of employment. Employees who fail to provide the appropriate working days notice will not be eligible for re-employment with the MCLS for a period of one year.

The "effective date" of a resignation is the last day the employee will report for duty. No one will be granted annual leave benefits on their scheduled last day of work. Full-time staff members are required to report for duty the equivalent of full work days throughout the five working days before the effective date of a planned retirement or resignation.

An employee who resigns and then later returns to the staff does so as a new employee. Salary and benefits will be determined by the position accepted and not by the salary and benefits granted during any previous period of employment with the Library System. The Director can consider prior employment with the system for promotion and/or transfer.

### 3. Reduction in Force

If staff positions are eliminated as a result of library reorganization, insufficient funding or because of emergencies and/or disasters, and the employee cannot be transferred to another position within the library system, the employee will be released from service to the library by the MCLS Board of Trustees. Reduction in force will be determined by the MCLS Board of Trustees on the recommendation of the Library Director.

### 4. Termination

An employee may be terminated by the Library Director for failure to perform assigned tasks in a satisfactory manner or for conduct detrimental to the Library System or for violating any MCLS policy.

### 5. Death

This shall include all separations of employees whose service is broken by death while on active payroll. Upon the death of an employee, payment will be made for any accrued salary and unused annual leave to the estate of the deceased employee and/or to his/her designated beneficiary.

## **APPEAL**

Employees separated from service due to disciplinary action may appeal that decision to the MCLS Board of Trustees in accordance with the provisions of the board-adopted Grievance Procedure.

## **PAYMENT TO SEPARATED EMPLOYEES**

Employees separated from service to the Library System shall be paid through the last day worked in addition to payment of unused and unpaid annual leave up to 160 hours if the employee chooses to be paid. the unused annual leave can be paid separately to the employee or credited to state retirement. If an employee resigns before completing three full months of service, the employee will not be paid for earned but unused annual leave. If an employee resigns or is dismissed before completing three months service, any sick leave used will be deducted from his/her final paycheck.

## **EMPLOYMENT REFERENCES**

When applying for a new position outside the library system, some current and former employees include MCLS as either a current or former employer. In response to prospective employers' requests, MCLS will provide the following employment information only: name of employee, position title and dates of employment.

Administrative and management personnel may provide personal letters of reference for current and former employees. This type of letter must state clearly that it is a personal reference and not an official recommendation from MCLS.

All requests for information received from a prospective employer for a previous or current employee must be sent to administration for an appropriate response.

## **GRIEVANCES**

Discharges for cause are grievable. Discharges for reasons other than for cause, such as lack of work or reductions in force, are not grievable. Other job actions such as non-discharge disciplinary actions, demotions, transfers, and assignments are not grievable.

In the event a determination is made by the Library Director to discharge an employee for any serious violation of Library System policy or for other cause, written notice of such decision shall be given to such employee. An employee who has received such notice shall be entitled to:

- Written notice of the reasons for such action, together with a summary of the factual basis therefore, which notice shall be given at least five (5) days prior to any hearing;
- An opportunity for a hearing before the Board of Trustees at which to present matters relevant to the reasons given for the decision, including any reasons alleged by the employee to be the reason for such action;
- Receive a fair and impartial hearing before the Board of Trustees;
- Be represented by legal counsel at his or her own expense.

If the staff member does not request a hearing, the decision of the Library Director shall be final.

## **GRIEVABLE ISSUES**

Disciplinary discharges are grievable. Adverse job actions which (1) include a reduction in pay, and (2) result from possible discrimination because of age, race, color, sex, religion, national origin, disability, or retaliation for the filing of a previous grievance are also grievable.

## **GRIEVANCE PROCEDURE**

Upon the occurrence of a grievable issue as defined above, a grievant may appeal the disputed action directly to the Madison County Library System Board of Trustees. The appeal shall be initiated in writing by a Grievance Letter addressed to the Chairman of the Board. The Grievance Letter shall explain reasons or grounds for the grievance. The Grievance Letter shall be mailed to the Chairman & postmarked no later than 7 calendar days after the written notice is given.

The Chairman will notify the Board of Trustees as soon as practical and schedule a grievance hearing to be held by the Board within 30 days of receipt of the Grievance Letter. The Chairman



may conduct such inquiry regarding the circumstances of the disciplinary discharge as the Chairman deems appropriate.

The grievant may be represented by counsel at the grievance hearing, and a court reporter will be furnished if requested by the grievant. Witnesses may be called, and cross-examination will be allowed.

If the grievance relates to disciplinary discharge, the Board may affirm the disciplinary discharge or reinstate the grievant with any conditions deemed appropriate by the Board. If the grievance relates to a qualifying adverse job action the Board may affirm the adverse job action, or make such changes or adjustments as the Board deems appropriate. The Board may award back pay in conjunction with a grievance, but the Board shall not make any other monetary award.

The outcome of the grievance will be determined solely by the Board and is final. Within 10 days of the conclusion of the hearing, the grievant will be given written notification of the decision by the Board of Trustees and the reasons for the decision. Copies of all correspondence and exhibits relating to the grievance will be retained by the Library System.

Discrimination against any employee who files a grievance shall not be tolerated, and such action shall be in violation of the personnel policies of the Library System. The person responsible shall be subject to disciplinary action.

**MADISON COUNTY LIBRARY SYSTEM  
EMPLOYEE WARNING NOTICE**

The following **Warning** was issued today and it is to be made part of the official record.

\_\_\_\_\_  
Name Date

- 1.       ( )   Insubordination, including, but not limited, (1) a refusal by the employee to sign acknowledgment of receipt of any disciplinary notice, (2) resistance to, or refusal of, a job-related instruction by any supervisory personnel, or (3) any overt or obvious demonstration of disrespect for any supervisory personnel
- 2.       ( )   Discourteous treatment, verbal or otherwise, of Library patrons or other employees
- 3.       ( )   Failure to work in harmony with co-workers
- 4.       ( )   Unsatisfactory job performance
- 5.       ( )   Sexual misconduct
- 6.       ( )   Bringing a firearm to the work place
- 7.       ( )   Conviction of a felony, or conviction of a misdemeanor involving dishonesty, violence or illegal drug possession or usage
- 8.       ( )   Drinking or using illegal drugs on the job, or possessing alcohol or illegal drugs on the job
- 9.       ( )   Reporting to work under the influence of alcohol or illegal drugs
- 10.      ( )   Falsification of any Library records, including personnel records
- 11.      ( )   Willful destruction or defacing of Library property
- 12.      ( )   Theft or conversion of any property of the Library or of Library patrons
- 13.      ( )   Abuse of sick leave, vacation leave, or other leave
- 14.      ( )   Continued tardiness or unexcused absences after warning or other corrective measures have proven insufficient
- 15.      ( )   Political activity which is in violation of federal, state, or local laws
- 16.      ( )   Inappropriate dress/violation of dress code
- 17.      ( )   Other (Explain)

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Supervisor: \_\_\_\_\_

I have read this report: \_\_\_\_\_  
Signature of Employee

## **MADISON COUNTY LIBRARY SYSTEM EQUIPMENT, INTERNET, AND EMAIL POLICY FOR STAFF**

“Library Equipment” includes, but is not limited to, equipment owned by the Library such as: Computers and accessories, iPads, projectors, printers, etc. All equipment must be used according to the guidelines set forth in this policy.

### **Guidelines for proper care of equipment**

1. Library Equipment is not to be loaned to anyone without administrator approval.
2. Proper care is to be given to the equipment at all times, including but not limited to the following:
  - a. Give care appropriate for any electrical device.
  - b. Be extremely careful with food and drink near the equipment.
  - c. Do not leave the equipment in extreme heat or cold or direct sunlight.
  - d. Do not attempt to repair damaged or malfunctioning equipment.
3. Proper security is to be provided for equipment at all times, including, but not limited to, the following:
  - a. Secure the equipment in a safe place at the end of the day.
  - b. Do not leave the equipment in an unlocked car or in open view.

### **Software and Updates**

All software will be installed by the System Administrator/Assistant System Administrator or staff designated by the System Administrator. All software installed on library system computers must be software purchased for that computer by the library system. No unauthorized software may be installed on any of the library system’s computers. This includes screen savers, web search toolbars, pop-up blockers, etc. Computers/iPads will be periodically checked for unauthorized installation of software. Unauthorized installation of software can be **cause for termination**. All computers/iPads are for library purposes and are subject to being monitored. The System Administrator/Assistant System Administrator will perform all updates. All Software given as a gift must be sent to the System Administrator.

### **Passwords/Security**

Passwords must not be added or changed on computers or iPads. No personal devices (such as an iPhone) can be linked to a Library owned iPad. In addition, a personal “iTunes” account or personal “Apple ID” cannot be linked or used on a Library owned iPad.

### **Internet Use**

All computers/iPads with Internet access are filtered. Staff may disable the filter for the purpose of bonafide research. Please see the **Disclaimer** on page 2 of the MCLS Internet and Computer Safety Policy.

The following guidelines will be followed for personal use of the Internet:

1. Personal use will be on an employee’s personal time. (*Personal time* is defined as before or after your scheduled work hours, or during lunch or scheduled breaks.)
2. It will not interfere with any work related activity.
3. The use of e-mail for personal use is permitted only on employees’ personal time.

**E-mail**

E-mail accounts will be set up for all staff members. All emails related to library business must be sent using the official mcls.ms email account. Do not use personal email accounts to send or reply to official library business. Staff on duty must check their email at least once per day and more often if possible. Staff members who join listservs and newsgroups that relate to their library work should monitor their messages frequently due to the volume of mail received. MCLS reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the system for any purpose. Remember that no electronic mail service can be made totally confidential.

*Any employee who violates this policy shall be subject to discipline, up to and including termination.*

**I certify that I have read and that I understand the *Equipment, Internet, and Email Policy for Staff.***

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Signature

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Date

Policy adopted by the MCLS Board of Trustees: June 9, 2004  
Revised September 14, 2010  
Revised February 15, 2017

**MADISON COUNTY LIBRARY SYSTEM**

**REQUEST FOR TRAVEL FORM**

**CHECK ALL APPLICABLE TRAVEL ITEMS REQUESTED**

LOCATION OF CONFERENCE / MEETING \_\_\_\_\_

EMPLOYEE  
NAME: \_\_\_\_\_ TITLE \_\_\_\_\_ DL# \_\_\_\_\_

BRANCH \_\_\_\_\_

DATE (S) OF TRIP:

TITLE OF MEETING: \_\_\_\_\_

PURPOSE / BENEFITS OF TRIP /  
MEETINGS: \_\_\_\_\_

TOTAL ESTIMATED COST: \_\_\_\_\_

EMPLOYEE  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

SUPERVISOR'S  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

DIRECTOR'S  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**INSTRUCTIONS FOR REQUEST FOR TRAVEL FORM**

1. Travel authorization forms must be submitted for all conferences, workshops, meetings, etc, not sponsored by the MCLS.
2. A separate form must be completed for each traveler.
3. Be specific as to the purpose/benefits of the trip or meeting.
4. Be as accurate as possible in estimating costs, including air, lodging, meals, gratuities, taxis, rental cars, or any other applicable travel requirements.
5. An approved copy of this form with supporting documentation (e.g. receipts, air itinerary form) must be submitted with the travel expense report in order to receive reimbursement.

## WORKSHEET

	<u>ESTIMATED COST</u>
AIR/ TRAVEL	\$ _____
MEALS ( _____ DAYS @ \$ _____ / DAY)	\$ _____
LODGING ( _____ DAYS @ \$ _____ )	\$ _____
REGISTRATION FEE	\$ _____
RENTAL CAR ( _____ DAYS @ \$ _____ / DAY	\$ _____
OTHER _____	\$ _____

**MADISON COUNTY LIBRARY SYSTEM  
LOCAL MILEAGE RECORD**

Employee Name \_\_\_\_\_

Date	Odometer:		Total Miles	Destination and Purpose of Travel
	Beginning	Ending		

Branch \_\_\_\_\_ Date \_\_\_\_\_

Branch \_\_\_\_\_ Date \_\_\_\_\_

Total Mileage \_\_\_\_\_ at \_\_\_\_\_ per mile: \$ \_\_\_\_\_  
(current rate)

The undersigned hereby certifies that mileage as listed above was incurred on official library business only, and that reimbursement has not been received for any part thereof.

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

\_\_\_\_\_  
Supervisor's Signature Date \_\_\_\_\_

\_\_\_\_\_  
Director's Signature Date \_\_\_\_\_

# Madison County Library System

# Expense Report

Name: \_\_\_\_\_  
 Conference Title: \_\_\_\_\_  
 Purpose: \_\_\_\_\_

Destination: \_\_\_\_\_  
 Dates: \_\_\_\_\_

Date	Breakfast	Tip	Lunch	Tip	Dinner	Tip	Daily Total	Daily Amount Allowed	Hotel	Other Authorized Expenses Item Amount	TOTAL
							-				-
							-				-
							-				-
							-				-
							-				-
							-				-
							-				-
							-				-
							-				-
							-				-
							-				-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	
										SUBTOTAL	\$ -
										ADVANCES	\$ -
										TOTAL REIMBURSEMENT	\$ -



## Agreement on Attending a Library Convention/Conference

I \_\_\_\_\_ agree to reimburse the Madison County Library System up to \_\_\_\_\_ or 90% of expenses and costs paid for me to attend the \_\_\_\_\_ on

(Name of Convention/Conference)

\_\_\_\_\_ if I leave the employment of the Madison County Library System (Date of Convention/Conference)

within 6 months of this date. If I do not leave of my own free will, then I will not owe the library any reimbursement. The reimbursement will be based on the following prorated scale:

Within 60 days of last date of Convention/Conference – 90% payback to MCLS

Between 120 days and 60 days – 45% payback to MCLS

Between 182 days and 120 days – 25% payback to MCLS

Expenses shall be defined to include all expenses paid by MCLS.

Signed by \_\_\_\_\_

Date Signed \_\_\_\_\_

## **Madison County Library System Alcohol and Drug-Free Workplace Policy**

### **Purpose and Goal**

**Madison County Library System** is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established an alcohol and drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

- Employees are encouraged to voluntarily seek help with drug and alcohol problems.

### **Covered Workers**

Any individual who conducts business for the library, is applying for a position or is conducting business on the library's property is covered by our alcohol and drug-free workplace policy. Our policy includes, but is not limited to full-time employees, part-time employees and volunteers.

### **Applicability**

Our alcohol and drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the library. Therefore, this policy applies during all working hours, whenever conducting business or representing the library and at library-sponsored events.

### **Prohibited Behavior**

It is a violation of our alcohol and drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

### **Notification of Convictions**

Any employee who is convicted of a criminal drug violation in the workplace must notify the supervisor in writing within five calendar days of the conviction. The library will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

### **Drug Testing**

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity

for a split sample; the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in reasonable suspicion testing upon selection or request of management.

Any employee who tests positive will be immediately removed from duty, suspended without pay for a period of 30 days, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, required to pass a Return-to-Duty test and sign a Return-to-Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

An employee will be subject to immediate termination of employment if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

### **Consequences**

One of the goals of our alcohol and drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply.

If an employee violates the alcohol and drug-free workplace policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

### **Return-to-Work Agreements**

Following a violation of the alcohol and drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

## **Assistance**

**Madison County Library System** recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Allows use of accrued paid leave while seeking treatment for alcohol and drug problems.

Treatment for alcoholism and/or other drug use may be covered by the employee benefit plan. However, the ultimate financial responsibility for treatment belongs to the employee.

## **Confidentiality**

All information received by the organization through the alcohol and drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

## **Shared Responsibility**

A safe and productive alcohol and drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of policy violations.

## **Communication**

Communicating our alcohol and drug-free workplace policy to all employees is critical to our success. To ensure employees are aware of their role in supporting our alcohol and drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- Supervisors receive training to help recognize and manage employees with alcohol and other drug problems.

**MADISON COUNTY LIBRARY SYSTEM  
ALCOHOL AND DRUG FREE WORKPLACE  
ACKNOWLEDGMENT AND AGREEMENT**

Under the terms of the Drug-Free Workplace Act, we are required to give to you a copy of our official policy statement concerning the establishment of a drug-free workplace.

**Please sign below to indicate that:**

- You have received this statement.
- You have read it or been informed of its content.
- You agree to abide by this policy in all respects.

I verify that I have received, read and understood the Drug Free Workplace Policy. I understand that violations of the policy will result in serious discipline up to and including termination of employment.

**Acknowledged and Agreed:**

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Employee Signature

---

Date

MDOC Community Work Centers  
Inmate Work Code

Madison County Library System employees in close contact with inmates must conduct themselves in a professional manner at all times. They should remain fair, firm and objective in dealings with inmates and establish limits of the relationship.

Intimate relationships with an inmate must be avoided. The best way to prevent forming an intimate relationship with inmates is by forming positive behavior patterns for yourself and the inmates as soon as possible and keep it on an objective and impersonal basis.

- Make certain you do not answer questions about your personal life at any time and do not discuss your personal life with inmates
- Do not be flattered by compliments made by inmates
- Do not be overly impressed by the work performance of inmates
- Do not show favoritism or prejudice toward an inmate
- MCLS employees are prohibited from engaging in any type of intimate relationship with a worksite inmate
- Do not buy anything from an inmate
- Do not buy anything for an inmate
- Do not give or lend inmates money or anything of value
- Do not transact any business for any inmate such as selling cans or metal

I verify that I have received, read and understood the Inmate Work Code. I understand that violations of the policy will result in serious discipline up to and including termination of employment.

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

VEHICLE USE AGREEMENT-LIBRARY VEHICLES

All employees operating a library owned vehicle agree to operate the vehicle according to the following guidelines. Failure to adhere to these guidelines may result in revocation of an employee's privilege to operate library vehicles or termination under some circumstances.

- Employee must maintain a proper and current driver's license for the type of library vehicle that they are operating and notify supervisor immediately if they no longer have a valid license.
- Employee will notify supervisor of any citations received while operating a library vehicle.
- Employee is responsible for maintaining a MVR within established guidelines.
- Employee must follow generally accepted safe driving practices and obey traffic regulations.
- All occupants of vehicle must properly wear safety belts while the vehicle is in motion.
- Cell phone use (calls, texts, etc.) is prohibited while operating the vehicle.
- Employee is responsible for ensuring the vehicle is properly maintained.
- Employee is financially responsible for any parking or traffic violations while operating library vehicle.
- Employee must report all accidents within 12 hours of the occurrence to their supervisor.
- Employee will be responsible to pay any deductible in the event an accident is deemed avoidable.
- Employee will not make any modification or add equipment to any library owned vehicles.
- No hitchhikers are allowed in vehicles.
- Towing of mobile homes, travel trailers, or any type of recreational or utility trailer is prohibited.
- The use of tobacco products, alcohol and controlled substances prior to and during operation of any vehicle is prohibited.
- Any hazardous substances, chemicals or dangerous goods (as defined by law) are prohibited from being carried in a library owned vehicle.

I understand and agree that my use of any library owned vehicle shall be exclusively for official library business. I understand and agree that personal use of a library owned vehicle is prohibited. I agree to operate this vehicle in a safe, prudent and lawful manner at all times. I will not permit any other person to operate the vehicle while it is in my control, unless the person is an authorized user of library vehicles. I will not drive the vehicle out of Madison County, MS without prior approval. I do truthfully state that I have a valid, non-conditional driver's license and that my privilege to drive is not currently under suspension. I grant permission to the Library to verify my license information and motor vehicle driving record and willingly offer the following license information:

Date of Birth \_\_\_\_\_ License No (If SSN, list last 4 digits) \_\_\_\_\_

One of the following MUST be checked:

- I do truthfully state that in the past three years: my license has not been suspended, I have not been convicted of any alcohol related driving violations, nor have I been convicted of any offense related to the use or operation of a motor vehicle.
- I do truthfully state that in the past three years I have been issued a ticket or citation for the following violations related to the use or operation of a motor vehicle (list):

Type of violation: \_\_\_\_\_ Date: \_\_\_\_\_  
 Type of violation: \_\_\_\_\_ Date: \_\_\_\_\_  
 Type of violation: \_\_\_\_\_ Date: \_\_\_\_\_

**I UNDERSTAND THAT FALSE STATEMENTS OR THE USE OF A LIBRARY OWNED VEHICLE NOT PERMITTED BY THIS AGREEMENT WILL RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION AND REQUIRE ME TO ASSUME THE FULL LEGAL AND FINANCIAL CONSEQUENCES OF MY ACTIONS.**

Employee \_\_\_\_\_ Date \_\_\_\_\_  
 Supervisor \_\_\_\_\_ Date \_\_\_\_\_



## MADISON COUNTY LIBRARY SYSTEM FRAUD PREVENTION POLICY

### STATEMENT OF POLICY:

The Madison County Library System does not tolerate fraud, theft, or abuse of library funds, securities, supplies, assets, or other resources.

### DEFINITIONS AND EXAMPLES OF FRAUD, THEFT, AND ABUSE

*Fraud* is defined as a willful or deliberate act with the intention of obtaining a benefit or advantage, such as money or property, or to cause some benefit that is due to be denied by deception or other unethical means.

*Theft* is defined as the act of taking something from someone unlawfully.

*Abuse* is the intentional, wrongful, or improper use of resources or misuse of position, or authority that causes the loss or misuse of resources, such as tools, vehicles, computers, copy machines, etc.

All fraudulent acts or related misconduct are included under this policy and include, but are not limited to, such activities as:

- Embezzlement, theft, misappropriation or other financial irregularities.
- Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents, electronic files).
- Theft of a check or other diversion of a payment.
- Improprieties in the handling or reporting of financial transactions.
- Misappropriation of funds, securities, supplies, inventory or any other asset (such as furniture, fixtures, equipment, materials), including assets of the library, patrons, suppliers, or others with whom there is a business relationship.
- Authorizing or receiving payment for goods not received or services not performed.
- Authorizing or receiving payments for hours not worked or expenses not accrued and documented.
- Profiteering as a result of insider knowledge of Library activities.
- Obtaining or copying confidential employee or vendor information for personal use.
- Using Library equipment or supplies to conduct personal business.
- Disclosing procurement information from sealed bids to another bidder for personal gain or favors.

Fraud and related misconduct will not be tolerated. Employees found to have participated in such conduct will be subject to disciplinary action, up to and including termination.

### **Responsibility to Report Suspected Fraud**

Trustees and employees are expected to use their best efforts to recognize risks and exposures inherent to their areas of responsibility and to be aware of the indications of fraud and related misconduct. Any Trustee or employee who knows or suspects fraud or related misconduct shall report that to the Library Director or the President of the Board of Trustees.

When fraud or related misconduct is reported to the Library Director and/or the President of the Madison County Library System Board of Trustees, an appropriate investigation and all necessary action will be undertaken. All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and library policies/procedures.

- All trustees and employees necessary to the investigation will cooperate fully in the investigation.
- Trustees and employees should direct all inquiries from any individual who is believed to be involved in fraud or related misconduct, his or her representative, or his or her attorney, and all inquiries from the media to the Library Director, and/or the President of the Board of Trustees, as appropriate.
- Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than the Trustees or persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
- Legal counsel will be notified and involved in the investigation whenever appropriate.
- Once the investigation is completed, the Library Director and/or the president of the Board of Trustees will take one or more of the following steps:
  1. Consult with legal counsel.
  2. Take appropriate action and steps to minimize recurrence.
  3. Report the results of the investigation to the Board of Trustees.

### ***WHISTLEBLOWER PROTECTION***

Retaliation against an employee who in good faith filed a report of alleged fraud, or who participated in an investigation, is a violation of this Policy. Such “whistleblower protection” is granted by Mississippi Code Section 25-9-171.

***Acknowledgement***

My signature signifies that I have read and received a copy of the Madison County Library System Fraud Prevention Policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected misconduct and dishonesty.

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

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

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

## EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

### Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is 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 servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

### Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

### Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

