

JERICO UNDERHILL LIBRARY DISTRICT PERSONNEL POLICY

3.1

3.1: Title and Authority

The Jericho Underhill Library District (herein also “JULD” or “District”) Board of Trustees has full power to manage the JULD’s public library pursuant to 22 V.S.A. § 143.

This policy shall be known as the Jericho Underhill Library District Personnel Policy. It has been adopted by the Jericho Underhill Library District Board of Trustees pursuant to 24 V.S.A. §§ 1121 and 1122.

This personnel policy does not constitute a contract of employment. Employment with the Jericho Underhill Library District is not for any definite period or succession of periods of time. The Board reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice. This personnel policy shall be administered by the Board of Trustees or its authorized representative.

3.2: Persons Covered

This personnel policy applies to full-time and part-time employees of the Jericho Underhill Library District. Except as stated herein or required by law, elected officers and their statutory assistants, members of District boards and commissions, volunteers, seasonal employees and persons who provide the District with services on a contract basis are not covered by this policy.

For purposes of this policy, a **full-time** employee is an employee who works at least 30 hours per week on a regular and continuing basis. A **part-time** employee is an employee who works fewer than 30 hours per week on a regular and continuing basis.

The JULD shall have position descriptions for all employees and shall see that they are reviewed and updated regularly.

The Library Board encourages individuals and groups to volunteer their time and efforts in the service of the JULD.

Where a conflict exists between this policy and any collective bargaining agreement or individual employment contract, the latter shall control.

3.3: Equal Employment Opportunity

The JULD is an Equal Opportunity Employer that prohibits discrimination and harassment of any kind based on race, color, religion, sex (including pregnancy,, sexual orientation or transgender status), age, national origin, marital status, genetic information, disability, crime victim status, military or veteran status, sexual orientation, ancestry, HIV status, place of birth, or any other category under local, state or federal law.

The JULD will provide reasonable accommodations to employees that need them based on

medical or religious reasons, as required by law.

3.4: Authority to Hire

The Library Board shall select, hire and, when necessary for valid reasons, dismiss the Library Director. The Board shall establish all other positions, wages and benefit levels for all library staff.

The Library Director shall hire, train and, when necessary, dismiss library staff subject to the termination policy herein.

3.5: Compensation Policies

The Board is committed to the remuneration of its staff as a reflection of its appreciation of the professional work they do. As such, it directs the Library Director to prepare and keep current a wage scale that reflects the budget as prepared by the Board and approved by the residents of Jericho and Underhill.

The Board is committed to employing a Director of the library who holds a Master's Degree in Library Science or state Department of Libraries (DOL) certification. When determining the Director's salary, the Board shall review the current recommendations of the Vermont Library Association.

3.6: Probationary Period

All employment shall be subject to a probationary period. The purpose of this probationary period is to determine whether the employee is suited for the job. The Library Director shall be required to complete a **six-month** probationary period. All other new employees shall be required to complete a **three-month** probationary period. During the probationary period, an employee may be terminated at any time at the sole discretion of the JULD. Except as otherwise required by applicable law or a governing agreement, probationary status does not create a right to continued employment.

Notwithstanding any other provision of this policy, an employee terminated during the probationary period shall have no right to appeal such termination. All employees, even those who complete the probationary period, are not for any definite period or succession of periods of time. The district or the employee may terminate employment at any time, with or without notice.

3.7: Resignation

As a courtesy to the library, all library employees wishing to resign from employment are requested to notify the Library Director no less than 14 days prior to final day of employment. The Library Director is requested to notify the Board no less than 30 days prior to the final day of employment.

The employee should submit a formal, written resignation statement giving the exact date of the last day of employment. Between resignation and last day of employment, a final performance

evaluation shall be conducted.

If the employee is entitled to paid, unused vacation time, this shall be added to his/her last paycheck.

3.8: Conduct of Employees

All employees are considered representatives of the Library District and as such are expected to conduct themselves in a courteous, helpful and respectful manner in all their interactions with the public and other employees.

All employees are expected to faithfully execute the duties and responsibilities of their office to the best of their ability and in compliance with the provisions of this personnel policy.

3.9: Hours of Service

The library's normal hours of operation are as follows:

Tuesday: 10 am – 8 pm
Wednesday: 10 am – 6 pm
Thursday: 10 am – 8 pm
Friday: 10 am – 6 pm
Saturday: 10 am – 2 pm
Sunday (September to May): 1 pm – 4 pm

Staff members are expected to work within those hours. The Library Director and the Youth Librarian are expected to work additional hours outside of open hours.

Regular work hours may be changed and employees may be expected to work additional hours in a given week, as circumstances require. All employees are expected to be in attendance during regular work hours. Employees who will be absent from work are expected to notify their supervisor in advance whenever possible. Employees who are calling in sick are expected to notify their supervisor as soon as possible and, when practicable, no later than one hour before start of work.

Each employee shall complete and sign his/her time sheet by the last day of each pay period.

3.10: Professional Development

The Director, staff and Board members attending continuing education opportunities to aid the library shall be allowed expenses at the discretion of the Director according to the amount appropriated in the budget for such. The Director, staff and Board members are encouraged to attend and participate in continuing education activities.

Approval by the Director for conference, professional meeting or workshop attendance shall be based on the library's scheduled coverage. Since the purpose of attending a professional

conference or program is for its value to the library, a written report covering the meetings attended should be given to the Director within ten days of return. The Director shall include the reports in his/her reports to the Board.

The library shall pay annual Vermont Library Association dues for staff members. Library staff shall be paid mileage at the allowable federal rate. Library staff shall be paid a regular hourly rate for hours attending conferences, professional meetings and conferences. Nonexempt library staff will be paid for compensable travel time as required by applicable wage-and-hour law.

3.12: Outside Employment

Employees may not engage in any outside business activities during their normal working hours. Employees are prohibited from undertaking outside employment that interferes with their job performance or constitutes a conflict of interest.

Prior to accepting any outside employment, employees shall disclose their intent to the Library Director in writing and obtain prior clearance from the Board that such employment does not constitute a conflict of interest.

A conflict of interest means a direct or indirect personal or financial interest of an employee, his or her close relative, household member, business associate, employer or employee. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

3.13: Political Activity

No employee may use his or her official authority for the purpose of interfering with or affecting the nomination or election of any candidate for public official, or demand or solicit from any individual direct or indirect participation in any political party, political organization or support of any political candidate. Employees are prohibited from using District facilities, equipment or resources for political purposes and from pursuing political activities while working.

This personnel policy is not to be construed to prevent employees from becoming or continuing to be members of any political party or organization, from attending political party or organization meetings or events, or from expressing their views on political matters, so long as these views are clearly articulated as being those of the individual and not of the District, and these activities do not interfere with the individual's ability to effectively perform his or her duties and take place or are expressed during non-working hours. Nor is this personnel policy to be construed from prohibiting, restraining or in any manner limiting an individual's right to vote with complete freedom in any election.

This policy does not restrict any right guaranteed under applicable labor law, including the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity.

3.14: Social Media

Whether or not an employee chooses to create or participate in a blog, wiki, Facebook, Twitter, or other online social network or any other form of online publishing or discussion is his/her own decision. However, online activity that violates a lawful District policy or materially interferes with an employee's job performance or District operations may result in discipline, subject to applicable law.

Employees may not use or disclose any patron identifiable information of any kind, including patron names, on any social media platform, the internet or smartphone application. Even if a patron is not identified by name within the information at issue, if there is a reasonable basis to believe that the person could still be identified from that information, then its use or disclosure could otherwise make the patron feel their privacy has been invaded. Likewise, protect your co-workers by refraining from sharing their personal information or any conversation or statements without their permission.

Use common sense in all communications, particularly on a website accessible to anyone. Online activity may result in discipline only when it violates this policy or applicable law, or materially interferes with the employee's duties or District operations. If you would not be comfortable with your manager, co-workers, or the lawyers of this Library reading your words, do not write them.

This policy does not apply or restrict any right guaranteed under applicable labor law, including the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity.

3.15: Alcohol and Drug Use

Reporting to work or working while impaired by alcohol or drugs is strictly prohibited. Lawful use of prescription or over-the-counter medication is not prohibited, but employees must not work when medication impairs their ability to perform safely or effectively.

3.16: Tobacco Use

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A. §§ 1421 et seq. and §§ 1741 et seq., the District hereby prohibits employees' use of tobacco or tobacco substitutes, including electronic cigarettes, in all publicly owned buildings, offices and enclosed areas, and in all District vehicles.

3.17: Performance Evaluations

Employees shall be subject to an annual written job performance evaluation. The Personnel Committee of the Board shall evaluate the Library Director; the Director evaluates the staff. The results of such evaluations shall be submitted to the employee, the employee's supervisor, and the Library Director, and shall become a part of the employee's personnel file.

3.18: Personnel Records

Personnel records shall be maintained in a locked cabinet or secure electronic file for each

employee of the District. An employee or designated representative may inspect or copy the employee's personnel file at a mutually agreeable time during regular office hours, subject to applicable law. The District reserves the right to have its representative present at the time its files are examined or copied.

3.19: Use of District Equipment

Except as provided in Section 3.20, the use of District equipment or property for personal use is strictly prohibited.

3.20: Use of District Computer System

The District computer system is to be used by employees for the purpose of conducting District business. Occasional, brief, and appropriate personal use of the District computer system is permitted, provided it is consistent with this policy and does not interfere with an employee's job duties and responsibilities.

Except as otherwise provided by law, employees should have **no expectation of privacy** regarding anything created, sent or received on the District computer system. The District may monitor any and all computer transactions, communications and transmissions to ensure compliance with this policy and to evaluate the use of its computer system. All files, documents, data and other electronic messages created, received or stored on the District computer system are open to review and regulation by the District and may be subject to the provisions of Vermont's Public Records Law. Nothing in this section authorizes disclosure of records protected by law, including library patron records under 22 V.S.A. § 172.

Employees may not introduce software from any outside source on the District's computer system without explicit prior authorization from their supervisor. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the District computer system.

Employees who have a confidential password to access the District's operating system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person.

Transmission of electronic messages on the District computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence. The following are examples of uses of the District computer system which are prohibited:

- * Communications that in any way may be construed by others as disruptive, offensive, abusive, discriminatory, harassing, or threatening;
- * Communications of sexually explicit images or messages;
- * Transmission of chain letters or solicitations for personal gain, commercial or investment ventures, religious or political causes, outside organizations, or other non job-related solicitations during or after work hours;
- * Access to Internet resources, including web sites and news groups, that are inappropriate in a business setting;

* Any other use that may compromise the integrity of the District and its business in any way.

Email messages that are intended to be temporary, non-substantive communications may be routinely discarded. However, employees must recognize that emails sent, received, or stored on the District computer system are subject to Vermont's Public Records Law and may be covered by the State of Vermont's retention schedule for municipal records.

For purposes of this section, computer system means all computer-related components and equipment including, but not limited to, host computers, file servers, workstation terminals, laptops, software, internal or external communication networks, the world wide web (www), the Internet, commercial online services, bulletin board systems, back-up systems and the internal and external e-mail systems accessed via the District's computer equipment.

3.21: Eligibility for Benefits

Statutory Benefits: To the extent required by law, all eligible District employees shall be enrolled in the statutory Social Security, Workers' Compensation and Unemployment Compensation Benefit Programs.

The District offers the following group insurance programs for the benefit of its eligible full-time employees (see Section 3.2 for definition of a full-time employee):

- * Health
- * Dental

The District reserves the right to change insurance carriers, or to add, delete or amend insurance benefit programs in its sole discretion. The District also reserves the right to change the amount or percentage of its contribution to the cost of any group health insurance program. Employees shall be provided with advance notice of any change in the contribution rate.

Any employee who meets the eligibility requirements of 24 V.S.A. chapter 125 and applicable VMERS rules shall be enrolled in the Vermont Municipal Employee Retirement System (VMERS).

3.22: Holiday Leave

Full-time and part-time employees shall receive the following paid holiday leave:

- * New Year's Day (January 1)
- * Presidents' Day (3rd Monday in February)
- * Easter Sunday
- * Memorial Day (last Monday in May)
- * Independence Day (July 4)
- * Labor Day (1st Monday in September)
- * Weekend of Harvest Market (last full weekend in September)
- * Thanksgiving Day (4th Thursday in November)
- * Friday after Thanksgiving Day

- * Christmas Eve (December 24)
- * Christmas Day (December 25)
- * New Year's Eve (early close)

Employees shall receive holiday leave pay at the employee's regular rate of pay. Part-time employees shall be paid for holidays which fall on the day they would normally be scheduled to work.

Holidays that fall during an employee's vacation leave shall not be charged as vacation leave.

3.23: Vacation Leave

Full-time and part-time employees are granted vacation leave according to the following schedule:

<u>Years of Service</u>	<u>Annual Accrual Rate</u>
1 st through 4 th	3 weeks (3 times the number of scheduled hours/week)
5 th and subsequent years	4 weeks (4 times the number of scheduled hours/week)

The leave is granted on the one hundred eighty first day of each new employee's employment, and at the beginning of each annual anniversary of employment. Leave may be taken at any time during the year, except that new hires may not take any vacation time during their first 180 days of employment. Vacation leave shall be scheduled at least two weeks in advance and shall be approved by the Director.

Employees are strongly encouraged to take an annual vacation. If an employee does not use all of his/her vacation leave in a year, **the employee may not carry unused vacation leave forward** to the next year.

An employee who resigns from employment with the District shall be compensated for unused granted vacation leave, provided that the employee gives at least two weeks' written notice of the resignation.

3.24: Sick Leave

Employees shall receive **five paid sick leave days per year**, but never less than required by the Vermont Earned Sick Time Act. An employee may use sick leave for an illness or injury that prevents the employee from performing the employee's job duties. An employee may also use sick leave to attend the following appointments that cannot be held outside normal working hours:

- * A medical appointment
- * An appointment eligible for short-term family leave under the provisions of the Vermont Parental and Family Leave Act (21 V.S.A. § 472a)
- * A funeral not eligible under Section 3.25
- * A meeting with the employee's personal attorney
- * An appointment for the closing, purchase, sale, or refinancing of a primary residence

* Any other appointments authorized in advance by the employee's supervisor, and any other purpose protected by applicable law

Full-time employees shall receive sick leave pay at the employee's regular rate of pay. **Part-time employees shall receive prorated sick leave pay** based on the number of hours the employee is regularly scheduled to work in a day.

If an employee does not use all of the employee's sick leave in a year, **the employee may carry a maximum of ten sick leave days forward to the next year.** If an employee has unused sick leave exceeding ten days, the employee shall not be compensated for that excess unused leave.

Upon separation from employment, an employee shall not be compensated for unused sick leave.

3.25: Bereavement Leave

Employees shall receive three paid bereavement leave days per year. Employees may use bereavement leave for the death of a close relative, which includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law or sibling-in-law, or at the discretion of the Director. Additional bereavement leave may be approved at the discretion of the Director.

Pay for bereavement leave shall be at the employee's regular rate of pay. Part-time employees shall receive prorated bereavement leave pay based on the number of hours the employee is regularly scheduled to work in a day.

If an employee does not use all of his/her bereavement leave in a year, the employee may not carry the unused leave forward to the next year. Upon separation from employment, an employee shall not be compensated for unused bereavement leave.

3.26: JULD Family and Medical Leave

The JULD Family and Medical Leave policy is that JULD grants up to twelve weeks of unpaid leave to an eligible employee during a rolling 12-month period.

Because JULD is a public agency, it is an employer covered by the federal Family and Medical Leave Act (FMLA) regardless of size; an employee is eligible only if the statutory requirements, including the applicable 50-employees-within-75-miles requirement, are met. This JULD policy is voluntary and does not limit any greater right under federal or Vermont law.

The JULD Family and Medical Leave policy is designed to offer assistance by providing unpaid leave to eligible employees for certain family and medical reasons.

Eligibility

In order to qualify for JULD Family and Medical Leave, the employee must have worked for the JULD at least 12 months, or 52 weeks. The 12 months, or 52 weeks, need not have been consecutive.

JULD Family and Medical Leave leaves of absence can be requested for any of the following reasons:

- The birth of a child and in order to care for that newborn child, within one year of the birth;
- The placement of a child for adoption or foster care, within one year of the initial placement. Leave may be taken prior to the event if necessary to arrange for the event;
- To care for a spouse, domestic/civil union partner, child, parent, or parent-in-law with a serious health condition;
- The serious health condition of the employee that renders the employee unable to perform the essential functions of his/her position;
- Any "qualifying exigency" arising from a spouse, son, daughter, or parent's active military duty or notice of an impending call to active duty (for purposes of defining "qualifying exigencies" JULD will use 29 CFR 825.126 as guidance); or
- To care for a spouse, son, daughter, parent, or nearest blood relative seriously injured while on active military duty and unable to perform the duties of the member's office, grade, rank, or rating (service member provision).

JULD will require an employee to provide a health care provider's certification of the serious health condition. For purposes of this policy, a "serious health condition" is defined as any illness, injury, impairment, or physical or mental condition that involves:

--A period of incapacity of more than three consecutive calendar days **and** any treatment/period of incapacity that also involves:

1. Treatment two or more times within 30 days by a Health Care Provider (HCP) (in person). Must have first visit within seven days of first incapacity;

OR

2. Treatment on at least one occasion and regimen of continuing treatment under a HCP for the following:

- Pregnancy or prenatal inpatient care;
- Any period of incapacity or treatment for incapacity due to a chronic serious health condition. Must have two or more visits to a HCP per year;
- Permanent or long-term condition due to a condition for which treatment may not be effective;
- Any absence to receive multiple treatments by a HCP for restorative surgery, chemotherapy, physical therapy, or dialysis.

Duration of JULD Family and Medical Leave

An employee may take JULD Family and Medical Leave in consecutive days or weeks, use the leave intermittently, or, under certain circumstances, use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. The leave may not exceed a total of 12 weeks over a rolling 12-month period and must be properly documented.

For the birth, adoption, or foster care of a child, JULD and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with JULD before taking intermittent leave or working a reduced-hour schedule. If this is not possible, then the employee must provide medical certification that the use of the leave is medically necessary. JULD may transfer an employee temporarily to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Health Care Provider Certification

JULD will ask for certification of the serious health condition from the appropriate health care provider. The employee must provide such documentation within 15 days of the request for leave, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Certification of the serious health condition shall include: the date when the condition began, its expected duration, and a brief description of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable. If the employee plans to take intermittent leave or to work a reduced schedule, the certification must include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. JULD has the right to ask for a second opinion if it has reason to doubt the certification. JULD will pay for the employee to get a certification from a second doctor, whom JULD will select. If necessary to resolve a conflict between the original certification and the second opinion, JULD will require the opinion of a third doctor. JULD and the employee will jointly select the third doctor, and JULD will pay for the opinion. This third opinion will be considered final. Medical information obtained under this policy will be kept confidential and separate from ordinary personnel records, as required by law.

Employee Status and Benefits During JULD Family and Medical Leave

While an employee is on leave, JULD will continue his/her health and dental benefits during the leave period at the same level and under the same conditions as if s/he had continued to work. The employee continues to accrue seniority as well as vacation leave. Under current policy, all full-time employees pay a portion of the cost of health insurance. While an employee is on unpaid leave, the employee must continue to pay his/her share of the premiums, either in person or by mail. The payment must be received at the JULD office by the first day of each

month. JULD pays the full premium for dental benefits for full-time employees, and will continue to do so during approved unpaid leave.

If the employee chooses not to return to work for reasons other than a continued serious health condition, JULD may require the employee to reimburse JULD the amount it paid for the employee's health and dental insurance premiums during the leave period, to the extent permitted by law.

If the employee contributes to a retirement plan, while s/he is on unpaid leave, the employee must continue to make those payments if necessary under the plan documents. If the employee does not continue these payments, JULD will recover any payments it has made at the end of the leave period, in a manner consistent with the law.

Use of Paid and Unpaid JULD Family and Medical Leave

The JULD Family and Medical Leave policy allows an employee to take up to 12 weeks of unpaid leave within a 12-month rolling period. An employee who is taking leave under the JULD Family and Medical Leave policy may choose to use his/her accrued vacation leave to supplement the unpaid leave of absence.

Procedure for Requesting JULD Family and Medical Leave

Except where leave is not foreseeable, every employee requesting leave under this policy must submit the request in writing to the Library Director, with a copy to his/her immediate supervisor.

The employee must give JULD seven days' notice of anticipated short-term leave and 30 days' notice for JULD Family and Medical Leave. If it is not possible to give the appropriate notice, the employee must provide as much notice as possible. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruption to JULD's operations.

If an employee fails to provide the appropriate notice for foreseeable leave, with no reasonable excuse for the delay, the leave request may be denied for seven or 30 days from the date JULD received notice. Once the appropriate documentation has been submitted to JULD, a determination will be made as to whether or not the employee is qualified for leave under this policy and notice of the determination will be given to the employee.

While on approved leave, the employee is requested to report periodically to JULD regarding the status of the medical condition and his/her intent to return to work. If an employee fails to return at the end of JULD Family and Medical Leave, and no additional leave or accommodation is required by law or approved by JULD, JULD will consider the employee to have resigned.

Procedure for Return to Work

For leave based on an employee's medical condition, JULD may require a fitness-for-duty certification addressing the employee's ability to perform the position's essential functions and any work restrictions, consistent with applicable law.

3.27 Short-Term Family Leave

According to the JULD Short-Term Family Leave policy, an employee may take up to four hours of unpaid leave (or paid vacation leave if accrued) in any 30-day period for any of the following reasons:

- To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child, or ward that lives with the employee;
- To attend or accompany the employee's child, stepchild, foster child, or ward, or the employee's parent, spouse, domestic partner/civil union partner, or parent-in-law to routine medical or dental appointments;
- To accompany the employee's child, stepchild, foster child, ward, or the employee's parent, spouse, domestic partner/civil union partner, or parent-in-law to other appointments for professional services related to his or her care and wellbeing;
- To respond to a medical emergency involving the employee's child, stepchild, foster child, or ward who lives with the employee, or the employee's parent, spouse, domestic partner/civil union partner, or parent-in-law.

The supervisor, at his/her discretion, may deny requests for short-term leaves which are made less than seven days before a leave is to be taken except in the case of an emergency, meaning circumstances where the seven-day notice could have significant adverse impact on the employee's family member. This JULD benefit supplements and does not limit any greater right under 21 V.S.A. § 472a.

3.28: Leave of Absence Without Pay

The library recognizes the occasional need for employees to be away from work for a short period of time for personal reasons and therefore, under certain circumstances, may grant reasonable unpaid leaves of absence for personal reasons. Unpaid personal leaves are generally given only for significant reasons not addressed under the JULD Family and Medical Leave policy.

All requests for leaves of absence without pay for any reason other than those covered by federal or state law must be submitted in writing to the employee's supervisor and must set forth the purpose for which the leave is requested. All leave requests must be for a definite period of time and include a specified date of return. Requests shall be reviewed on a case-by-case basis. Prior to granting an unpaid leave, all vacation time must be taken. Personal leave must be taken as a continuous period.

If a leave of absence without pay is granted, the employee may, at the District's sole discretion, continue the employee's group health plan coverage by paying the required premium in accordance with the payment schedule established by the District. Other employee benefits (e.g.

sick leave, vacation, seniority, etc.) shall not accrue during the unpaid leave period.

3.29: Military Leave

The District shall comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4301–4335, and 21 V.S.A. §§ 491–493 as applicable. Employees who take military leave subject to the provisions of these laws shall be granted unpaid leave except as otherwise required by law or authorized by the District. At the option of the employee, vacation or other annual or similar paid leave accrued prior to the commencement of the leave may be used.

3.30: Jury Leave

The District shall compensate employees for their service as jurors or witnesses. In accordance with 21 V.S.A. § 499, employees serving as jurors shall otherwise be considered in the service of the District for purposes of determining seniority, benefits, credit towards vacations, sick leave, and other rights, privileges, and benefits of employment.

When District employees are called to serve as a juror or a witness in a court proceeding, the District shall compensate the employee for the difference between his/her regular rate of pay and his/her compensation as a juror/witness. The District shall pay the difference only when the employee's regular rate of pay exceeds his/her compensation as a juror/witness.

3.31: Procedure for Addressing Employee Concerns

Every employee has the opportunity to express concerns relating to the following:

- * Physical environment
 - * Job requirements
 - * Interpersonal relationships
 - * Library policies and procedures
- 1) If possible, discuss the concern with the Library Director and submit the concern in writing to the Library Director. The Library Director should bring his/her concerns to the Board Chair. If the Director is part of the concern, the concern should be brought to the Board Chair in writing. If the concern is in regard to the Board Chair, the concern should be discussed with the Board and submitted in writing to the board.
 - 2) If the concern is not resolved, it should be submitted in writing to the full Board and may be discussed in executive session only as authorized by 1 V.S.A. § 313 and after any required motion and findings.
 - 3) The Board's representative shall respond to the employee within five days of the Board meeting at which the concern is discussed, providing a written plan to resolve the concern.

The Board Chair may be contacted at:

Chairman of the Board of Trustees
Deborah Rawson Memorial Library

8 River Road
Jericho VT 05465

This policy does not apply to employee discipline matters.

3.32: Overtime and Compensatory Time Off

In accordance with the Fair Labor Standards Act, the District compensates all nonexempt employees at one and one-half times the employee's regular rate of pay for each hour actually worked in excess of 40 hours in any work week. Employees are exempt from this requirement only if they satisfy the applicable salary and duties tests for an executive, administrative, professional, or other exemption under the FLSA.

Under an agreement or understanding reached before overtime work is performed, nonexempt employees may receive compensatory time off ("comp time") in lieu of overtime pay, subject to the following conditions:

- * Comp time is earned at a rate of one and one half hours for each hour worked in excess of 40 hours in any work week.
- * An employee may accrue a maximum of 40 hours of comp time (40 hours of comp time represents 26.67 hours of actual overtime work). An employee who has accrued 40 hours of comp time shall be paid overtime compensation for additional overtime hours of work.
- * An employee may, at the District's discretion, be paid in cash in lieu of compensatory time off.
- * An employee receiving payment for accrued comp time shall be paid at the regular rate of pay earned by the employee at the time the employee receives such payment.
- * Upon termination from employment, an employee shall be paid for unused comp time at a rate not less than the average regular rate of pay received by the employee during the last three years of employment or the employee's final regular rate of pay, whichever is higher.

An employee who has accrued comp time and requested use of comp time shall be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the District's operations. Requests for use of comp time must be submitted to the employee's supervisor, who shall have discretion to grant or deny the request consistent with the foregoing standard. Requests for use of comp time shall not unreasonably be withheld.

3.33: Employment Discrimination

Vermont and federal law prohibit employment discrimination or retaliation based on race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, age, crime victim status, HIV status, genetic information or against a qualified individual with a disability. It is also unlawful to retaliate against employees or applicants who have alleged employment discrimination.

Employees are encouraged to bring any complaints alleging unlawful discrimination to the

attention of the employee's Supervisor or the Board of Trustees or their designee who shall arrange a meeting to discuss the matter.

The Board Chair may be contacted at:

Chairman of the Board of Trustees
Deborah Rawson Memorial Library
8 River Road
Jericho VT 05465

The meeting shall take place as soon as reasonably possible, but in no case later than **seven calendar days from receipt of notification**. If the Supervisor/Board or their designee is unable to resolve the matter during this meeting, the aggrieved party may submit to the Supervisor/Board or their designee a written, signed complaint within seven additional calendar days. The Supervisor/Board or their designee shall then have **30 calendar days in which to conduct an investigation** and to issue a report with recommendations to the Board. The Board shall, within **ten calendar days, notify the aggrieved party of its decision**. These internal procedures and deadlines do not limit an individual's right to contact or file with an enforcement agency or otherwise report discrimination in a legally protected manner.

3.34: Sexual Harassment

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The District is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment on the basis of their gender. It is against the policies of the District for any individual to sexually harass another individual in the workplace. In accordance with 21 V.S.A. § 495h, the District has adopted the following sexual harassment policy. **All employees are required to read this policy before signing the employee acknowledgement form. The District will distribute and post this policy** as required by 21 V.S.A. § 495h.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when one of the following applies:

- * submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- * submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- * the conduct has the purpose or effect of interfering with an individual's work or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to, the following, when such instances or behavior come within one of the above definitions:

- * either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision

of sexual favors;

- * touching or grabbing a sexual part of an individual's body;
- * touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome;
- * continuing to ask an individual to socialize on- or off-duty when that person has indicated he/she is not interested;
- * displaying or transmitting sexually suggestive pictures, objects, cartoons or posters if it is known or should be known that the behavior is unwelcome;
- * continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- * referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- * regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- * retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- * derogatory or provoking remarks about or relating to an employee's sex;
- * harassing acts or behavior directed against a person on the basis of his or her sex;
- * off-duty conduct which falls within the above definition and affects the work environment.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any individual who believes that she or he has been the target of sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop, but is not required to do so before reporting.

Any employee who wishes to report sexual harassment should contact the Chair of the Board of Trustees or, if the Chair is involved or unavailable, another Trustee or the Library Director.

Once the District receives a complaint of sexual harassment, it shall take all necessary steps to ensure that the matter is **promptly and impartially investigated and addressed**. If sexual harassment is found to have occurred, the District shall take appropriate action, ranging from a verbal warning up to and including dismissal.

Complaints of sexual harassment or retaliation may also be filed with the following agencies:

Vermont Attorney General's Office
Civil Rights Unit
109 State Street
Montpelier, VT 05609-1001
Tel: (802) 828-3657; TTY/TDD: (802) 828-3665

Equal Employment Opportunity Commission
JFK Federal Building, 15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Tel: 1-800-669-4000; TTY: 1-800-669-6820; ASL: 844-234-5122.

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may take a case to court.

3.35: Employee Discipline

This personnel policy does not constitute a contract of employment. Employment with the Jericho Underhill Library District is not for any definite period or succession of periods of time. The Board reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice.

Employees are prohibited from engaging in conduct listed below and may receive discipline, up to and including termination, for doing so. This list has been established to provide examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee conduct. This list is not exhaustive.

- * Refusing to do assigned work or failing to carry out the reasonable assignments of a supervisor
- * Being inattentive to duty, including sleeping on the job
- * Falsifying a time card or other record or giving false information to anyone whose duty is to make such record
- * Being repeatedly or continually absent or late, being absent without notice or satisfactory reason, or leaving one's work assignment without appropriate authorization
- * Engaging in abusive conduct that materially interferes with job performance, workplace safety, or District operations
- * Engaging in any form of harassment including sexual harassment
- * Misusing, misappropriating, or willfully neglecting District property, funds, materials, equipment or supplies
- * Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty
- * Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence
- * Stealing or possessing without authority any equipment, tools, materials or other property of the District or attempting to remove them from the premises without approval or permission from the appropriate authority
- * Marking or defacing walls, fixtures, equipment, tools, materials or other District property, or willfully damaging or destroying property in any way
- * Willful violation of District rules or policies

3.36: Employee Termination Process

This personnel policy does not constitute a contract of employment. Employment with the Jericho Underhill Library District is not for any definite period or succession of periods of time.

The Board reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice.

The Jericho Underhill Library District has adopted an employment termination process. Most often, employee conduct that warrants termination results from unacceptable behavior, poor performance, or violation of the District's policies, practices, or procedures. However, termination may result from conduct that falls outside of those identified areas. The District, except as required by applicable law or a governing agreement, need not utilize this termination process but may take whatever action it deems necessary to address the issue at hand.

The District also retains the right to unilaterally eliminate a position and thus terminate employment or reduce the work hours for some or all employees due to economic conditions, shortage of work, organizational efficiency, changes in departmental functions, reorganization or reclassification of positions resulting in the elimination of a position or for other related reasons. In such a case, this termination process does not apply except as otherwise required by applicable law or a governing agreement.

Probationary employees are not subject to the District's termination process. Notwithstanding any other provision of this policy, an employee terminated during the probationary period shall have no right to appeal such termination.

An employee being considered for termination shall be provided with a written notice. The notice shall contain a brief statement of the reasons termination is being considered, a summary of the supporting evidence, and the date, time and place of a pre-termination meeting with the employee's supervisor.

At the pre-termination meeting, the employee shall be afforded an opportunity to present the employee's response to the reasons for termination. If the employee declines to attend the pre-termination meeting, the employee may submit a written response to the pre-termination notice no later than the scheduled date of the meeting.

Within seven days of the date of the meeting, the supervisor shall provide the employee with a written notice informing the employee whether he/she has been terminated. If the employee has been terminated, the notice shall provide the general reasons therefore and shall also inform the employee of the opportunity to request a post-termination hearing before the Board by giving written notice of such request to the supervisor within seven days. The employee shall be informed that the employee's failure to make a timely request for a post-termination hearing shall result in such hearing being waived.

If a request for a post-termination hearing is made, the Board shall provide the employee with a notice informing the employee of the date, time, and place of the post-termination hearing before the Board. The notice shall inform the employee of his or her right to be represented by counsel, to present and cross-examine witnesses and to offer supporting documents and evidence. The notice shall state that the employee may request a public hearing if formal charges are brought; otherwise, the Board may conduct the hearing in executive session as permitted by 1 V.S.A. § 313(a)(4).

At the post-termination hearing, the employee shall be afforded the opportunity to address the basis for termination by hearing and examining the evidence presented against the employee, cross-examining witnesses and presenting evidence on his/her behalf. The Board shall make such determinations as may be necessary in the event of evidentiary objections or disputes. When the hearing is adjourned, the Board, under the authority granted by 1 V.S.A. § 312(e), shall consider the evidence presented in the hearing in deliberative session. Any final Board decision will be made in open session.

The Board shall render a written decision within 14 days after close of the hearing, unless otherwise agreed upon by the parties. Final wages will be paid within the time required by 21 V.S.A. § 342(c).

Employment with the Jericho Underhill Library District is not for any definite period or succession of periods of time. The Board reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice.

3.37: Severability

If any provision of this personnel policy or the application hereof to any person or a circumstance(s) is held invalid, this invalidity does not affect other provisions or applications of the personnel rules which can be given effect without the invalid provision or application. For this purpose, this personnel policy is severable.

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Adopted: May 21, 2015

Amended: January 13, 2022

Reviewed by Counsel: July 28, 2026

Amended: August 20, 2026

