Rutherford Public Library Personnel Policy Manual

This policy is determined by the Library Board of Trustees and is subject to periodic review and/or revision at the discretion of the Board. Appeals may be submitted to the Board in writing.

Revised by the Rutherford Public Library Board of Trustees: 6-13-06 & 5-18-11 & 1-22-17
TABLE OF CONTENTS

INTRODUCTION

Welcome
Statement of Disclaimer
The Library Board of Trustees

SECTION ONE: RELATING TO EMPLOYEE RIGHTS AND OBLIGATIONS

1.1 Anti-discrimination Policy
1.2 Americans with Disabilities Act / New Jersey Pregnant Workers’ Fairness Act Policy
1.3 Contagious or Life Threatening Illness Policy
1.4 Life Threatening / Catastrophic Illness Policy
1.5 Safety Policy
1.6 Drugs and Alcohol Policy
1.7 Workplace Violence Policy
1.8 General Anti-harassment Policy
1.9 Anti-Sexual Harassment Policy
1.10 Whistle Blower Policy
1.11 Employee Complaint Policy
1.12 Access to Personnel Files Policy
1.13 Conflict of Interest Policy
1.14 Political Activity Policy
1.15 Employee Discipline Policy
1.16 Resignation Policy
1.17 Termination Policy
1.18 Driver’s License Policy
1.19 Code of Ethics
1.20 Labor Organizations
1.21 Customer Service Policy

SECTION TWO: WORKPLACE POLICIES

2.1 Job Description Policy
2.2 Transfers, Reassignments
2.3 Attendance Policy
2.4 Early Closing and Delayed Opening Policy
2.5 Breaks
2.6 Dress Code Policy
2.7 No Smoking Policy
2.8 Telephone Usage Policy
2.9 Communication Media Policy
2.10 Workplace Documents Policy
2.11 Video Surveillance Policy
2.12 Employee Dating Policy
2.13 Hours of Work Policy
2.14 Evening & Weekend Hours Policy
2.15 Staff Meeting Policy

SECTION THREE: PAID AND UNPAID TIME OFF POLICY

3.1 Paid Holiday Policy
3.2 Vacation Leave Policy
3.3 Sick Leave Policy
3.4 Personal Leave Policy
3.5 Bereavement Leave Policy
3.6 Donated Leave Policy
3.7 Jury Duty Policy
3.8 Leave of Absence Policy
3.9 Family Medical Leave Act Policy
3.10 Domestic Violence Leave Policy

SECTION FOUR: COMPENSATION AND EMPLOYEE BENEFITS POLICY

4.1 Payroll Policy
4.2 Overtime Compensation Policy
4.3 Health Insurance Policy
4.4 Dental Benefits Policy
4.5 Drug Prescription Benefit Policy
4.6 Retirement Policy
4.7 Workers Compensation Policy
4.8 Job Enrichment & Staff Development Policy
4.9 Flexible Spending Account Policy
4.10 Staff Room Policy

SECTION FIVE: MANAGEMENT AND SUPERVISORY POLICY

5.1 Employment Policy
   (a) Recruitment
   (b) Physical Examination of Employees
   (c) Appointment
   (d) Job Offers
   (e) Employability Proof
   (f) Records Retention
5.2 Nepotism Policy
5.3 Open Public Meetings Act
5.4 Performance Evaluation
WELCOME
This Personnel Policy Manual is designed for the employees of the Rutherford Public Library. It is the Library’s mission to excel at customer service as it provides access to information, technology, educational/cultural opportunities and community space. Staff members are a key asset in achieving this mission in a way that also builds positive community relationships.

STATEMENT OF DISCLAIMER
This Personnel Policy Manual does not either directly or indirectly constitute an employment contract or a promise of any kind by the Rutherford Public Library (hereinafter referred to as “the Library”) to the employee. The Board retains the right to make any changes as may be deemed necessary.

Nothing in this employee manual is intended to waive, abrogate, or in any way diminish the immunities conferred upon the Library pursuant to the New Jersey Tort Claims Act (N.J.S.A. 59:2-1), and the Library shall not be stopped from relying on these immunities. New Jersey Department of Personnel regulations or union contract will override this manual.

THE LIBRARY BOARD OF TRUSTEES
The Library Board of Trustees is the governing and policy-making body of the Library. The Board is responsible for the use of the Library building and property, for personnel policies and hiring of staff, and for the preparation and control of the budget. The Board typically meets once per month in the Library's Auditorium. Meetings are conducted in accordance with the Open Public Meetings Act.
SECTION ONE: RELATING TO EMPLOYEE RIGHTS AND OBLIGATIONS

1.1 ANTI-DISCRIMINATION POLICY
The Rutherford Public Library is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972, and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker’s Fairness Act (LAD). Under no circumstances will the Rutherford Public Library discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical conditions), childbirth, liability for service in the United States armed forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion, or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor or the Library Director.

1.2 AMERICANS WITH DISABILITIES ACT POLICY/ NEW JERSEY PREGNANT WORKER’S FAIRNESS ACT
In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, as amended by the New Jersey Pregnant Worker’s Fairness Act (LAD), the Rutherford Public Library does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Rutherford Public Library will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Rutherford Public Library to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Rutherford Public Library.

The Library Director shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations, in consultation with a physician if necessary. All decisions with regard to reasonable accommodation shall be made by the Library Director. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The
Americans with Disabilities Act does not require the Rutherford Public Library to offer permanent “light duty,” relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Rutherford Public Library facilities. Any questions concerning proper assistance should be directed to Library Director.

1.3 CONTAGIOUS OR LIFE-THREATENING ILLNESS POLICY
The Rutherford Public Library encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The Rutherford Public Library shall make reasonable accommodations for known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Rutherford Public Library.

The Rutherford Public Library will take reasonable precautions to protect such information from inappropriate disclosure, including the following:

- Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information.

- Information may be disclosed without the prior written consent to qualified individuals for the purpose of conducting management audits, financial audits, and program evaluations, but these individuals shall not identify, either directly or indirectly, the person who is the subject of the record in a report or evaluation, or otherwise disclose the person’s identity in any manner. Information shall not be released to these individuals unless it is vital to the audit or evaluation.

- Information may be disclosed to the Department of Health as required by State or Federal law.

Elected officials, department heads, officers, and other employees have a responsibility to maintain the confidentially of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.
1.4 LIFE THREATENING / CATASTROPHIC ILLNESS POLICY
The Library treats life-threatening/catastrophic illnesses in accordance with its policy on equal employment opportunity and the requirements of the New Jersey Law Against Discrimination and the Americans with Disabilities Act. The Library recognizes that a supportive and caring response from managers and co-workers is an important factor in maintaining the quality of life for an employee with a life-threatening/catastrophic illness. Managers should be sensitive to the special needs of employees and assist them by demonstrating personal support, referring them to counseling services and arranging for benefits counseling as necessary.

An employee’s health condition is private and confidential. An employee is under no obligation to disclose his or her condition to a manager or any other employee of the Library unless such condition impacts the ability of the employee to safely perform his or her job. If an employee notifies a manager of his/her medical condition, the manager is expected to take careful precaution to protect the confidentiality of information regarding the employee’s health condition.

The Library recognizes that an employee with a medical condition may wish to continue his or her employment. All decisions regarding continued employment will be based on the ability of the employee to meet normal performance standards with or without reasonable accommodation, and on the receipt of satisfactory medical evidence that the employee does not present a direct threat to him/herself or others.

1.5 SAFETY POLICY
The Rutherford Public Library will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Rutherford Public Library is equally concerned about the safety of the public. Consistent with this policy, employees may receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action.

Any occupational or public unsafe condition, practice, procedure, or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving Rutherford Public Library facilities, equipment, or motor vehicles must also be immediately reported to the supervisor or Library Director.

1.6 DRUG AND ALCOHOL POLICY
The Rutherford Public Library recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees and the public. Any employee who is observed by a supervisor or the Library Director to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. If the supervisors or Library Director observes behavior constituting reasonable suspicion, he/she is required to institute testing and does not have the option of sending the employee home as an
alternative. Refusal to submit to testing when requested may result in immediate disciplinary action, including termination.

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs on Rutherford Public Library property during work hours by employees are strictly prohibited.

Employees using prescription drugs that may affect job performance or safety must notify the Library Director, who is required to maintain the confidentiality of any information regarding an employee’s medical condition in accordance with the Health Insurance Portability and Protection Act.

Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Rutherford Public Library property or while performing Rutherford Public Library business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

In addition to the drug policy set forth in this section, all employees must review their applicable collective negotiations agreements for unit-specific drug testing conditions, if any.

1.7 WORKPLACE VIOLENCE POLICY
The Rutherford Public Library will not tolerate workplace violence. Violent acts or threats made by an employee against another person or property are cause for immediate dismissal and will be fully prosecuted. This includes any violence or threats made on Rutherford Public Library property, at Rutherford Public Library events, or under other circumstances that may negatively affect the Rutherford Public Library’s ability to conduct business.

Prohibited conduct includes:
- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on Rutherford Public Library property or while on Rutherford Public Library business except with the authority of the Police Chief; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Any potentially dangerous situations must be immediately reported. The Rutherford Public Library will actively intervene in any potentially hostile or violent situation.

1.8 GENERAL ANTI-HARASSMENT POLICY
It is the Rutherford Public Library’s policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status,
atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), gender identity or expression, liability for service in the United States armed forces, and/or any other characteristic protected by law. Harassment of non-employees by our employees is also prohibited. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings or images, and other similar verbal, written, printed or physical conduct.

If an employee is witness to or believes to have experienced harassment, immediate notification to his/her supervisor or the Library Director should take place.

Notification of appropriate personnel of any harassment problem is essential to the success of this policy and the Rutherford Public Library generally. The Rutherford Public Library cannot resolve a harassment problem unless it knows about it. Therefore, it is the responsibility of all employees to bring these kinds of problems to attention of the appropriate officials so that steps are taken to correct them.

Violation of this harassment policy will subject employees to disciplinary action, up to and including immediate discharge.

1.9 ANTI-SEXUAL HARASSMENT POLICY
It is the Rutherford Public Library’s policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The Rutherford Public Library prohibits sexual harassment from occurring in the workplace or at any other location at which Rutherford Public Library sponsored activity takes place. Sexual harassment of non-employees by our employees is also prohibited. The purpose of this policy is not to regulate personal morality or to encroach upon one’s personal life, but to demonstrate a strong commitment to maintaining a workplace free of sexual harassment.

Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

This policy applies equally to unwelcome sexual advances toward non-employees.

Sexual harassment may include unwanted sexual advances; offering employment benefits in exchange for sexual favors; visual conduct (leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters); verbal sexual advances, propositions or requests; verbal abuse of a sexual nature; graphic verbal commentaries about an individual’s
body; sexually degrading words used to describe an individual; suggestive or obscene letters, caricatures or representations of persons using electronically or physically altered photos, drawings, or images; notes or invitations; and/or, physical conduct (touching, assault, impeding or blocking movements).

If an employee is witness to or believes that the employee has experienced sexual harassment, they must immediately notify their supervisor or the Library Director.

Notification by an employee to appropriate personnel of any harassment problem is essential to the success of this policy and the Rutherford Public Library generally. The Rutherford Public Library cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring those kinds of problems to the attention of management so that steps may be taken to correct them.

Violation of this sexual harassment policy will subject employees to disciplinary action, up to and including immediate discharge.

1.10 WHISTLE BLOWER POLICY
The New Jersey Conscientious Employee Protection Act also known as "CEPA" makes it unlawful for employers to take adverse employment action against employees who disclose, object to, or refuse to participate in certain actions that the employee reasonably believes are either illegal or in violation of public policy. To that end, it shall be the policy of the Library that it will not take retaliatory action against an employee, subject to the conditions listed below, if the employee does any of the following:

(1) Discloses or threatens to disclose to a supervisor or any public body an activity, policy or practice of the employer that the employee reasonably believes to be in violation of the law, and
(2) Provides information to, or testifies before any public body conducting an investigation or hearing into any violation of the law, and
(3) Objects to, or refuses to participate in any activity, policy, or practice which the employee reasonably believes is in violation of the law or state regulation, is fraudulent or criminal, or is incompatible with a clear mandate of public policy concerning the public health, safety or welfare.

Employees are hereby advised that the protection afforded to them under CEPA is subject to a notice requirement to the employer. An employee who intends to report alleged wrongdoing to a public body must, in normal circumstances, advise a supervisor in writing and afford the supervisor a reasonable opportunity to correct the complained of activity, policy, or practice before a disclosure to a public body is made. If the employee is reasonably certain that the activity, policy, or practice is known to one or more supervisors of the Library, or if the employee reasonably fears physical harm as a result of the disclosure, then the employee may notify the Library Director or Library Board of Trustees, in writing, as opposed to the supervisor.
Employees are further advised that although CEPA does not diminish the rights, privileges or remedies of any employee under any other federal or state law or regulation or under any collective negotiations agreement, once an action is initiated under CEPA, the employee's rights and remedies under any other contract, collective negotiations agreement, state law, rule or regulation or under the common law will be deemed waived.

1.11 EMPLOYEE COMPLAINT POLICY

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to their supervisor; or, if they prefer, or do not think the matter can be discussed with their supervisor, they should contact the Library Director. Reporting of such incidents is encouraged both when an employee feels that he/she is subject to such incidents, or observes such incidents in reference to other employees. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or the Library Director. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing. To the extent possible, the report should be written and indicate the harm the individual has suffered, and all complaints arising out of an event or related series of events should be addressed simultaneously.

No employee will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report of an incident.

This policy applies to employee complaints that are not subject to the grievance/arbitration provisions of a collective negotiations agreement, and to complaints not subject to regulations established pursuant to the New Jersey Department of Personnel. No provision herein is meant to add to, or detract from any negotiated provision between the Library and its represented employees.
1.12 ACCESS TO PERSONNEL FILES POLICY
The official personnel file for each employee shall be maintained by the Library Director. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to the Library Director and Board of Trustees on a need-to-know basis, such as appointment, promotion, demotion, or discipline. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Rutherford Public Library’s premises in the presence of the Library Director or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Personnel files do not contain confidential employee medical information. Any such information that the Rutherford Public Library may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements.

The Rutherford Public Library endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Rutherford Public Library will release information contained in personnel or medical records to persons outside the Rutherford Public Library. These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Rutherford Public Library’s compliance with applicable law;
- To the Rutherford Public Library’s agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Rutherford Public Library are parties;
- In a workers’ compensation proceeding;
- To administer benefit plans;
- To the Library’s authorized health care provider;
- To first aid or safety personnel, when necessary; and

It is the responsibility of each employee to notify the Library Director of any changes in vital information:

- Name
- Address
- Telephone Number
- Marital Status
- Dependent Children
- Deductions to be included on W-4 form
• Change in status for health care programs
• Change of beneficiary on pension or life insurance policies

Changes must be made by written notice to the Director. Credit information requests via phone or in writing should be channeled through the Director’s office. Employment and salary information will be verified by the Library upon the employee’s request.

1.13 CONFLICT OF INTEREST POLICY
Employees including Rutherford Public Library officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Rutherford Public Library. Violations of this policy will result in appropriate discipline including termination.

The Rutherford Public Library recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Borough business. However, business dealings that appear to create a conflict between the employee and the Rutherford Public Library’s interests are unlawful under the New Jersey Local Government Ethics Act (Ethics Act).

A potential or actual conflict of interest occurs whenever an employee including a Rutherford Public Library official is in a position to influence a Library decision that may result in a personal gain for the employee or an immediate relative including a spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee’s household. Employees are required to disclose possible conflicts so the Library may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Library Director to obtain clarification.

Employees are allowed to hold outside employment as long as it does not interfere with their Library responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using Library time, supplies or equipment in the outside employment activities. Any employees who holds an interest in, or is employed by, any business doing business with the Rutherford Public Library must submit a written notice of these outside interests to the Library Director.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Rutherford Public Library or any person or firm seeking to influence Rutherford Public Library decisions. Meals and other entertainment valued in excess of $150.00 are also prohibited. Employees are required to report to the Library Director any offer of a donation, gratuity, contribution, or gift including meals and entertainment that is in violation of this policy.
1.14 POLITICAL ACTIVITY POLICY
Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using library time, supplies or equipment in any political activity. Any violation of this policy must be reported to the Library Director.

1.15 EMPLOYEE DISCIPLINE POLICY
It is the responsibility of the immediate supervisor to enforce and maintain proper discipline. To ensure that employees are informed when infractions or shortcomings occur, a progressive disciplinary procedure will normally be followed. In the sole discretion of the Library, however, depending upon the severity of the offense and the circumstances surrounding the performance issue, progressive discipline may be waived and the employee may be subjected to immediate discipline up to and including termination of employment.

Nothing in this section is meant to, or does not, alter the at-will nature of employment, nor modify the terms of any collective negotiations agreement, nor conflict with the New Jersey Department of Personnel procedural requirements.

Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure (and New Jersey Department of Personnel regulations). In every case involving employee discipline, employees will be provided with an opportunity to respond to charges in accordance with the procedures promulgated by the New Jersey Department of Personnel.

In cases of employee misconduct, the Rutherford Public Library believes in corrective action for the purpose of remediating undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances.

In order to correct undesirable behavior, supervisors and the Library Director may utilize the following corrective tools: verbal reprimand; Library Director review; written reprimand; suspension; fines, and dismissal. At the discretion of Rutherford Public Library, action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee’s work/disciplinary record.

Each employee has an obligation to observe and follow the Library’s policies and to maintain proper standards of conduct at all times. If an individual’s behavior interferes with the orderly and efficient operation of the Library, corrective measures may be taken. Employees are expected to abide by general work rules and standards of conduct as set forth below. These rules are intended for the protection and welfare of all employees and to protect and aid the Library in
performing its daily business. Commission of any of the following offenses may result in discipline up to and including discharge.

Grounds for discipline:
- Falsification of Library records, including attendance, employment applications and other personnel records.
- Unauthorized disclosure of confidential information.
- Failure to report absence.
- Engaging in sexual or other types of harassment, or violation of the Library’s anti-discrimination or harassment policies.
- Theft or attempted theft of property belonging to the Rutherford Public Library, fellow employees, volunteers or visitors.
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on Rutherford Public Library property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Rutherford Public Library property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on Rutherford Public Library property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Rutherford Public Library premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Rutherford Public Library or suppliers’ property.
- Sleeping on the job.
- Carrying weapons of any kind on Rutherford Public Library premises and/or during work hours, unless carrying a weapon is a function of one’s job duties.
- Violation of established safety and fire regulations.
- Failure to comply with attendance and tardiness policies or abuse of sick leave.
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours.
- Defacing walls, bulletin boards, or any other property within the Rutherford Public Library.
- Failure to perform duties, inefficiency or substandard performance.
- Gambling on Rutherford Public Library premises.
- Horseplay, disorderly conduct and use of abusive language on Rutherford Public Library premises.
- Deliberate delay or restriction of one’s own work effort, and/or incitement of others to delay or restrict their work effort.
- Conviction of a crime or disorderly persons offense.
• Unethical or unprofessional conduct.
• Disruptive or abusive behavior.
• Gaining unauthorized access to Library records or property.
• Verbally threatening or abusing another employee or member of the public.
• Failure to perform assigned work or failure to complete assignments up to the quality required by the Library or other unsatisfactory work performance.
• Engaging in non-Library activities while on Library time.
• Interfering with another employee’s efficient performance of their work.
• Intentional misuse or willful damage to Library property or the property of any employee or member of the public.
• Violating the Library’s Alcohol/Drug Policy.
• Use of threats, intimidation or abusive language to a supervisor or manager, or deliberate attempts to undermine a supervisor’s or the Library Director’s authority.
• Conduct unbecoming a public employee.
• Violation of Rutherford Public Library policies, procedures and regulations.
• Violation of Federal, State or Rutherford Public Library laws, rules, or regulations concerning drug and alcohol use and possession.
• Misuse of public property.
• Unauthorized use of computers, Internet, and email.
• Other sufficient cause.

Obviously the Library cannot cover every possible work violation in the above rules. The above list, therefore, is not meant to be all-inclusive and each employee is expected to use his/her common sense. If an employee is not sure what constitutes appropriate behavior in any situation, it is the employee’s responsibility to speak to his/her supervisor or the Library Director before acting.

1.16 RESIGNATION POLICY
Employees holding a Librarian title who intends to resign must notify the Library Director in writing thirty (30) days in advance in order to leave in good standing. All other employees who intend to resign must notify the Library Director in writing at least two (2) weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-workers by providing information concerning their current projects and help in the training of a replacement. The Library Director may conduct an exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. On the last day of work, and prior to receiving the final paycheck, the employee must return all keys.

1.17 TERMINATION PROCEDURE
Employees may be separated from Library employment by layoff, dismissal, resignation, abolishment of position, or retirement. Upon termination of employment, all benefits are terminated in accordance with the current provisions of each program. Accrued vacation time is paid for on termination, provided the employee has provided written notice in accordance with the resignation policy.
Any employee who is absent from duty for five (5) or more consecutive business days without the approval of his or her supervisor shall be considered to have resigned without proper notice. Approval of the absence shall not be unreasonably denied.

Resignation
All professional employees who make the decision to resign should, in order to leave in good standing, notify the Director in writing thirty days in advance. Nonprofessional employees shall give a minimum of two (2) weeks notice.

Retirement (State of N.J. Division of Pensions and Benefits)
An employee who makes the decision to retire should notify the Director at least two (2) months in advance. Retirement benefits include earned vacation time. All retirement benefits are subject to the statutes and promulgated regulations pertaining to the Public Employment Retirement System (PERS).

Lay-Off
In cases of financial emergencies, the Board of Trustees may, after full discussion of other recourse and reductions, deem it necessary to reduce staff. In such instances, the Director shall recommend to the Board of Trustees those job classifications that are to be reduced and/or abolished and the individuals in those positions who are to be laid-off. Any lay-off will be implemented in accordance with the New Jersey Department of Personnel regulations and procedures.

1.18 DRIVER'S LICENSE POLICY
Any employee whose work requires the operation of a vehicle must hold a valid New Jersey State Driver's License.

All new employees who will be assigned work entailing the regular operation of a vehicle to do business for the Rutherford Public Library will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employee's drivers' licenses through visual and formal Department of Motor Vehicles review checks may be made by the Library Director. Any employee who does not hold a valid driver's license will not be allowed to operate a vehicle to do Rutherford Public Library business until such time as a valid license is obtained.

Any employee performing Library work which requires the operation of a vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. An employee that fails to report such an instance is subject to disciplinary action, including demotion or termination.
Any information obtained by the Rutherford Public Library in accordance with this section shall be used by the Rutherford Public Library only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver’s Privacy Protection Act.

1.19 CODE OF ETHICS
Employees must endeavor to retain the respect and confidence of people in the community, including observing a code of ethics. This code includes, but is not limited to:

- Employees may not engage in any activity that is in substantial conflict with the performance of their duties at the library.
- Employees may not use their position to secure unwarranted privileges or advantages for anyone.
- Employees may not accept or offer any gift or favor under circumstances from which it might be inferred that the purpose was to influence the performance of duties.
- Employees may not knowingly act in any way that might reasonably be expected to create an impression of suspicion or distrust among the public.
- Employees may not use or allow the use of library property, personnel and/or persons for any purpose other than officially approved activities.
- Employees may not use or allow the use of information gained through employment, which has not been made available to the general public, for furthering a private interest.
- Employees may not make official statements regarding the policies, procedures, or practices of the Rutherford Public Library for publication in the press without the permission of the Director.

1.20 LABOR ORGANIZATIONS
All employees have the right to form and join labor organizations. The New Jersey Employer/Employee Relations Act will be followed in labor-management relations. The New Jersey Employer-Employee Relations Act (N.J.S.A. Chapter 303, Laws of 1968, 34:13A-1 et. seq.) and a brochure produced by the New Jersey Public Employment Relations Commission can be accessed at [www.state.nj.us/perc/html.reference.htm](http://www.state.nj.us/perc/html.reference.htm). There shall be no discrimination, interference, or coercion by the Library or any of its agents against the employees represented by the Union because of membership or activity in the Union.

The Library recognizes the Communication Workers of America (CWA) Local 1031 as the bargaining agent for the establishment of salaries, wages, hours, and other conditions of employment for employees represented by this union. This recognition, however, shall not be
interpreted as having the effect of or in any way voiding the rights of employees established under the Employer – Employee Relations Act.

**1.21 CUSTOMER SERVICE POLICY**
The first duty of the Library is service to the public. Courtesy and a spirit of service are the first requisites of a staff member. Each staff member has her/his place in the scheme of service in the Library and should recognize his ranking and accept its responsibility with dignity.

Business-like conduct is presupposed at all times. Personal differences should never be discussed, nor patrons left waiting while some dispute is settled. Every employee is a public relations officer for the Library and each has an important part to play in developing and maintaining good public relations. Visiting with friends, acquaintances, or any discussion of personal affairs should not be indulged in while on duty.
SECTION TWO: WORKPLACE POLICIES

2.1 JOB DESCRIPTION POLICY
Employee classifications are established by the Director and Trustees in accordance with the regulations promulgated by the New Jersey Department of Personnel. All job descriptions are on file or accessible via the New Jersey Department of Personnel website. The Library Director will provide assistance to employees who wish to access and review their job descriptions.

2.2 TRANSFERS, REASIGNMENTS
A transfer is the movement of an employee from one position to another within the same job classification. Such transfers are the prerogative of the Library.

2.3 ATTENDANCE POLICY
All employees are expected to be at work and ready to assume duties at their scheduled start time. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the Director by phone call to the Director’s cell or his designee no later than one-half hour prior to the Library’s opening. If the employee is sick or unable for any reason to report for work and is scheduled for desk work when the Library opens, notification to the Director or her designee as early as possible is required.

2.4 EARLY CLOSING AND DELAYED OPENING POLICY
The Library will be considered open in the event of snow or bad weather unless the staff is notified by the Director or supervisor in charge. For decision-making regarding early closing and delayed openings, staff are to consult The Staff Procedure for Severe Weather Closing in the Rutherford Public Library Procedures and Guidelines on Safety and Security and Disaster Planning. Every effort should be made on the part of the staff to report to work. A scheduled employee who does not report to work will be considered absent. The lost time will be counted as a vacation day or deducted from regular pay. If work is called off for the day, no time will be charged for the day for those employees scheduled to work.

2.5 BREAKS / REST PERIODS / MEALTIME
Employees who work a full day (7 hours) must take a 1-hour lunch/dinner break. Staff are to coordinate breaks and mealtimes to provide for continuous coverage of service points, and are to seek assistance from the Director should the anticipate a gap in coverage due to breaks/mealtimes.

Each employee is allowed to take one 10-minute break per 3-hour work period. Breaks and mealtimes may not be used to extend a lunch or dinner hour or to shorten the workday, unless the Director approves. Breaks may not be taken less than one hour after reporting for work. Unused breaks may not be construed as overtime.
2.6 DRESS / PERSONAL APPEARANCE POLICY
Dress, grooming and personal hygiene must be appropriate for the position. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees shall not wear suggestive attire, athletic clothing, shorts, baseball hats, and similar items of casual attire that do not present a businesslike appearance. Inappropriate attire is defined as, but not limited to, exposed undergarments, halter tops, tank tops, tube tops, shorts (dress Bermuda-length shorts are acceptable), midriff tops, t-shirts with offensive slogans or pictures, beach costumes, see-through or mesh clothing, and ragged, torn, or dirty clothing. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkept hair is not permissible regardless of length. With the advance approval of the Library Director reasonable religious accommodations will be made as long as they do not violate safety standards. When an employee is found to be outside acceptable grooming and attire standards, the employee will be sent home without pay or using vacation leave. A second or subsequent deviation from acceptable grooming and attire standards will again result in the employee being sent home without pay or using vacation leave. Such subsequent incidents will be cause for disciplinary action.

2.7 NO SMOKING POLICY
The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Rutherford Public Library has adopted a smoke-free policy for all buildings. Rutherford Public Library facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Borough buildings. Employees are permitted to smoke only outside Borough buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Borough and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

2.8 TELEPHONE USE POLICY
Library telephones are for library business. Ingoing and outgoing personal calls should be kept to a minimum and completed within a few minutes. Any outgoing personal calls that are out of the local calling area are to be made from a cell phone.

The manner in which an employee answers the telephone affects the public relations of the Library. While on the telephone, an employee is an important source of goodwill for the Library. To the caller, an employee represents the character of the Library. The telephone should be answered promptly. The employee must identify the Library, be courteous, and speak in a quiet, well-modulated voice.
2.9 COMMUNICATION MEDIA POLICY
The Rutherford Public Library’s Communication Media are the property of the Rutherford Public Library and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, “Communication Media” includes all electronic media forms provided by the Rutherford Public Library, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the Rutherford Public Library. For purposes of this policy, “Data” includes “electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Rutherford Public Library business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Rutherford Public Library’s mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Rutherford Public Library’s local or wide-area networks.”

The Rutherford Public Library respects the individual privacy of its employees. However, employee communications transmitted by the Rutherford Public Library’s Communication Media are not private to the individual. All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Rutherford Public Library. The Rutherford Public Library reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, or placed in storage in the Rutherford Public Library’s Communication Media. By using the Rutherford Public Library’s equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Rutherford Public Library personnel. The existence of passwords does not restrict or eliminate the Rutherford Public Library’s ability or right to access electronic communications. However, the Rutherford Public Library cannot require the employee to provide the password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Rutherford Public Library are required to use the assigned municipal email account for ALL Rutherford Public Library business and correspondence. The use of private email accounts for ANY Rutherford Public Library business or during business hours is strictly prohibited.

Employees can only use the Rutherford Public Library Communication Media for legitimate business purposes. Employees may not use Rutherford Public Library’s Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Rutherford Public Library rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.
All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Rutherford Public Library. Certain data, or applications that process data, may require additional security measures as determined by the Rutherford Public Library.

All employees may access only data for which the Rutherford Public Library has given permission. All employees must take appropriate actions to ensure that Rutherford Public Library data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Rutherford Public Library’s computing environment, unless disabling of such security software is part of the employees’ work functions/activities.

Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

Social media and its uses in government and daily life are expanding each year. However, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Only those Employees authorized by the Library Director may engage in social media activity during work time through the use of the Rutherford Public Library Communication Media, as it directly relates to their work and it is in compliance with this policy.

- Employees must not reveal or publicize confidential Rutherford Public Library information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to, the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

- No Rutherford Public Library employee shall post internal working documents to social media sites.

- Media advertisements, electronic bulletin board postings, or any other communication accessible via the Internet about the Rutherford Public Library or on behalf of the Rutherford Public Library, whether through the use of the Rutherford Public Library’s Communication Media or otherwise, are to be issued in a manner that is consistent with the general public relations efforts of the Rutherford Public Library. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the
Rutherford Public Library. Such unauthorized communications may result in disciplinary action.

- Because Rutherford Public Library postings placed on the Internet through use of the Rutherford Public Library’s Communication Media will display the Rutherford Public Library’s return address, any information posted on the Internet must reflect and adhere to all of the Rutherford Public Library’s standards and policies.

- All users are personally accountable for messages that they originate or forward using the Rutherford Public Library’s Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user’s identity on any Communication Media is prohibited. “Spoofing” (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Borough Administrator) is prohibited.

- Employees must respect the laws regarding copyrights, trademarks, rights of public Rutherford Public Library and other third-party rights. Any use of the Rutherford Public Library’s name, logos, service marks or trademarks outside the course of the employee’s employment, without the express consent of the Rutherford Public Library, is strictly prohibited. To minimize the risk of a copyright violation, when possible employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

- The Library recognizes that employees use social media outside of their employment and in so doing may identify themselves as Rutherford Public Library employees. If employees choose to identify themselves as a Rutherford Public Library employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Rutherford Public Library. As such, no employee shall knowingly represent themselves as a spokesperson of the Rutherford Public Library, post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Rutherford Public Library, express views that are detrimental to the Rutherford Public Library’s mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. Rutherford Public Library employees are encouraged to exercise extreme caution posting paragraphs of themselves in situations where they can be readily identified as Township employees. Employees must keep in mind that, if they post information on a social media site that is in violation of Rutherford Public Library policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Rutherford Public Library employees have the right to engage in or refrain from such activities.
2.10 WORKPLACE DOCUMENTS POLICY

Rights on use of e-mail, voice mail, memos and other workplace documents are as follows:

- E-mail, voice mail, and print information on Library stationery are all considered to be the property of the Library, no matter what the original intent of the information. Personal messages, notes or information are not to be stored on the computer, left in one's desk, or left on voice mail.

- Any document created by the employee is the property of the employer including time sheets, desk logs, and memos between employees. Communications given to all employees, such as the Personnel Manual or announcements, belong to the employee. No other communication may be copied or removed from the building.

- Items such as memos to individual employees, letters, interdepartmental communications, desk logs, and time sheets are not part of the public forum and may not be copied. They are not meant for public use and may be misinterpreted by the public.

- If a staff member needs a copy of a document, the supervisor must be contacted. If the need is in relation to a grievance, the staff member should contact a union or other designated representative. Privacy issues must be considered before copies are made for an employee.

2.11 VIDEO SURVEILLANCE POLICY

The Rutherford Public Library may install video surveillance camera systems within the public building and throughout public areas within the Library, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the Rutherford Public Library will ensure compliance with federal, state and local laws governing such usage.

The Rutherford Public Library’s video surveillance camera systems are a tool to which the employees of the Rutherford Public Library will avail themselves in order to complete the goals and objectives of the Rutherford Public Library. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Library Director will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the Rutherford Public Library’s video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission for the designee of the Rutherford Public Library.
Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that the Library Director is immediately informed of such breach.

2.12 EMPLOYEE DATING POLICY
The Rutherford Public Library recognizes the right of employees to engage in social relationships with each other, including relationships of a romantic or intimate nature. However, the municipality also recognizes that such relationships can be a problem in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among coworkers, or the perception that they generate such problems.

To try to achieve a balance between employee rights and workplace needs, the Rutherford Public Library has adopted the following policy on the subject of dating among Employees.

- If such a relationship exists or develops, both parties involved shall report the fact to their immediate supervisor and the Library Director.
- For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title or civil-service classification, makes or has the authority to make decisions or to take action concerning another employee’s compensation, promotion, demotion, discipline, daily tasks, or any other terms, conditions or privileges of employment with the municipality. If the employees involved in the relationship are also in a supervisor/subordinate status, management may take any action which it deems appropriate, up to and including transferring one of the parties so that there is no longer a supervisor/subordinate relationship between them. In addition, management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

Any employee who violates this policy will be subject to disciplinary action, up to and including discharge. The municipality regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment or other interference with municipal operations.

Nothing in this policy alters an employee’s at will status.

2.13 HOURS OF WORK POLICY
The standard work week for full-time employees shall be a five day week consisting of 35 hours per week. Employees working fewer than 35 hours are considered part-time staff. The Library reserves the right to extend or reduce the number of hours that the Library is open.

2.14 EVENING AND WEEKEND WORK POLICY
Evening and weekend work is a condition of employment. Every attempt shall be made to assure that staff will not be required to work more than two evenings per week nor more than two Saturdays per month. When staff members are scheduled for Saturday, a day off is assigned during the preceding week.
2.15  STAFF MEETING POLICY
Staff meetings will be called periodically by the Director for either the whole staff or individual departments. The purpose of such meetings is to inform staff on policy, news and activities, to elicit recommendations when changes are contemplated, to obtain feedback on Library policy and to exchange information between departments. Attendance at staff meetings is considered a part of the regular work schedule and is compensated accordingly.
SECTION THREE: PAID AND UNPAID TIME OFF POLICY

3.1 PAID HOLIDAY POLICY
The Library is closed on the following Holidays:

- New Year’s Day;
- Martin Luther King, Jr. Day
- President’s Day
- Good Friday
- Memorial Day Weekend
- Independence Day
- Labor Day
- Day of Presidential Election
- Veteran’s Day
- Thanksgiving Eve (close at 5 PM)
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- ½ day New Year’s Eve (10AM – 1 PM)

In the event that a holiday falls on a Saturday, the holiday is observed on Friday. If the holiday falls on a Sunday, the holiday is observed on Monday.

All full-time employees are paid for each holiday. Part-time employees are paid on a pro-rated basis. The Director or his/her designee shall review the number of hours worked by each part-time employee on a quarterly basis to determine the part-time employees’ pro-rated entitlement to holiday time for the next quarter.

3.2 VACATION LEAVE POLICY
A vacation is primarily for a change and relaxation. Every attempt will be made to grant earned vacations as they are requested. It must be understood, however, that library staffing must be the first priority.

(a) New employees become eligible for vacation leave after their first six months of employment. No vacation leave is given for less than six months employment.

(b) Based on a five day work week, full-time, professional employees employed as of December 1, 2012 shall receive 23 working days, with pay, each year.

(c) Vacations shall be granted, work schedules permitting, at the time requested by the employee. If the nature of the work makes it necessary to limit the number of
employees on vacation at the same time, the employee with the greatest seniority in job classification shall be given his/her choice of vacation period in the event of any conflict over vacation periods.

(d) Vacation leave requests must be submitted by April 1 of each year. If requests are not submitted by April 1, the employee will lose his/her seniority preference.

(e) Changes on an approved request may only be made with the approval of the Library Director.

(f) Effective upon the signing of this contract, all part-time employees employed as of December 1, 2012 shall be granted the following annual leave for vacation purposes with pay. Vacation will be credited proportionately to hours worked in the last quarter. Vacation as well as sick time is not calculated or based on any Sunday hours worked. The Director shall review the number of hours worked by each part-time employee on a quarterly basis to determine the part-time employees’ pro-rated entitlement to vacation time for the next quarter.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Vacation Days (Working Days)</th>
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<tbody>
<tr>
<td>0-1</td>
<td>1/2 day for each month of service</td>
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<tr>
<td>1-4</td>
<td>10 days</td>
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<tr>
<td>5-9</td>
<td>12 days</td>
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<tr>
<td>10-14</td>
<td>14 days</td>
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<tr>
<td>15-19</td>
<td>17 days</td>
</tr>
<tr>
<td>20 plus years</td>
<td>20 days</td>
</tr>
</tbody>
</table>

(g) All full-time, non-professional, permanent employees employed as of December 31, 2012 shall be granted the following annual leave for vacation purposes with pay.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Vacation Days (Working Days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-1</td>
<td>1 for each month of service</td>
</tr>
<tr>
<td>1-4</td>
<td>13</td>
</tr>
<tr>
<td>5-9</td>
<td>15</td>
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<td>10-14</td>
<td>17</td>
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<td>15-19</td>
<td>19</td>
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<td>20 or more</td>
<td>22</td>
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</table>

(i) Any permanent new employee employed after December 1, 2012, full-time or part-time, professional or non-professional, shall be granted the following annual leave for vacation purposes with pay.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Vacation Days (Working Days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10</td>
<td>12</td>
</tr>
<tr>
<td>10-20</td>
<td>15</td>
</tr>
</tbody>
</table>
(j.) When in any calendar year the vacation or any part thereof for full time employees is not used, the remaining vacation may accumulate and be taken in the next succeeding year only. It is preferable, however, that as much vacation time as possible be used during the year it was supposed to be taken.

(k) If only one day of vacation is going to be used and an employee is scheduled for desk coverage, forty-eight hour notice is required.

3.3 SICK LEAVE POLICY

(a) Sick leave is defined to mean absence from post or duty of any employee because of illness, accident, exposure to contagious disease, attendance upon a member of an employee’s immediate family seriously ill requiring the care or attendance of such employee. A certificate of a reputable physician in attendance may be required as sufficient proof of need of leave of absence of the employee or the need of the employee’s attendance upon a member of the employee’s immediate family. Immediate family means an employee’s spouse, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, domestic partner and other relatives residing in the employee’s household. In case of leave of absence due to a contagious disease, a certificate of a reputable physician in attendance shall be required.

(b) Every permanent employee in the service of the Library shall, in addition to his or her annual vacation leave with pay, be granted sick leave with pay. Full time employees shall accrue one and one-quarter (1 1/4) sick leave days per month up to fifteen (15) sick days per year. Part-time permanent employees shall accrue sick leave on a prorated basis dependent upon the number of scheduled work hours in one week. If any such employee required none or only a portion of such allowable sick leave for any calendar year, the amount of such leave not taken shall accumulate to his or her credit from year to year, and such employee shall be entitled to such accumulated sick leave of absence with pay of and when needed.

(c) Illnesses must be reported to the Director by phone call to the Director’s cell or his designee no later than one-half hour prior to the Library’s opening. If the employee is sick or unable for any reason to report for work and is scheduled for desk work at 9:00 a.m., notification to the Director or her designee as early as possible is required.

(d) Upon approval from the Director or her designee, sick leave may be used for keeping a medical or dental appointment which cannot be made outside of working hours.
The Library Board may require a medical note determining fitness and ability to resume work responsibilities after four consecutive days of absence due to illness. The Library Board may require an employee to be examined by a physician designated and compensated by the Library as a condition of the employee's continuation of sick leave or return to work.

1. Such an examination shall establish whether the employee is capable of performing his or her work duties and whether return to employment would jeopardize the health of the employee or that of other employees.

2. The Library Board and the Director shall set the date of the examination to assure that it does not cause undue delay in the employee's return to work. (N.J.A.C. 4A6-1.4, p.6-7, 1-19-93).

3.4 PERSONAL LEAVE POLICY

All permanent employees with more than one (1) year of service shall be entitled to four (4) personal days per year, two of which shall be charged against accumulated sick leave. Said personal days shall not accumulate from year to year. Personal days may be taken in one-half (1/2) day increments. Part-time employees are paid for personal days on a prorated basis. The Director shall review the number of hours worked by each part-time employee on a quarterly basis to determine the part-time employees’ pro-rated entitlement to vacation time for the next quarter. Employees must give the Director 24 hours’ notice of their intention to take a personal day. Library staffing has first priority.

3.5 Bereavement Leave

Full-time employees are entitled to three (3) days leave with pay upon the death of a member of the immediate family to attend to family matters within the State of New Jersey and up to five (5) days leave with pay if outside the state.

Part-time employees are entitled to be paid for any of the three (3) succeeding working days from date of death which the part-time employee would have ordinarily worked.

Immediate family is defined as an employee’s spouse, domestic partner, child, legal ward, grandchild, foster child, mother, father, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and/or other relatives residing in the employee’s household.

3.6 DONATED SICK LEAVE POLICY

Employees may be permitted to donate accrued sick days to fellow employees who suffer from a severe and catastrophic health condition or illness. The “donation” would not be a financial donation by the employee; it would simply reduce the number of available sick days to those employees that donate their days to another employee. The following rules apply:
• Employee must complete at least one (1) year of service and first exhaust all paid time off (sick, personal, vacations, etc.) before accepting another employee’s sick days;
• Employee must submit verification of illness to Director;
• Donor employee must retain at least 20 days of their own days to avoid that employee from not having enough if something happens to the donor;
• Total contributed by all employees to any single employee not to exceed three (3) calendar months of work (not 90 work days) and not more than 30 days from any single donor. This limit recognizes that after the employee’s own PTO, an illness that takes the employee beyond an additional three (3) months requires a decision as to continued employment. In no event will employee be entitled to more than 6 months absence after all PTO and donated time.
• The Director can approve such leave but NOT be the agent for the staff to solicit employees to donate days to a fellow employee as requested by Union. Employer will maintain book-keeping functions as to remaining days but the Union (via its shop steward) will be the entity responsible for coordinating donations to avoid (1) undue influence on employees from their supervisor to contribute and (2) health privacy/HIPAA concerns.
• Unit will make initial qualification as to employee’s eligibility for donated time (i.e., some severe, catastrophic chronic illness and not a minor surgery). Director will be asked for consent once Union submits employee situation and will not unreasonably withhold consent;
• Donor and Recipient must sign affidavits that neither have been influenced, coerced, threatened or offered/received remuneration or value of any type by participating.

3.7 JURY DUTY AND COURT APPEARANCE POLICY

(a) Jury Duty. Leave for jury duty shall be granted for the entire day with pay without regard to the time of dismissal from jury service, provided the employee notifies his immediate superior within two (2) business days of receipt of the jury notice.

(b) Court Appearance. Those required to appear in court on matters relating to the Library and at the request of the Library will be granted time off with pay.

3.8 MILITARY LEAVE POLICY

When a full-time employee (either permanent or temporary) who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. (Thereafter, the leave shall be without pay but without loss of time or the employee shall be paid the difference between military salary and the employee’s regular salary.) The paid leave will not be counted
against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

Employees on military service will also continue to receive paid health insurance coverage during the period of the paid leave plus an additional thirty calendar days after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the Rutherford Public Library group plan by taking advantage of the COBRA provision. Members of the State administered retirement systems will continue accruing service and salary credit in the system during the period of paid leave.

Pursuant to the Uniformed Services Employment and Reemployment Rights Act, any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits: for service less than thirty-one (31) calendar days, the employee must return to work on the beginning of the first regularly scheduled workday or eight (8) hours after the end of military duty, with reasonable allowances for commuting; for service of thirty-one (31) to one hundred eighty (180) calendar days, the employee must submit an application for reinstatement within fourteen (14) calendar days after completing military duty; for service greater than one hundred and eighty (180) calendar days, the employee must submit an application for reinstatement within ninety (90) calendar days after completing military duty.

3.9 LEAVE OF ABSENCE POLICY
Leaves of absence with or without pay may be granted to permanent employees by the Library Director. The leave of absence may last up to six (6) months, and a six (6) month extension may be granted at the sole discretion of the Library Director. In the case of the Library Director seeking a leave, such a request is to be submitted to the President and Chair of the Personnel Committee on the Board of Trustees. The employee shall submit in writing all facts bearing on the request, and each case will be considered on its merits, and without establishing a precedent. In deciding upon the leave request, the Director will take into consideration the service record of the employee, the benefits the Library to be derived from the leave and the expectation of the employee’s return to the Library staff. Request for such leave is to be made in writing at least two months before the requested leave.

A personal leave is granted with the understanding that the employee intends to return to work for the Rutherford Public Library. The employee should apply in writing for reinstatement at least thirty days prior to the date on which s/he intends to return. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have resigned.

Accumulated sick leave and vacation leave must be charged to a leave, regardless of the length of leave requested. A six (6) months leave-of-absence, without pay, may be granted by the Director, renewable for an additional six (6) months. The portion of the leave that runs beyond the exhaustion of vacation and sick leave will be without pay. Employees on personal leave of absence for more than two weeks in any month will not receive holiday pay, and will not accrue
personal leave, sick leave or vacation time. Health, pension, and life insurance benefits paid during a leave without pay must be paid by the employee.

3.10 FAMILY MEDICAL LEAVE ACT POLICY

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act (“FMLA”). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act (“FLA”). In order to be eligible for such leave, employees must have: one (1) year of service at the Rutherford Public Library; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite (for Federal leave). Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee’s health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Upon written notice, eligible employees are entitled to a family or medical leave for up to twelve weeks to care for a newly born or adopted child or a seriously ill immediate family member, including civil union partner, or for the employee’s own serious health condition that makes the employee unable to perform the functions of the employee’s position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician’s certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Library reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the Library Director.

Commencing July 1 2009, Family Temporary Disability (“FTD”) payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of $524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.
Employees taking paid family leave in connection with a family member’s serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the Rutherford Public Library with 15 days’ notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the Rutherford Public Library with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a 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) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran’s active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or

2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or

3. a physical or mental condition that substantially impairs the veteran’s ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or

4. an injury that is the basis for the veteran’s enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
Any one of these definitions meets the FMLA’s definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon employer’s request, an employee must provide a copy of the covered military member’s active duty orders to support request for qualifying exigency leave. In addition, upon an employer’s request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon an employer’s request, an employee must provide a copy of the military member’s Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member’s leave.

### 3.12 DOMESTIC VIOLENCE LEAVE POLICY

The New Jersey Security and Financial Entitlement Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

- Seek medical attention for physical or psychological injuries;
- Obtain services from a victim services organization, pursue psychological or other counseling;
- Participate in safety planning for temporary or permanent relocation;
- Seek legal assistance to ensure health and safety of the employee or the employee’s relative; or
- Attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

To be eligible for the leave, an employee must meet the following criteria:
• The employee or their child, parent, spouse or domestic partner must be a victim of domestic violence or a sexually violent offense;
• The employee must have worked for the employer for at least twelve months and for at least 1,000 hours during the twelve (12) month period immediately preceding the requested leave; and
• The twenty (20) day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employee seeking leave must provide proof that they qualify for the leave. Such proof may include restraining order, letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave act. If so, the Rutherford Public Library will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The Rutherford Public Library shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

The Rutherford Public Library shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.
SECTION FOUR: COMPENSATION AND EMPLOYEE BENEFITS POLICY

4.1 PAYROLL POLICY
Compensation rates are established in collective bargaining agreements and by actions taken by the Library Board of Trustees at their public meetings. Employees are paid every two (2) weeks. The Rutherford Public Library will not accept responsibility for any employee’s personal finances. The Borough will acknowledge judgments against an employee’s pay, but will not act as a mediator between the employee and creditors.

Deductions made from each paycheck may include:
- Federal Income Tax is withheld in accordance with the number of exemptions claimed by the employee on the withholding form that is on file.
- State Income Tax deductions are made in accordance with the current rate.
- Social Security Tax (FICA) deductions are made in accordance with the current rate.
- Pension deductions are made for the current purchase of pension after an employee becomes regular, for buying back pension, or for loans on the invested pension.
- Unemployment Compensation deductions are made in accordance with the current rates.
- Other deductions as authorized by the employee and approved by the Borough’s Chief Financial Officer.
- Any other deductions required by federal, state or local law.

4.2 OVERTIME COMPENSATION POLICY
Under the Federal Fair Labor Standards Act, 29 U.S.C. 201, et. Seq. (FLSA) certain employees in managerial, supervisory, administrative, computer, or professional positions are exempt from the provisions of the FLSA. There are also employees who may be exempt because their compensation exceeds $100,000 per year, depending upon their job duties. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Compensatory time for additional hours worked will be provided to these employees.

All other employees are classified as non-exempt and are subject to the provisions of the FLSA. Depending on work needs, non-exempt employees may be required to work overtime. Overtime is defined as work in excess of thirty-five (35) hours per week. Non-exempt employees are not permitted to work overtime unless the overtime is approved by the Library Director. The amount of and the schedule for work of such extra and overtime work shall be established by the Library; and employees shall work such extra and overtime as scheduled unless excused by the Library. Non-exempt employees working overtime without prior approval will be subject to disciplinary action.

An employee who works overtime must exercise his/her pay option of either overtime pay or compensatory time through notification to the Library Director prior to working such overtime. The compensatory time/extra pay option once chosen may not be altered without the approval of the Library Director.
Non-exempt employees will receive one and one-half hours of overtime compensation for each hour worked in excess of forty hours (40) in a weekly period. Occasional authorized extra work for any employee will be compensated at the regular hourly rate up to forty (40) hours per week. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation.

Compensating time off must be used in the same year it is accrued, unless the time accrues in December of that year, in which case the employee must use that particular accrued time by the end of January in the following year. Every effort will be made to grant compensatory leave within two (2) months of the time the extra work was performed.

4.3 HEALTH INSURANCE POLICY
The Library currently provides access to health insurance for all full time (35 hours per week) employees and their eligible dependents. The Library provides a coverage plan under a Point of Service (POS) managed care plan provided by the carrier of the Borough’s choosing. The Rutherford Public Library reserves the right to change provider networks, claims agents, and insurance mechanisms (fully insured versus health insurance fund, e.g.). The complete benefit plan is on file in the Borough Clerk’s office and a Summary Plan Description is provided to all employees. Employees covered before the 15th day of the calendar month are eligible for coverage the first day of the second month from the date of employment. Employees hired after the 15th day of the calendar month will not be eligible for coverage until the first day of the third month of employment.

Health insurance coverage for employees on a leave of absence or who cease Rutherford Public Library employment will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on military leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Services Act for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of COBRA rights upon being hired. For more information, consult the Plan Document.

4.4 DENTAL BENEFITS POLICY
The Rutherford Public Library provides dental benefits, administered by Delta Dental/BMED and Healthplex. Specific coverages and benefits are detailed in the Plan Document.

4.5 DRUG PRESCRIPTION BENEFIT POLICY
The Rutherford Public Library provides prescription benefits, administered by the BMED. Specific coverages and benefits are detailed in the Plan Document.
4.6 RETIREMENT POLICY
Under State law, all employees must enroll in the New Jersey Public Retirement System. The employee’s contribution to the Plan will be deducted from the employee’s pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the Library Director in writing.

The State retirement plans request six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement.

4.7 WORKER’S COMPENSATION POLICY
Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Rutherford Public Library covers workers compensation benefits through its membership in the South Bergen Municipal Joint Insurance Fund (JIF). Any occupational injury or illness must be immediately reported to the supervisor and Library Director. All required medical treatment must be performed by a Workers Compensation Physician appointed by the JIF and the Rutherford Public Library and payment for unauthorized medical treatment may not be covered pursuant to the Act.

4.8 JOB ENRICHMENT & STAFF DEVELOPMENT POLICY
The Library encourages staff participation in professional associations. The attendance at professional workshops, meetings and seminars at which staff members learn and also contribute must be approved in advance by the Director. Attendance at such professional meetings is "working time" with limits set by the Director based on the scheduling and staffing needs of the Library.

Registration and other expenses may be paid for by the Library depending on available funds. Requests for reimbursement should be made in writing to the Director, accompanied by official receipts for expenses when possible. An effort is made by the Director to rotate attendance at meetings among staff members so that all departments are represented and afforded professional enrichment opportunities.

The Library offers in-house training and update sessions to employees so that all may have a better understanding of the Library’s functioning.

4.9 FLEXIBLE SPENDING ACCOUNT POLICY
In accordance with the provisions set forth in P.L. 2011 – Chapter 78, the Borough has established a Flexible Spending Account in accordance with the provisions of Section 125 of the Internal Revenue Service regulations, and Library employees have access to this program. An employee wishing to participate should see the CFO and/or Finance Department for specific information.
4.10 STAFF ROOM
A staff area is provided for the comfort and convenience of all staff members. Light meals may be prepared and eaten there. Staff members are expected to cooperate in sharing these facilities and in keeping this area neat and clean.
SECTION FIVE: MANAGEMENT AND SUPERVISORY POLICY

5.1 EMPLOYMENT POLICY

(a) RECRUITMENT

The authority and responsibility for the selection and appointment of the Director rests with the Board of Trustees. The Director, conforming to the Equal Opportunity and Affirmative Action plans of the Library, recruits and recommends to the Board of Trustees individuals to be hired.

The Library Director coordinates the employment recruitment process for all vacancies to ensure compliance with contractual, legal, Civil Service and equal opportunity requirements. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Rutherford Public Library is an equal opportunity employer.

(b) PHYSICAL EXAMINATION OF EMPLOYEES

Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Library Director or Board of Trustees may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Library Director may require periodic physical examinations to determine the employee’s continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Library at the expense of the Library. All medical records of employees and prospective employees are confidential and are to be maintained by the Library Director separate from the employee’s official personnel file. Medical exams may include tests for drug and alcohol use.

(c) APPOINTMENT

Appointments will be made based on the merit and fitness of candidates in accordance with New Jersey Department of Personnel rules and regulations where applicable, and with EEO policies. First consideration is given to present employees in good standing when an opening occurs. The Board of Trustees, acting on the Director’s recommendation, makes the final employment decision.

(d) JOB OFFERS

The final decision will be made by the Governing Body and Borough Administrator after all references and other information have been verified.
Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Rutherford Public Library.

(e) EMPLOYABILITY PROOF

After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.

(f) RECORD RETENTION

All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Library Director. Documents related to the successful candidate will be placed in the employee’s official personnel file except medical records including physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

5.2 NEPOTISM POLICY

The Library will not hire or knowingly allow the simultaneous employment of two or more immediate relatives. Nepotism situations include, but are not limited to: (A) staffing, (B) contracted services, (C) auditing, and (D) other situations which might fairly represent a conflict of interest.

Unless otherwise provided by law, immediate relatives shall not be hired, promoted or transferred to a regular full-time or regular part-time position where:

- One relative would have the authority to appoint, remove, discipline or evaluate the performance of the other;
- One relative would be responsible for auditing the work of the other; or
- Other circumstances exist that place the relatives in a situation of actual or reasonably foreseeable conflict of interest.

For the purpose of this policy, “immediate relative” includes spouse, domestic partner or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage.
5.3 OPEN PUBLIC MEETINGS ACT
Discussions by the Rutherford Public Library Board of Trustees concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective employee shall be in closed session with the right of the employee to be present, unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the Library Board of Trustees concerning such matters, the Library Director shall notify the affected person(s) in writing of the meeting date, time and place, the matters to be discussed and the person’s right to request that the discussion occur in open session. This letter is commonly referred to as a “Rice” letter. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session.

5.4 PERFORMANCE EVALUATION
The purpose of performance evaluation is to help employees make progress in their work and learn where they stand in their job performance. Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, ongoing basis.

Evaluations are prepared by the employee's immediate supervisor in consultation with the Library Director. Performance reviews may be accompanied by a personal conference with the supervisor and the Library Director in which the employee may examine the review and have an opportunity to ask questions or make comments. The employee will be asked to sign the evaluation form.

Disagreement with the performance rating, or parts thereof, may be voiced and objections to an unfavorable rating may be expressed in writing to the Director within thirty (30) days. Any timely written statement by the employee will become a part of the employee's personnel folder along with the evaluation form. The employer reserves the right to terminate employment with or without cause regardless of the content of any job evaluation(s).