

BROOKLINE PUBLIC LIBRARY

July 31, 2024

Approved August 14, 2024

Employee Handbook

Change History iii

1. Purpose4

2. Employment Authority.....4

 2.1. Employment Categories.....5

 2.2. Job Posting.....5

 2.3. Employment Applications.....6

 2.4. Job Candidate Review Process6

 2.5. Equal Employment Opportunity7

 2.6. Personnel Data Changes.....7

 2.7. Annual Performance Evaluation.....8

3. Timekeeping and Payroll.....8

 3.1. Timekeeping.....8

 3.2. Pay Periods.....8

 3.3. Hours of Work8

 3.4. Overtime.....9

 3.5. Attendance and Punctuality9

 3.6. Administrative Pay Corrections10

 3.7. Pay Deductions and Setoffs10

 3.8. Weather Emergencies10

4. Benefits.....11

 4.1. Description of Benefits11

 4.2. Eligibility for Benefits11

 4.3. Vacations.....11

 4.4. Holidays13

 4.5. Sick Days13

 4.6. Continuing Education14

 4.7. Family and Medical Leave (FMLA).....14

 4.8. Discretionary Leave17

 4.9. Military Leave (USERRA)18

 4.10. Leave of Absence for Victims of Crime20

 4.11. Bereavement Leave.....21

 4.12. Jury Duty.....21

 4.13. New Hampshire Library Association.....21

 4.14. Retirement Benefits.....21

 4.15. Worker’s Compensation Insurance.....21

 4.16. Health Insurance22

 4.17. Dental Plan.....23

5. Workplace Policies.....24

 5.1. Reimbursable Expenses24

 5.2. Immigration Law Compliance25

 5.3. Policy Against Harassment25

 5.4. Whistleblowers Policy28

 5.5. Workplace Violence Policy29

6. STANDARDS OF CONDUCT.....33

 6.1. Description of Standards of Conduct.....33

 6.2. Disciplinary Procedures34

7. Separation from Employment36

Change History

Date	Description/Summary of Changes
31-May-2005	Word-formatted document
28-Jun-2005	Cover-to-cover editing
19-Jul-2005	Adopted by Board of Library Trustees
6-Dec-2005	Amended vacation pp. 8-9; added health insurance p. 12
14-Nov-2006	Amended health insurance wording p. 12
6-May-2008	Amended salary compensation plan, staff development, and sick leave. Added job posting, candidate review process, annual performance review, volunteers, and grievances.
28-June-2009	Added telephone policy & revised pay period
22 July-2009	Added Clerk I & Clerk II positions
05-April-2011	Added Fitness for Duty form
01-May-2012	Annual Review
05-June-2012	Update health insurance payment policy
06-May-2014	Updated PT hour status p. 7 Update job posting and application criteria pp. 7/8 Remove pay grade delineations p. 11 Add sections to NHLA membership p. 16 Amend No Smoking rule p. 19
17-Mar-2017	Modified Health Insurance Benefit to follow same contribution percentages as the Town
27-Dec-2021	Removed 3.1 Compensation Plan, removed Job Description Section from Appendix, prepared to remove Volunteer Section from handbook and to make that a separate policy, added sections from Town Handbook on FMLA, Maternity Leave, Personal Leave and Military Leave.
31-Jul-2024	Cover-to-cover editing

1. Purpose

This Employee Handbook applies to all employees of the Brookline Public Library. The terms “BPL”, “the Library”, or “Brookline Public Library”, for the purposes of this handbook maybe used interchangeably.

This handbook is intended to provide an overview of Library policies and procedures, as well as the expectations for all library employees. Nothing in this handbook nor in any other written or unwritten policies or practices of the Library creates, or is intended to create, an express or implied contract, covenant, promise, or representation between the Library and the employee.

The Library reserves the exclusive right to add, change, withdraw or revoke any or all policies or practices at any time for any reason, without notice but ensuring consistency with New Hampshire and federal law. The Board of Library Trustees have the right to vote and pass any changes to this handbook.

This Employee Handbook supersedes and replaces any and all previous handbook, policies, procedures, or practices, oral and written statements of the Library. Note that this handbook does not cover every situation that can arise in the workplace. Employees are responsible for knowing its contents and using it as a guide. Finally, when specific benefit plans conflict with this employee handbook, the benefit document will prevail.

Employees should feel free to discuss the contents of this handbook with the Library Director or Board of Library Trustees.

2. Employment Authority

New Hampshire RSA 202-A:2 defines a Board of Library Trustees as the governing body of a library, not the Board of Selectmen. In turn, Library employees are not considered Brookline town employees. The terms “Board of Library Trustees,” “Library Trustees,” or “Trustees”, for the purposes of this handbook may be used interchangeably to describe the governing body of the Library as defined in New Hampshire RSA 202-A:2

The term “Library Director” or “Director” for the purposes of this handbook is defined as an individual, who by statute and/or authority by the Trustees, is responsible for the overall operation of the Library. This individual may adopt, subject to approval by the Trustees, rules and regulations for the operation of the Library in addition to policies in this handbook, and has the authority to recommend hiring, promotion and termination of employees to the hiring authority.

Consistent with NH RSA 202-A:15 and RSA 202-A:17, the Board of Library Trustees shall appoint the Library Director and, in consultation with the Library Director, all other employees of the library. The Library Director shall be appointed by the Board of Library Trustees for a term of office agreed to at the time of employment and may serve until a successor is appointed and qualified. Therefore, unless otherwise specifically noted in

this policy or by statute, the Library Trustees shall be considered the hiring authority for the Library for all positions including part-time, full-time, and temporary personnel.

2.1. Employment Categories

It is the intent of the Brookline Public Library to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Exempt or Non-Exempt Employees: Each employee is designated as either “non-exempt” or “exempt” from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. An employee’s exempt or non-exempt classification may be changed only upon written notification by the Board of Library Trustees.

Each employee also belongs to one of the employment categories listed below:

Full-time Employee: One who works for the Brookline Public Library between 35 and 40 hours per week on a regular basis.

Part-time Employee: One who works for the Brookline Public Library less than 35 hours per week on a regular basis. The percentage of FT contemplated for each position will be determined by the Board of Library Trustees and included in the offer letter for the employee. From time to time, with the approval of the Library Director, employees may work more hours than contemplated for their position.

Temporary Employee: One who works for the Brookline Public Library on an interim basis to temporarily supplement the workforce, including on call Library Substitute workers. Hours of work will be as assigned and may be less than the standard work week.

2.2. Job Posting

In House: Whenever a vacancy for a part-time or full-time position is to be filled, the Library Director, or in the case of a Library Director vacancy, the Library Trustees, shall post an in-house notice for a period of not less than 5 working days. The notice shall include the following: the job title of the position; the closing date for applying; the number of hours regularly worked per week; whether the position is exempt or non-exempt; whether the position is part-time or full-time; the location of the position; the minimum qualifications; where to obtain and submit applications; and the name and telephone number of the person to contact for further information.

The purpose for posting the position in-house for a period of 5 working days shall be to allow in-house employees to apply for a vacant position. The in-house posting shall be on a designated bulletin board or boards accessible to all in-house employees and all vacancy notices shall always be posted in the same designated place or places. Nothing

restricts the Board of Trustees from posting the position outside after the 5 days or from hiring an outside candidate regardless of whether there are internal applicants.

Public or Outside Posting: Following the internal posting of any open position for five days, the Library Director or Library Trustees may post the position externally, regardless of whether there are interested internal candidates.

Each vacancy advertisement shall provide the following information: the job title of the position; the closing date for applying; the number of hours regularly worked per week; whether the position is exempt or non-exempt; whether the position is part-time or full-time; the location of the position; the minimum qualifications; where to obtain and submit applications; and the name and telephone number of the person to contact for further information.

2.3. Employment Applications

All persons applying for an open position shall submit a resume, including references. All final candidates must sign a release for a criminal background check. The Brookline Public Library relies upon the accuracy of information contained therein, as well as the accuracy of other data presented throughout the hiring process and employment. Any falsifications, misrepresentations or material omissions in information or data may result in the Library's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

2.4. Job Candidate Review Process

The Board of Library Trustees is the entity responsible for all hiring decisions.

For all positions other than the Library Director, the Library Director shall review all applications for employment received by the posted deadlines and determine if the minimum job requirements are met. Candidates who meet the job requirements may be interviewed by the Library Director. The most qualified candidate(s) for the position, in the opinion of the Library Director, shall be selected from those interviewed and recommended for hiring by the Library Trustees. The Library Director will check candidate references prior making recommendation to the Library Trustees.

In the absence of a Library Director, non-exempt positions will be filled by the Board of Library Trustees, who shall review all applications for employment received by the posted deadlines and determine if the minimum job requirements are met. Candidates who meet the job requirements may be interviewed by the Board of Library Trustees or their designee(s). The most qualified candidate(s) for the position, in the opinion of the Board of Library Trustees or their designee(s), shall be selected from those interviewed and recommended for hiring by the Board of Library Trustees. The Board of Library Trustees or their designee(s) will check candidate references prior making recommendation to the Library Trustees.

The Library Director position will be filled by the Board of Library Trustees, who shall convene a Library Director Selection Committee to review all applications for the Library Director position received by the posted deadlines. The Library Director Selection Committee shall determine if the minimum job requirements are met for each candidate, review candidate qualifications and select candidates to be interviewed. The Library Director Selection Committee will select the most qualified candidate(s) for the position in their opinion to forward to the Library Trustees for final interview(s). The Library Director Selection Committee will check candidate references prior making recommendation(s) to the Library Trustees. The Board of Library Trustees will make the decision on a final candidate.

Following approval by the Board of Library Trustees, an offer will be made to the chosen candidate. The offer letter will include the position and starting salary as well as work hours. All offers are contingent on the successful completion of a criminal background check, confirmation of eligibility to work, and a negotiated contract. Candidates who were not selected will receive a letter informing them of the Board of Library Trustees' decision.

2.5. Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Library shall be based on merit, qualifications, and abilities. The Library does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, disability, gender identification, sexual orientation, age, marital status, or any other classification protected by law.

The Library will make reasonable accommodations for qualified individuals in compliance with the Americans with Disabilities Act, as amended. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the Library Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination shall be subject to disciplinary action, up to and including termination of employment.

2.6. Personnel Data Changes

It is the responsibility of each employee to promptly notify the Library Director of the Brookline Public Library of any changes in personnel data. Personal mailing addresses, email addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

2.7. Annual Performance Evaluation

Each employee's performance will be reviewed on a continual basis by the Library Director. An initial performance evaluation will be performed ninety (90) days after beginning work for the Library. In addition, an annual performance evaluation will be conducted each September by the employee's immediate supervisor or the Library Director.

All performance evaluations are to be signed by the employee, the employee's supervisor, and the Library Director and placed in the employee's file.

The Library Director's performance review shall be the responsibility of the Board of Library Trustees.

3. Timekeeping and Payroll

3.1. Timekeeping

Accurately recording time worked is the responsibility of every Library employee. Federal and state laws require the Library to keep an accurate record of time worked in order to properly calculate employee pay and benefits.

All employees must use the current timekeeping system, as determined by the Library Director, to accurately record the time they begin and end work, as well as the beginning and ending time of each meal period. They must also record the beginning and ending time of any split shift or departure from work for personal reasons. Timekeeping records should be completed daily. After reviewing the timekeeping records and resolving any discrepancies, your supervisor will approve the timekeeping records and forward it to the Library Director for final review and payroll processing. Altering, falsifying, tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. It is the employee's responsibility to certify the accuracy of all time recorded.

3.2. Pay Periods

The Library uses a bi-weekly pay period. The 14-day pay period commences at 12:01 a.m. on Sunday and ends at midnight (12:00 a.m.) on the second Saturday following. Library employees will receive their paychecks on the Wednesday following the pay period end date. Please review your paycheck for errors. If you find a mistake, report it to your supervisor immediately. Employees may have pay directly deposited into their bank accounts at no charge if they provide advance written authorization to the Library Director.

3.3. Hours of Work

A normal work week shall not exceed forty (40) hours except with prior permission by the Library Director. Work schedules/times are based on the Library's hours of operation and service needs. All schedules are subject to change. Employees should not start work before their scheduled start time or work beyond their accustomed ending time without

prior approval of the Library Director.

Employees shall receive a meal period of not less than thirty (30) minutes for every shift over five (5) hours. Unless otherwise dictated by the requirements of the position, meal periods shall not be considered paid working time. As defined in RSA 275:30-a, employees may waive a lunch or eating period or eat during the performance of their work by noting in their daily time record a “Request to Waive Meal Period.” Supervisors may schedule meal periods so as not to interfere with delivery of Library services.

Employees are allowed to take one (1) paid rest period of fifteen (15) minutes for each four (4) consecutive hours of working time. Such rest periods shall be taken, as practical, subject to scheduling by the employee’s supervisor. Rest periods are to be taken in such a manner that the normal delivery of Library services will not be interrupted.

Rest periods or lunch hours not taken do not accumulate and will not be credited towards leave time, or for the purpose of shortening the departure from the normal workday except in extenuating circumstances and approved by the Library Director.

3.4. Overtime

Overtime work must be approved by the Library Director before it is performed.

Hourly (non-exempt) Employees: Overtime pay will be paid for all hours over forty (40) actually worked within one forty (40) hour work week. Holidays and the use of accrued paid leave do not count as hours actually worked for the purpose of over time.

Overtime pay will be paid at the rate of 1.5 times the established wage rate.

Salaried Employees: No overtime is paid.

3.5. Attendance and Punctuality

To maintain a safe and productive work environment, the Brookline Public Library expects employees to be reliable and punctual in reporting for scheduled work.

In the case when an employee cannot avoid being late to work, or is unable to work as scheduled, they should notify the Library Director as soon as possible in advance of the anticipated tardiness or absence. Tardiness is defined as reporting to work late at the beginning of the work shift, leaving early, or returning late from a rest break or meal break.

Remote work may be approved by the Library Director on a case-by-case basis. Remote work for the Library Director may be approved by the Chairperson of the Board of Library Trustees or their designee.

Poor attendance and excessive tardiness may lead to disciplinary action, up to and including termination of employment.

3.6. Administrative Pay Corrections

The Brookline Public Library takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly. In the event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Library Director so that corrections can be made as quickly as possible.

3.7. Pay Deductions and Setoffs

The law requires that the Brookline Public Library make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The Library must also deduct Social Security and Medicare taxes on each employee's earnings according to federal law. The Library matches the amount of Social Security and Medicare taxes paid by each employee according to federal law.

The New Hampshire Retirement System requires that eligible employee's contributions be deducted from each employee's earnings. The Library makes contributions to the New Hampshire Retirement System for covered employees, as required by the New Hampshire Retirement System.

Pay setoffs are voluntary pay deductions taken by the Library usually to help pay off a debt or obligation to the Library or others. Deduction from an employees pay for pay set offs or voluntary deductions must be approved in writing by the employee.

Questions concerning deductions from an employee's paycheck should be directed to the Library Director or the Treasurer of the Board of Library Trustees.

3.8. Weather Emergencies

In order to fulfill its mission of public service the Library will make every reasonable effort to open to the public as scheduled. , However, inclement weather can cause transportation problems or locally hazardous conditions, including power outages. At times when the weather becomes hazardous to the health and/or safety of the public and/or library employees the Library Director will determine if the Library will close, delay opening or close ahead of schedule. In making these determinizations the Library Director will take into consideration, national and state weather service advisories , condition of the roads, walkways and parking lot(s), as well as whether the Brookline School District has called a closure. In the absence of the Library Director, the Librarian in Charge will render the decision.

If the Library remains closed for an entire day for any emergency situation, all employees scheduled to work that day will be paid for the number of hours they were scheduled to work. If an emergency requires the Library closing early, employees will be paid for any remaining hours scheduled. If the Library opens late due to an emergency situation, scheduled employees who report to work at the new opening time or whose entire shift is scheduled during the closure will be paid for regular scheduled hours for that day.

If the Library does not close but an employee determines they do not feel safe coming to work, they may elect not to come in but are required to:

1. notify the Library Director as soon as possible;
2. use any accrued vacation for all scheduled hours missed. If they do not have any accrued time available, the missed hours will be unpaid.

4. Benefits

4.1. Description of Benefits

The Library offers the following benefits to all eligible employees: vacation time, sick time, Retirement Benefits, participation in continuing education events, and participation in group medical and dental insurance.

4.2. Eligibility for Benefits

Full-time Employees: Full-time employees are eligible for all benefits offered by the Brookline Public Library from the time of hire and after any applicable waiting period.

Part-time Employees: All benefits offered by the Brookline Public Library, except New Hampshire Retirement System and paid health benefits from the time of hire and after any applicable waiting period.

Temporary Employees: All legally mandated benefits, e.g., Social Security, Medicare, and Worker's Compensation insurance.

All employees are eligible for the Employee Assistance Program through the Town of Brookline.

4.3. Vacations

The purpose of vacation time is to permit employees to take time off without losing pay and to pay an employee during necessary absences. Whenever possible, the employee shall advise the Library Director at least three (3) weeks in advance of the intended date(s) they will be absent. Vacation time may be taken at any time during the year.

All full-time and part-time employees of the Library are entitled to vacation from the time of hire. Temporary employees are not entitled to vacation.

For the purposes of computing the vacation benefit, a week is defined as the number of hours an employee is regularly scheduled to work each week at the time of hire or adjustment. The following schedule of accrual will apply:

Up through and including five (5) years of service: All eligible employees of the Library shall be entitled to two weeks of paid vacation each year.

After five (5) years of service through ten (10) years of service: Upon completion of 5 years of service, starting on the month following the hiring date, an eligible employee shall be entitled to three weeks of paid vacation each year.

After ten (10) years of service: Upon completion of 10 years of service, starting on the month following the hiring date, an eligible employee shall be entitled to four weeks of paid vacation each year.

For the purposes of computing the vacation benefit, a week is defined as the number of hours an employee is regularly scheduled to work each week at the time of hire or adjustment.

Vacation accrues uniformly over the course of each calendar year into each eligible employee's account. An employee's vacation allotment is made on January 1st of each year based on the full years of service completed on that date, except for the first year of employment when they will receive a prorated amount. The vacation allotment is not adjusted at the anniversary date of the start date. Up to one week (as defined above) of vacation accrued in an employee's account may be carried over from one calendar year to the next.

When an employee takes vacation the amount of available vacation is calculated as the sum of unused vacation in the employee's account and vacation which has yet to be earned in the current calendar year. Vacation time must be taken in increments of 15 minutes or greater.

Upon termination of employment, the departing employee shall receive payment for unused accrued vacation pay at their then-current pay rate.

4.4. Holidays

The Library observes ten (10) holidays as noted below. Full-time employees also receive one floating holiday, which may be taken at the employee's choice. Employees are paid for those holidays that fall on the employee's regularly scheduled workday. All full-time and part-time employees are eligible for holiday pay. Temporary employees are not eligible for holiday pay.

Standard Holidays

- January 1 – New Years Day
- 3rd Monday in January – Martin Luther King Day
- 3rd Monday in February – Presidents' Day
- Last Monday in May – Memorial Day
- July 4 – Independence Day
- First Monday in September – Labor Day
- November 11 – Veterans' Day
- 3rd Thursday in November – Thanksgiving
- 3rd Friday in November – Day after Thanksgiving
- December 25 – Christmas Day

4.5. Sick Days

The equivalent of one (1) week of non-cumulative sick days shall be granted each year to all full-time and part-time employees. Temporary employees are not eligible for sick days.

For the purposes of computing the sick days benefit, a week is defined as the number of hours an employee is regularly scheduled to work each week as currently scheduled.

Sick days accrue uniformly over the course of each year into each eligible employee's account. When an employee takes a sick day the amount of available sick days is calculated as the sum of unused sick days in the employee's account and sick days which have yet to be earned in the current calendar year. Sick days may not be carried over from year to year. Sick time must be taken in increments of 15 minutes or greater.

Employees will not be paid for sick time involving work-related injuries or disabilities covered by Workers' Compensation. Sick pay is calculated by multiplying the employee's regular hourly rate by the number of hours normally worked on the day of the week the employee takes a sick day. Sick time may be taken in hourly increments. Employees receive their full annual sick time on January 1st of each year. based on the table below:

Upon termination of employment, the departing employee shall receive no payment for unused sick days.

4.6. Continuing Education

All employees are entitled to receive sufficient job-related training to enable them to successfully perform their required tasks. This training may include conferences, workshops, seminars, courses, and in-house activities. Any employee may propose additional training opportunities to the Library Director. The Library Director may propose additional training opportunities to the Board of Library Trustees.

The employee will be paid at their regular rate for time spent at continuing education events, including travel time. Time spent at continuing education events is part of the employee's scheduled weekly hours.

Upon completion of the continuing education event, the employee must provide an oral or written summary of the event to the Library Director to share learnings across library employees.

4.7. Family and Medical Leave (FMLA)

Eligibility

Employees who have been employed with the Brookline Library for at least twelve (12) months and who have worked or will work at least 1,250 hours (24 hours per week) during the twelve- (12) month period prior to the beginning of a requested leave may be eligible for Family Medical Leave Act (FMLA) leave, if the reason for the requested leave is one of the following:

- To care for an employee's child (see Note) within the first year after birth or placement for adoption or foster care;
- To care for an employee's immediate family member with a serious health condition;
- When a serious health condition makes an employee unable to do their job;
- To care for a seriously ill related service member (up to 26 weeks in any one 12-month period); or
- "Exigent" circumstances in association with a related service member's deployment.

Note: A "son or daughter" is defined by the FMLA regulations as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence.

Requesting/Designation of FMLA Leave and Medical Certification

When the reason for leave is foreseeable, a written request must be submitted to the Library Director at least thirty (30) days prior to the intended date upon which the leave will begin. If the need for leave is not foreseeable, the request must be made at the earliest time possible.

An FMLA leave request must include the anticipated start and end dates of the absence and a brief description of the circumstances giving rise to the request.

The leave request must be accompanied by a certification from a health care provider of the need for leave. Employees may also be asked to provide other verifying documentation (e.g. certification of foster child placement or adoption, or physician’s certification when an employee is needed to care for a family member, certification of a call to active duty).

Eligibility/Calculating FMLA Leave Time Availability

The Brookline Public Library uses a “rolling” year for FMLA purposes, which is measured backwards from the requested leave date. This means that an otherwise eligible employee will be entitled to twelve weeks of FMLA leave, minus any FMLA leave that they utilized in the previous 12 months prior to that date.

Employees who would like further information regarding their eligibility for FMLA leave and how it is calculated may direct their questions to the Library Director.

Re-certification

An employee who is out on FMLA leave may be required to provide additional reports regarding their status and intent to return to work, as well as recertification(s) from a health care provider as to the status of condition, verification of inability to perform job functions and the need for a continued FMLA leave of absence.

Pay, Use of Paid Time Off, Benefits Continuation During FMLA Leave

FMLA leave is unpaid. However, if FMLA leave is due to an employee’s own serious medical condition, the employee may be entitled to Workers' Compensation or disability benefits. Employees should contact the Library Director for information and claims forms if applicable.

To the extent FMLA leave does not qualify for Workers’ Compensation or disability benefits, the employee will be required to use any available paid time off (which will be counted toward an employee’s total FMLA leave entitlement) until all such time is exhausted. After that, the remainder of the FMLA leave will be unpaid. An employee whose FMLA leave is intermittent and does not qualify for disability or Workers’ Compensation benefits will be required to use available paid time off until all such time is exhausted.

Health insurance benefits will be maintained during an approved FMLA leave. Once leave is unpaid, the employee will continue to be responsible for their portion of the insurance premium and must make arrangements with the Library Director to remit payments on a biweekly basis. An employee who does not return to work at the expiration of leave will be asked to reimburse the Brookline Public Library for the health insurance premiums paid during their leave, as permitted under federal law.

Employees will receive holiday pay for those holidays that are observed during their absence.

FMLA need not be taken all at once, however, consistent with the Library's policy on use of sick leave, FMLA cannot be taken in increments of less than 15 minutes.

Expiration of FMLA Leave/Return to Work:

Upon the expiration of any FMLA leave, the employee must return to work or have been granted an extension of leave by the Library Director. Employees should contact the Library Director seven days before the expiration of their leave regarding their intention to return to work.

Employees on FMLA leave because of their own injury or illness will not be permitted to return to work without a work release from their physician and the employee must be cleared through the Library Director before they return to work.

At the expiration of an employee's FMLA leave, the employee will be returned to their same or an equivalent position unless the employee would not otherwise have been employed at the time reinstatement is requested, for example, they would have been laid-off during the FMLA leave period.

Employees, who, after having exhausted their FMLA leave entitlement, are unable to return to work; or who cannot be returned to their former or equivalent position; or, have not been granted an extension of their leave of absence, may be separated from employment. Should this occur, however, the employee remains eligible to apply for any available positions for which they are qualified.

Intermittent FMLA Leave:

An eligible employee may take FMLA leave in 12 consecutive weeks or intermittently for a total of 12 workweeks. Intermittent leave can take the form of days or weeks taken periodically or a reduced workweek or workday or a combination thereof.

If an alternative position would better accommodate an intermittent leave schedule, the Brookline Public Library may temporarily transfer an employee to an available position.

If the employee is to remain in their pre-leave position while on intermittent leave, the employee must make all reasonable efforts to arrange their schedule so that it causes as little disruption as possible. The employee and their supervisor or the Library Director should discuss the employee's need for intermittent leave and reach an agreed-upon schedule. Depending on the needs of the department, the schedule of an employee on intermittent leave may be revised in accordance with their, or a family member's, physician-imposed leave requirements.

Employees will be paid for hours worked and must use available Paid Time Off as described above.

Service Member Family and Medical Leave:

Eligible employees are entitled to take leave for a covered family member's service in the Armed Forces as outlined below. Eligibility, health coverage continuation, pay and reinstatement rights are the same as those described above.

A covered family member's active duty or call to active duty in the Armed Forces:

An otherwise FMLA-eligible employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. Such reasons include helping the family member prepare for departure or caring for children of the service member. Leave may begin as soon as the individual receives the call-up notice. Son/daughter for this type of FMLA leave is the same as child for other types of FMLA leave, except that the child does not have to be a minor.

This type of leave will be counted toward the employee's total 12-week FMLA leave entitlement in any rolling 12-month period.

To care for an injured/ill service member:

An employee whose spouse, son, daughter, parent or next-of-kin is injured or recovering from an illness/injury sustained while on active military duty and who is unable to perform the duties of their office, grade rank or rating may take up to 26 weeks in any rolling 12-month period. Next-of-kin is defined as the closest blood relative of an injured or recovering service member. An employee is also eligible for this type of leave when the family service member is on the temporary disability/retired list.

Employees requesting this type of service member leave must provide certification of the family member/next of kin's injury, recovery or need for care. This certification is not tied to the serious health condition certification under the other types of FMLA leave.

The total of 26 weeks of leave entitlement under this provision includes other types of FMLA leave. In other words, if an employee has exhausted the 12-week FMLA leave entitlement previously, they would only be entitled to an additional 14 weeks under this type of leave.

Any questions regarding the implementation of the FMLA policy should be directed to the Library Director.

4.8. Discretionary Leave

The Brookline Public Library recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies. A personal leave of absence may be granted at the sole discretion of the Trustees to employees who have exhausted their leave available under our other leave policies, including vacation, sick, and FMLA. It is only granted for compelling reasons.

Personal leaves of absence will be unpaid, and an employee on an unpaid personal leave of absence is not entitled to accrue any benefits, including, but not limited to, holidays, vacation time, sick leave, and personal days.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements with the Library Director to pay the entire amount of the appropriate monthly premium in advance each month.

At the expiration of an employee's personal leave of absence, the Library will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. Please understand that we cannot guarantee reinstatement from a personal leave.

Discretionary leave is not protected leave and there is no guaranteed right to receive discretionary leave or to return to the same or comparable position.

If the Brookline Public Library is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from their employment with the Brookline Public Library.

4.9. Military Leave (USERRA)

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as "uniformed services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act ("USERRA") and any applicable state laws.

National Guard and military leave is granted in accordance with the requirements of State and Federal law. Employees who attend authorized military training (up to two weeks), shall receive the difference between their regular rate of pay and the rate of pay received from the military if the regular rate of pay exceeds the military compensation. To receive the employer's share, employees must submit proof of military wages received. Employee must submit a copy of their forwarded to the Library Director for processing.

Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make the Library Director aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least thirty (30) days before the leave begins when it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by the Library Director on a case-by-case basis, and in accordance with any applicable law.

Health Coverage: If a military leave lasts less than thirty-one (31) days, the employee's health insurance will be continued, and the employee will pay his/her regular contribution for the cost of health insurance. Payment for insurance with less than thirty-one (31) days leave may be paid in advance or upon return through payroll deductions.

If a military leave lasts thirty-one (31) days or more, then the employee's health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage at his or her own expense for up to twenty-four (24) months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium, and a 2% administrative fee may also be charged.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave.

Pension: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals but is not required to do so.

Reinstatement: Employees wishing to be reinstated following military leave should promptly notify the Library Director of their desire to be reinstated. If the leave is for service of less than thirty-one (31) days, then the employee should return to work on the first full regularly scheduled workday following completion of service, allowing for twenty-four (24) hours of rest and time for safe transportation back from the service. If the service lasts thirty-one (31) to one hundred eighty (180) days, then the employee should notify the Library Director of the desire for reinstatement within fourteen (14) days of completing service. If the military leave lasts more than 180 days, then the employee should notify the Library Director of the desire for reinstatement within ninety (90) days of completing service.

Brookline Public Library will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Brookline Public Library will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

Statement Against Discrimination and Retaliation: The Brookline Public Library will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual’s service in the United States uniformed services. The Brookline Public Library also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to the Library Director.

4.10. Leave of Absence for Victims of Crime

The New Hampshire Crime Victim Employment Leave Act, N.H. RSA 275:61 became effective on January 1, 2006. The Brookline Public Library complies with this law.

Definitions: For purposes of this policy:

“Crime” means an offense designated by law as a felony or a misdemeanor. “Victim” means any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or the attempted commission of a crime. “Victim” also includes the immediate family of any victim who is a minor or who is incompetent, or the immediate family of a homicide victim. “Immediate family” means the father, mother, stepparent, child, stepchild, sibling, spouse (including civil union partner), grandparent, or legal guardian of the victim; or any person involved in an intimate relationship and residing in the same household with the victim.

Right to Leave Work: The Library will permit an employee who is a victim of a crime to leave work so that the employee may attend court or other legal or investigative proceedings associated with the prosecution of the crime. This time will be considered an authorized unpaid leave of absence. The employee will not lose seniority while taking this leave.

No Discrimination: The Library will not discharge, threaten, or otherwise discriminate against any employee regarding the employee’s compensation, terms, conditions, location or privileges of employment because the employee has exercised his or her right to leave work as provided under this policy. Complaints of discrimination should immediately be brought to the attention of the Library Director. Complaints of discrimination will be investigated and, if appropriate, remedial action will be taken.

Substitution of Paid Leave: The employee must substitute any accrued vacation leave, personal leave and/or sick leave for any part of the unpaid leave provided for under this policy.

Limitations on Leave: The Library may limit the leave provided under this policy if the employee’s leave creates an undue hardship to the Library’s operations.

Notice Required: Before taking leave under this policy, the employee must provide the Library Director with a copy of the notice of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency responsible for providing notice to the employee. The Library will maintain the confidentiality of any written documents or records submitted by the employee relative to the employee's request for leave under this policy.

4.11. Bereavement Leave

In the event of death in the immediate family, all full-time and part-time employees shall be granted emergency leave, with pay, not to exceed one (1) week per occurrence without use of vacation or sick days. For the purpose of this section, immediate family shall be considered normally to include spouse, mother, father, mother-in-law, father-in-law, son, daughter, brother, sister, grandparents, and guardian. At the discretion of the Library Director, and for good cause, additional bereavement leave may be granted.

For the purposes of computing the bereavement leave benefit, a week is defined as the number of hours an employee is regularly scheduled to work each week at the time of hire or adjustment.

4.12. Jury Duty

In the event a full-time or part-time employee is legally obligated to serve as a juror, the employee shall be granted a leave of absence for such service. Employees who serve shall receive the difference between their regular rate of pay and the fee they receive from the court for their service as a juror. In order to qualify for this payment, the employee must first submit documentation verifying the amount of the court's payment.

For the purposes of computing the jury duty benefit, a week is defined as the number of hours an employee is regularly scheduled to work each week at the time of hire or adjustment.

4.13. New Hampshire Library Association

Membership in the New Hampshire Library Association (NHLA) and selected sections approved by the Library Director shall be paid for all full-time and part-time employees of the Library. Temporary employees are not eligible for Library-paid membership in the NHLA.

4.14. Retirement Benefits

The Brookline Public Library is a member of the New Hampshire Retirement System. All new full-time employees must enroll as a condition of employment. Part-time and temporary employees are not eligible to join the New Hampshire Retirement System.

4.15. Worker's Compensation Insurance

The Brookline Public Library, through the Town of Brookline, provides a comprehensive Worker's Compensation insurance program at no cost to employees. This program covers

any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Worker's Compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

If an employee is injured while on the job, the employee must report that injury to the Library Director immediately or as soon as practical for the purpose of filing a report of injury. Failure to file a timely report of injury and claim for coverage may result in a lack of coverage.

Neither the Brookline Public Library, the Town of Brookline, nor the insurance carrier will be liable for the payment of Worker's Compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Town or the Library.

- Employees are covered by Worker's Compensation as defined by statute while performing assigned duties.
- Employees who are injured during working hours shall file the necessary paperwork with the Library Director as soon as possible.
- All initial reports should be completed before the end of the workday, or not later than twenty-four (24) hours after the incident. (Forms are available from the Library Director or the Town Administrator)
- In the event that the injured employee is not able to make the report, the Library Director shall be responsible for submitting all required reports with all available information.
- The injured employee shall send or deliver, at the earliest possible time, any additional medical statements or information concerning their fitness to return to duty.

4.16. Health Insurance

Each full-time employee shall be entitled to elect to participate in the Town of Brookline group health insurance plan in effect at the time. Employees may elect single, two, or multi-person coverage as appropriate to their family status on a group policy. The Board of Library Trustees reserves sole discretion to determine the coverage and type of policy. The availability of this benefit shall be as approved by the Board of Library Trustees and subject to available funds as approved at the Annual Town Meeting.

Provided the Library is appropriated sufficient funds, it will contribute to the cost of coverage as follows: To assist employees with the cost of this insurance, the Library pays 80% of the premium for single, two-person, or family coverage for employees. The balance of the premium is paid by the employee through payroll deduction. The Board of Library Trustees may adjust these contribution amounts in the future at its discretion.

Employees shall inform the Library Director and/or Health Benefits Administrator of any changes in family status by the end of the month in which the change occurs.

Each full-time employee may “opt out” of health insurance coverage by the Library. If the employee opts out of the insurance, they will receive \$100 per pay period (\$2,600 per year) in lieu of health insurance.

Active part-time employees working a minimum of 17 1/2 hours on a regularly scheduled basis are allowed to purchase health insurance through the Library’s provider at the sole cost of the employee.

Elected Library Trustees currently serving on the Board are allowed to purchase health insurance through the Library’s provider at the sole cost of the Trustee.

Provided it is permitted by the Plan documents of the plan selected by the Library, a retired employee will be allowed to purchase health insurance through the Library’s provider at the sole cost of the retired employee.

Provided it is permitted by the Plan documents of the plan selected by the Library, a surviving spouse of a deceased retiree is allowed to purchase health insurance through the Library’s provider at the sole cost of the surviving spouse.

4.17. Dental Plan

The Library offers a dental insurance plan. Each Full-time employee shall be entitled to participate in the plan at their election. Employees may select single, two-person or family coverage as appropriate to their family status.

The coverage and type of policy shall be as approved by the Board of Library Trustees and subject to available funds as approved at the Annual Town Meeting.

Full-time employees are eligible for dental insurance as of the 1st of the month following their Start Date or promotion from temporary status.

To assist employees with the cost of this insurance, the Library currently pays 100% of the premium for single, two-person, or family coverage for employees. The Board of Library Trustees may adjust these contribution amounts in the future at its discretion.

Employees shall inform the Library Director and/or Health Benefits Administrator of any changes in family status by the end of the month in which the change occurs.

Active part-time employees working a minimum of 17 1/2 hours on a regularly scheduled basis are allowed to purchase dental insurance through the Library’s provider at the sole cost of the employee.

Elected Library Trustees currently serving on the Board are allowed to purchase dental insurance through the Library’s provider at the sole cost of the Trustee.

Provided it is permitted by the Plan documents of the plan in place at the time, a retired employee is allowed to purchase dental insurance through the Library’s provider at the sole cost of the retired employee.

Provided it is permitted by the Plan documents of the plan in place at the time, a surviving spouse of a deceased retiree is allowed to purchase dental insurance through the Library’s provider at the sole cost of the surviving spouse.

5. Workplace Policies

5.1. Reimbursable Expenses

With prior approval by the Library Director, legitimate expenses will be reimbursed by the Brookline Public Library to the employee. The employee must submit receipts containing an itemized list of purchases in order to be reimbursed. Reimbursement may be in the form of petty cash or a separate check. Employees must submit requests for reimbursement within 30 days of incurring the expense. See the Director, Treasurer of the Board of Library Trustees, or their designee with any questions as to whether and what expenses may be reimbursed. Library Director’s reimbursements must be approved by the Treasurer of the Board of Library Trustees or their designee.

The Library will pay up to 100% of the costs of any professional development training approved in advance by the Library Director. Such costs include reimbursement for registration fees, mileage, tolls, and parking. All costs for any professional development training not approved in advance by the Library Director or Board of Library Trustees are the employee’s responsibility and are not eligible for reimbursement. Fuel, meals, beverages, and snacks purchased will not be reimbursed.

Library Director’s professional development training must be approved by the Board of Library Trustees.

Employees should make reasonable efforts to minimize expenses associated with travel for Library business consistent with safety and circumstances; for example, by sharing vehicles where it is reasonable to do so, and to use the least expensive available mode of transport, route, etc.

Authorized travel expenses shall be reimbursed as follows:

- Personal vehicle mileage will be reimbursed at the then-current maximum rate per mile allowed by IRS regulations.
 - Allowable mileage claimed will be:
 - Actual round-trip mileage from Brookline Public Library to the venue.
 - Actual round-trip mileage from the employee’s home address, if travel originates from there, to the venue, minus the employee’s usual home to work round-trip commute mileage.
- Any tolls incurred may be claimed. Receipts required.

- Reasonable parking fees (using standard public parking facilities) may be claimed. Receipts required.

5.2. Immigration Law Compliance

The Brookline Public Library is committed to employing United States citizens and Lawful Permanent Residents or other lawfully present immigrants who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration and Reform Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Library within the past three years.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Library Director. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

5.3. Policy Against Harassment

Overview: The Brookline Public Library is committed to providing a work environment that is free of harassment based on sex, race, color, national origin, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, gender identity, and any other characteristic protected by applicable law. The Brookline Public Library recognizes the harmful effects of harassment and will not tolerate it.

The Brookline Public Library requires all employees to report violations of this policy. The Brookline Public Library will respond promptly to reports of harassment, and will take corrective and/or disciplinary action, as appropriate, in an effort to ensure that the goals of this policy are met. The Brookline Public Library will not tolerate any form of retaliation against any employee who reports harassment or who participates in an investigation of a report or harassment.

Examples of Prohibited Harassment: This policy prohibits offensive, intimidating, threatening, or otherwise unwelcome comments or conduct based on sex, race, color, national origin, religion, age, military, or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, or gender identity. Examples of prohibited conduct include, but are not limited to:

- Written or spoken derogatory terms about sex, race, color, national origin, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, or gender identity;
- Slurs and epithets;
- Unwelcome jokes;
- Insults;

- Threats of physical violence or harm to a person’s property;
- Display or circulation of materials, items, or images that are degrading or disparaging to individuals or groups based on the characteristics listed above; or
- Any other unwelcome conduct or comments directed at a person or group because of a particular protected characteristic (i.e. sex, race, age, etc.).

It is important to note that the types of conduct explained in this policy are prohibited regardless of the intent of the person(s) engaging in the conduct (i.e. to be intentionally offensive, a misguided attempt at humor, attempts at establishing a romantic relationship, etc.). Prohibited conduct includes conduct that is direct as well as indirect (e.g. overheard conversations, e-mail messages sent or forwarded by accident, etc.).

Specific Information About Sexual Harassment: The formal definition of sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal, physical, and non-physical conduct of a sexual nature when:

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

Less formally, the types of conduct prohibited by this policy cover a wide range of inappropriate behaviors including, but not limited to, the actual coercion of sexual relations, unwelcome comments, jokes, innuendoes, sexually suggestive materials, and other unwelcome sexually oriented actions.

While it is not possible to list all the types of conduct that might violate this policy, the following are some examples:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, vulgarity;
- Written or oral references to sexual conduct;
- Gossip regarding an individual’s sex life;
- Comments regarding an individual’s body;
- Comments about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons, electronic images;
- Leering, staring, whistling, grabbing, pinching;
- Sexual flirtation;
- Brushing against someone’s body;
- Sexual gestures;

- Suggestive or insulting comments;
- Inquiries into one’s sexual experiences; and
- Discussion of one’s sexual activities.

Individuals Covered by this Policy: This policy applies to all employees of the Brookline Public Library at every level. This policy also prohibits harassment of or by non-employees (members, vendors, Board members, consultants, etc.) who come in contact with Brookline Public Library’s employees. This policy prohibits conduct regardless of the genders of the people involved or whether the conduct occurs on or off the Brookline Public Library’s premises or during or outside of working hours.

Mandatory Reporting Procedure: Employees must report any conduct that violates this policy using the “Reporting Procedure for Discrimination, Harassment, and Retaliation” below (referred to as the “Reporting Procedure”). Do not assume that the Brookline Public Library is aware of the problem. Each employee has a responsibility to report harassment. It is only through the active involvement of all employees that the Brookline Public Library can prevent and correct harassment in the workplace.

Using the Brookline Public Library’s mandatory Reporting Procedure does not preclude an employee who has experienced conduct in violation of this policy from discussing the matter directly with the person(s) engaging in the offensive conduct. Employees who are offended by conduct are encouraged, but not required, to inform the person(s) engaging in the conduct of how they feel. This discussion may resolve the issue, but even if it is resolved the matter must still be reported through the Reporting Procedure.

Consequences for Violating the Policy: Violations of this policy, whether intended or not, will not be tolerated. Any employee who violates this policy will be subject to corrective and/or disciplinary action, up to and including termination of employment. Note that the Brookline Public Library may take corrective and/or disciplinary action to address inappropriate conduct even if it does not rise to the level of unlawful harassment.

Retaliation will not be Tolerated: The Brookline Public Library requires employees to report violations of this policy and will not tolerate any form of retaliation against an employee who makes a report or who participates in an investigation of a report under this policy. All incidents of retaliation must be immediately reported using the Reporting Procedure.

Reporting Procedure for Discrimination, Harassment, and Retaliation: Any employee who has observed, been made aware of, or experienced conduct in violation of the Policy Against Harassment must follow the following reporting procedure to notify the Brookline Public Library of the problem so that the matter can promptly and thoroughly be investigated and appropriate action taken:

- Notify the Library Director or Board of Library Trustees of the conduct. An employee can report the matter orally or in writing.

- In the event that the report is about conduct engaged in by the Library Director, the employee should notify the Chair of the Board of Library Trustees orally or in writing.

Investigation: The Brookline Public Library will investigate reports made through the Reporting Procedure promptly and fairly. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation may be conducted internally, or, in appropriate circumstances, an outside investigator may be retained.

Investigations will typically include private interviews with the person filing the report and with witnesses. The person alleged to have violated the Policy Against Harassment will also typically be interviewed. Any employee asked to participate in an investigation is expected to cooperate fully and truthfully. When the investigation is complete, to the extent appropriate, the Brookline Public Library will inform the person filing the report and the person alleged to have violated the Policy Against Harassment of the results of that investigation.

Corrective/Disciplinary Action: Any employee who has violated the Policy Against Harassment or otherwise acted inappropriately will be subject to corrective and/or disciplinary action, up to and including immediate termination of employment.

Retaliation is Prohibited: Employees who make reports in good faith under this Reporting Procedure and/or participate in good faith in any investigation under this Reporting Procedure have the Brookline Public Library assurance that it will not tolerate any form of retaliation against them for their participation in the process. Any concerns regarding retaliation must be reported using the Reporting Procedure.

5.4. Whistleblowers Policy

Policy: The Brookline Public Library requires its employees to observe high standards of professional and personal ethics in the conduct of their duties and responsibilities. As representatives of the Library, it is critical that employees act with honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. The Brookline Public Library expects its employees to report violations of Library policy and offers the protection of this whistleblower policy for those who in good faith report violations.

Definition: For purposes of this policy, a whistleblower is defined as an employee who, in good faith, reports an activity they considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining corrective measures, if applicable.

Examples of illegal or dishonest activities in relation to this policy include fraud, financial impropriety, or other similar activities. The Employee Complaint Procedure/Open Door Policy noted above directs employees to bring concerns, questions or complaints to either the employee's supervisor or any member of the Board of Library

Trustees with whom the employee feels comfortable in discussing a concern. If the employee's concern regards accounting practices, fraud, internal controls, auditing, or other financial issues, it should be reported to the Select Board.

Reports may be made in writing, via email, by telephone or in person. Reports may be made confidentially, and such confidentiality will be maintained to the extent possible, consistent with the need to conduct an adequate investigation.

Any employee filing a complaint concerning a violation or suspected violation under this policy must be acting in good faith and have reasonable grounds in believing the information disclosed indicates a violation. Allegations which prove to have been made maliciously or knowingly to be false, and which prove to be unsubstantiated, will be viewed as a serious violation of this policy and may involve disciplinary action up to and including termination from employment.

Any employee who, in good faith, makes a report of such an activity may not be fired or otherwise retaliated against. Any official or employee who retaliates against an employee who has reported a violation in good faith or who has provided information or assistance in connection with an investigation is subject to discipline up to and including termination from employment.

No employee will be punished or penalized in any way for reporting, complaining about, or filing a claim concerning discrimination, harassment, or Whistleblower or other retaliation, or for participating in the investigation of any such complaint. Any person who brings a complaint of discrimination, harassment, or Whistleblower or other retaliation will be protected from retaliation in any form.

5.5. Workplace Violence Policy

Purpose: The Brookline Public Library maintains a zero-tolerance standard of violence in the workplace. The purpose of this policy is to provide Library employees, volunteers and the public guidance that will maintain an environment that is free of violence and the threat of violence on Library property and at Library sponsored events.

Policy: Violent behavior of any kind or threats of violence, either implied or direct, are prohibited on the Library grounds, in the Library facilities, and at Library sponsored events. Such conduct by a Library employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including dismissal. Violent threats or actions by a non-employee may result in criminal prosecution. The Brookline Public Library will investigate all complaints filed and will also investigate any possible violation of this policy of which the Library is made aware. Retaliation against a person who makes a complaint regarding violent behavior, or threats of violence made to them is also prohibited.

Definitions:

Workplace Violence: Behavior in which an employee, former employee, volunteer, or visitor to a Library facility or off-site Library sponsored event inflicts or threatens to inflict damage to property or serious harm, injury or death to others at the workplace.

Threat: The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

Intimidation: Making others afraid or fearful through threatening behavior.

Zero-Tolerance: A standard that establishes that any behavior, implied or actual, that violates this policy will not be tolerated.

Court Order: An order by a court that specifies and/or restricts the behavior of an individual. Court orders may be issued in matters involving domestic violence, stalking or harassment or protective orders including Temporary Restraining Orders.

Prohibited Behavior: Violence in the workplace may include but it is not limited to the following list of prohibited behaviors directed at or by a coworker, supervisor or member of the public:

- Direct threats or physical intimidation;
- Implications or suggestions of violence;
- Stalking;
- Assault of any form;
- Physical restraint, confinement;
- Dangerous or threatening horseplay;
- Loud, disruptive, or angry behavior or language that is clearly not part of the typical work environment;
- Blatant or intentional disregard for the safety or wellbeing of others;
- Commission of a violent felony or misdemeanor on Library property; and
- Any other act that a reasonable person would perceive as constituting a threat of violence.

Domestic violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as coworkers. For the purpose of this policy, "domestic violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, stalking or making annoying phone calls to a person who is in any of the following relationships:

- Spouse or former spouse;
- Domestic partner or former domestic partner;
- Cohabitant or former cohabitant and other household members;
- A person with whom the victim is having, or has had, a dating or engagement relationship; or
- A person with whom the victim has a child.

The Brookline Public Library recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

Reporting Acts or Threats of Violence: An employee who is the victim of violence, or believes they have been threatened with violence, or witnesses an act or threat of violence towards anyone else shall take the following steps:

- If an emergency exists and the situation is one of immediate danger, the employee shall contact local police officials by using panic button (if applicable) or dialing 911 and may take whatever emergency steps are available and appropriate to protect himself/herself from immediate harm such as leaving the area.
- If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the Workplace Violence Incident Report Form.

Procedures – Future Violence: Employees who have reason to believe that they or others may be victimized by a violent act sometime in the future at the workplace or as a direct result of their activities in Library shall inform their supervisor or officials by immediately completing a Workplace Violence Incident Report Form so appropriate action may be taken. The official shall inform the Board of Library Trustees and local law enforcement.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence who would be in violation of the order by coming near them shall immediately supply a copy of the signed order to the Board of Library Trustees. The Board of Library Trustees shall provide copies to the appropriate department and local police.

Incident Investigation: Acts of violence or threats will be investigated immediately in order to protect employees and volunteers from danger, unnecessary anxiety concerning their welfare and loss of productivity. The Board of Library Trustees will cause to be initiated an investigation into the potential violation of work rules/policies. Simultaneously, the department official will refer the matter to local police for their review of the potential violation of civil and/or criminal law.

Procedures for investigating incidents of workplace violence include:

- Visiting the scene of the incident as soon as possible;
- Interviewing injured and threatened employees, volunteers and witnesses;
- Examining the workplace for security risk factors associated with the incident including any reports of inappropriate behavior by the perpetrator;
- Determining the cause of the incident; and
- Taking mitigating action to prevent the incident from recurring and recording the findings and mitigating actions taken.

In appropriate circumstances, the Library Director or Board of Library Trustees will inform the reporting individual of the results of the investigation. To the extent possible, Library will maintain the confidentiality of the reporting employee in the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The Library Director and Board of Library Trustees will not tolerate retaliation against any employee or volunteer who reports workplace violence.

Mitigating Measures: Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:

- Notification of law enforcement authorities when a potential criminal act has occurred;
- Provision of emergency medical care in the event of any violent act upon an employee;
- Post event trauma counseling for those employees desiring such assistance;
- Assurance that incidents are handled in accordance with the Workplace Violence Prevention Policy; or
- Requesting that the Town Counsel file a restraining order as appropriate.

Training and Instruction: The Board of Trustees shall be responsible for ensuring that all employees, including supervisors, are provided training and instruction on general workplace security practices.

Training and instruction shall be provided as follows:

- To all current employees and volunteers when the policy is first implemented;
- To all newly hired employees, elected officials, volunteers, and employees given new job assignments for which specific workplace security training has not previously been provided; and
- To affected employees and volunteers whenever management is made aware of a new or previously unrecognized hazard.

Workplace security training and instruction includes, but is not limited to, the following:

- Preventative measures to reduce that threat of workplace violence, including procedures for reporting workplace security hazards;
- Methods to diffuse hostile or threatening situations;
- Escape routes; and
- Explanation of the Workplace Violence Prevention Policy.

In addition, specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignment.

6. STANDARDS OF CONDUCT

6.1. Description of Standards of Conduct

All employees are required to comply with performance standards and expectations for conduct to promote consistency and harmony in the workplace and to support the mission and objectives of the Library. We believe that the following rules, which are not set out in any order, are necessary and reasonable to the proper conduct of our business.

We all know that no list of rules can be all-inclusive. The following areas, however, are expressly described to guide you in the recognition of certain behaviors which are clearly prohibited, and which can result in disciplinary action, up to and including discharge.

1. Theft or Destruction of Property – The theft or negligent or intentional destruction of any library property or the personal property of a coworker, customer or visitor;
2. Falsification of Records – Making a false statement on the employment application form; falsifying town and/or employment records;
3. Insubordination or abusive behavior – Failure to cooperate or comply with lawful orders or directions; creating a disturbance or interfering with the conduct of library business; physical or verbal abuse or neglect of visitors or residents or intentional destruction of library or town property;
4. Safety – Violation of State or local Town safety regulations or endangering the health or safety of other persons;
5. Threatening or abusive conduct – Use of abusive or profane language to another employee in a threatening manner or which would violate the library’s policy against harassment; using threatening words or actions including evidence or an intent to strike, and/or striking another employee;
6. Crime – Conviction of a crime that adversely impacts the employee’s position with the Brookline Public Library;
7. Dishonesty – Dishonesty to a co-worker, resident, visitor or to a representative of the Brookline Public Library;
8. Intoxicants – Bringing, possessing, or using alcoholic beverages or illegal/restricted drugs or other substances on library or town property or while on the job. Use of lawfully prescribed prescription medications may violate this rule if the medication impairs an employee’s ability to safely perform the functions of their job and no reasonable accommodation is sought and available;
9. Unsatisfactory Job Performance – Failing to demonstrate the requisite skill or abilities to satisfactorily discharge the employee’s duties; negligence in

- performance of duties; and/ or interfering with the ability of others to do their jobs effectively;
10. Weapons – Possession of any kind of weapons on library or town property unless required by job duties (example police officers);
 11. Absence and Lateness – Excessive absenteeism and lateness without timely notice and/or justification; overstaying allotted break time, excessive or unexcused absences;
 12. Unauthorized disclosure of confidential information – release of patron information and/or confidential information of other employees or the library. Consult with the Library Director or Board of Library Trustees if you are unsure if information is confidential prior to release;
 13. Sexual or Other Unlawful Harassment – Discrimination, sexual or other unlawful harassment, and inappropriate conduct in violation of Brookline Public Library policies;
 14. Violation of Policies, Procedures or Rules – Failure to follow any library policy procedures or rules;
 15. Dress Code – Employees are expected to wear close toed shoes and clothes that are clean (without holes, tears, stains, or frays), professional, and appropriate for tasks that often include movement (such as reaching above the head, kneeling, and bending). Head coverings for religious, medical, or other observances are allowed as long as vision, hearing, and other senses required to perform duties are not obscured. Name tags are provided and must be worn at all times when on duty. The Library Director will have the final decision regarding any dress code disputes. Employees are responsible for managing their own personal distractions and opinions regarding another’s style and self-expression within the dress code; and
 16. Smoking or Vaping – Pursuant to RSA 155:66, The Indoor Smoking Act, the Library prohibits smoking or vaping in the Brookline Public Library or on Library grounds. Designated smoking areas may be made available by the Board of Library Trustees provided they are located greater than 50 feet from any entrance to the library building.

6.2. Disciplinary Procedures

It is the policy of the Brookline Public Library to take corrective action when an employee violates rules, regulations, or standards of conduct or when an employee endangers the safety of others or fails to meet performance standards. For every level of discipline, the Library Director (or the Board of Library Trustees for conduct involving the Library Director) will meet with the employee to discuss the infraction, the discipline to be imposed and expectations going forward.

While the following disciplinary actions may be taken progressively, the Library Director and Board of Library Trustees reserve the right to take disciplinary action in a manner consistent with the efficiency of operations and appropriate to the level of infraction involved.

Verbal Warning: A warning will be given verbally to any employee by the Library Director to correct an error or address minor violations occurring for the first time. This is an informal disciplinary measure. Only the date and nature of the verbal warning will be placed in an employee's personnel file.

Written Warning: A written warning is given for a repeat offense previously addressed by verbal warning or an offense of a more serious nature. Remedial measures to correct the deficiency should be included in the warning. A written warning shall include the date and nature of the offense and remedial measures required and signed by the employee acknowledging receipt. A copy will be placed in the employee's personnel file.

Suspension: The Library Director may suspend an employee for recurring offenses or a serious offense which merits suspension without pay. Suspension without pay may be imposed for serious violations of Library policy. The length of the suspension shall be proportionate to the severity of the offense. Remedial measures may be required upon return from suspension. A suspended employee may not return to the work site without prior permission of the Library Director until the end of the suspension term. Imposition of a disciplinary suspension shall be documented with the date and nature of the offense, the duration of the suspension and shall be signed by the employee acknowledging receipt. A copy will be placed in the employee's personnel file.

Termination: A decision to terminate employment may be made by the Board of Library Trustees upon recommendation by the Library Director for malfeasance, misfeasance, or inefficiency in office or for incapacity or unfitness to perform the employee's duties. The decision to terminate employment of a Library Director must be made by the Board of Library Trustees. Prior to termination a statement of the grounds and reasons for removal or discharge ("Notice of Discharge") shall be prepared by the Board of Library Trustees and approved by a majority of the Board of Library Trustees. The notice will be given to the employee not less than 15 days nor more than 30 days prior to the effective date of termination. Employees may request a public hearing to appeal the termination within 30 days after receipt of the Notice of Termination. The format and procedure for the public hearing will be as determined by the Board of Library Trustees. Failure to file a timely request for a public hearing within 30 days shall preclude appeal of the termination.

If a timely request for a public hearing is received by the Board of Library Trustees, the Board shall hold a public hearing within 30 days of receipt of the request. If the date of termination stated in the Notice of Termination occurs prior to the hearing, the final decision on termination shall be stayed and the employee shall be placed on administrative leave with pay pending the post-hearing decision. Following the hearing, if the Trustees find cause exists for the discharge or removal of the employee, the Board

of Library Trustees shall uphold the termination which will become effective from the date of notice of the post-hearing determination.

A letter providing notice of the intent to take disciplinary action up to an including termination and a statement of cause will be provided to the employee and an opportunity to meet with the disciplining authority will be given to the employee prior to a final decision on termination. If termination is determined to be warranted, a letter stating the basis for the termination, the effective date of the termination and information regarding management of benefits will be provided.

Grievance Procedures: Many issues or concerns can be resolved directly between the employee and the Library Director. When an employee has been unable to resolve their concern through discussion with the Library Director, or when an employee wishes to appeal disciplinary action, the employee may file a written complaint or appeal to the Board of Library Trustees within 14 days of the action or last effort to resolve the matter with the Library Director.

Upon receipt of a complaint or appeal the Board of Library Trustees will schedule a meeting with the employee. The meeting with the employee will be held in non-public session. If the matter is an appeal of an employee's discipline, the employee may choose to have the hearing held during a public session of a Board of Library Trustees meeting. While every effort will be made to schedule the meeting during the next meeting of the Board of Library Trustees, the scheduling will ultimately be decided based on whether there is adequate time given the agenda items already scheduled.

The conduct and procedure for the employee meeting will be as determined by the Board of Library Trustees. The Board of Library Trustee's decisions as to process and as to the outcome on grievances or appeals will be final.

No employee will be penalized for submitting an issue or appeal to the Board of Library Trustees.

7. Separation from Employment

Separation from employment is an inevitable part of personnel activity within any organization, and many of the reasons for separation from employment are routine. Below are examples of some of the most common circumstances for separation from employment:

Resignation: Voluntary separation from employment initiated by an employee.

Discharge: Involuntary separation from employment initiated by the organization.

Layoff: Involuntary separation from employment initiated by the organization for no disciplinary reasons.

Retirement: Voluntary separation from employment initiated by the employee meeting age, length of service, and any other criteria for retirement as outlined by the New Hampshire Retirement System.

Any Library employee who wishes to separate from employment must present written notice of such intent to the Board of Library Trustees two weeks prior to the anticipated date of separation.

If the Board of Library Trustees wishes to discharge any employee of the Library, a written notice of discharge must be presented to the employee not less than fifteen (15) days nor more than thirty (30) days prior to the effective date of such discharge or removal. (Reference RSA 202-A:17)

Employees being involuntarily terminated may be entitled to a public termination hearing. (Reference RSA 202-A:17)

Employees shall receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination shall be paid.

The Board of Library Trustees may schedule an exit interview at the time of separation of employment. The exit interview affords an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the Library or return of Library-owned property. Suggestions, complaints, and questions can also be voiced.