

POLICY STATEMENT

This manual contains statements of personnel policies and procedures to be followed by all employees of the Heartland Regional Library System. It is designed to serve as a reference and working guide for the library's personnel policies, procedures, and practices. These written policies should increase understanding, eliminate the need for personal decisions on matters of library policy, and help to ensure uniformity throughout the organization. It is the responsibility of each and every staff member to adhere to these policies.

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1.1 - Library Employment

The Heartland Regional Library supports and adheres to all laws and policies dealing with equal employment opportunity the Civil Rights Acts, the Americans with Disabilities Act, fair employment practices, fair labor standards, the Family Medical Leave Act, and other federal, state, and local legislation concerned with employment and hiring practices.

In accordance with appropriate federal laws, the library will confirm citizenship or the right for noncitizens to work in the United States.

Employees of the Heartland Regional Library System are hired “at will”, and within the guidelines of library policies and procedures conditions of employment may be changed without cause or notice.

The Library Director shall have sole charge of the administration of the library system under the direction and review of the board of trustees, reporting regularly on progress and plans.

1.2 - EQUAL EMPLOYMENT OPPORTUNITY

The Heartland Regional Library System (HRLS) provides equal employment opportunity as required by applicable laws in all aspects of employment including, but not limited to, recruitment, hiring, training, transfer, promotion, compensation, and other employment benefits. Discrimination in employment opportunity against protected individuals based on race, color, gender, pregnancy, age, religion, national origin, citizenship, disability, marital status, sexual orientation, gender identity, military service or affiliation, genetic information or veteran status is strictly prohibited.

All applicants and employees shall be qualified for the position of employment and indicate a capability of performing job requirements, with reasonable accommodation if required.

Responsibility for understanding, communicating, and applying this policy is assigned to the Director, Branch Managers, and all administrative staff responsible for employment functions.

1.3 – Ethics/Nepotism

Selection of staff members is based solely upon merit, with due consideration of personal, educational, and physical qualifications, and of training, experience, and aptitude for the position involved. Relatives of board members or current staff shall not be considered for appointment in accordance with Section 182.050 of the Missouri Revised Statutes, 1959.

Code of Ethics and Public Disclosure:

The Declaration of Policy (see the following two pages) must be reviewed and approved by the HRLS Regional Board of Trustees every two years. Upon approval, the document must be signed by the Board President and notarized. Once finalized, it will be submitted to the Missouri Ethics Commission.

Code of Ethics & Public Disclosure

Section 1: Declaration of Policy

The proper and ethical operation of the Heartland Regional Library System requires that officials and employees be independent, impartial and responsible to the people; that decisions and public policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of the Library's operation. In recognition of these goals, there is hereby established a policy for disclosure by certain officials and employees of private financial or other interests in matters affecting the Library.

Section 2: Conflicts of Interest

Members of the Board of Trustees having a substantial personal or private interest, as defined by state law, in any policy, or decision made by the Board shall disclose within the Board minutes the nature of the member's interest and shall be disqualified from voting on any matters relating to this interest.

Section 3: Disclosure Reports

The following information shall be included as a public record of the Library:

Each transaction in excess of five hundred dollars (\$500) during the calendar year between a Trustee or Library Director, including any persons related within the first degree by consanguinity or affinity to such persons, and the Library, excluding compensation received as any employee, or payment of any fine, tax, fee or penalty due the Library, and other than transfers for no consideration to the Library. This shall include the dates and identities of the parties to the transactions.

Each transaction in excess of five hundred dollars (\$500) during the calendar year between any business entity in which such individuals have a substantial interest and the Library excluding any payment of tax, fee or penalty due to the Library or payment for providing utility service to the Library, and other than transfers for no consideration to the Library. This shall include the dates and identities of the parties in the transactions.

The Library Director also shall disclose by May 1 for the previous calendar year the following information:

1. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000) or more was received during the year covered by the statement.
2. The name and address of each sole proprietorship that is owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which the individual was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interest.
3. The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

Section 4: Filing of Reports

The report form provided by the Missouri Ethics Commission shall be filed annually by the Library Director as a representative of the Board of Trustees, Heartland Regional Library System.

Such reports will be made available at the office of the Library for public inspection and copying during normal business hours. The Library shall retain reports for five years.

Section 5: Definitions

First degree of consanguinity or affinity includes father, mother, spouse, son or daughter by virtue of a blood relationship or marriage.

Substantial interest is ownership by the individual, his or her spouse, or dependent children, either singularly or collectively of ten percent or more of any business entity or an interest having a value of ten thousand dollars (\$10,000) or more, or the receipt of a salary, gratuity, or other compensation of five thousand dollars (\$5,000) or more from any individual, partnership, organization, or association within any calendar year.

Section 6. Force and Effect

This policy shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the Board of Trustees, Heartland Regional Library System.

Adopted by the Board of Trustees of the Heartland Regional Library System this [date adopted].

[name], HRLS President

STATE OF: Missouri

COUNTIES OF: Maries and Miller

On this _____ day of _____ in the year _____, before me, the undersigned notary public, personally appeared _____, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

1.4 - Background Check

New Heartland Library employees will undergo a background investigation to include information such as criminal convictions, child abuse, child neglect, previous employers and educational institutions, personal references, professional references, and other appropriate sources. Employment is considered temporary until satisfactory results are determined.

Information provided on application must be true, accurate and complete. Any misrepresentation or willful omission of facts shall be sufficient cause for disqualification of the application or termination of employment.

This policy applies to all prospective employees, with the exception of high school students. Instead of the above, anyone under 17 years of age applying for employment must provide three (3) adult references, including teachers, former employers or others who can attest to their character and abilities.

Prospective employees are required to sign a release form allowing the Library System to implement said background check.

1.5 - Americans With Disabilities Act Employee Policy

In compliance with the Americans with Disabilities Act (ADA) of 1990, including changes made by the ADA Amendment Act of 2008, it is the policy of the Heartland Regional Library System (HRLS) to not discriminate based on disability against qualified individuals with respect to employment. This policy applies to individuals seeking employment and current employees.

It is the responsibility of management and designated library staff to ensure that this policy is implemented in all HRLS operations. This policy is neither exhaustive nor exclusive.

Employment - Generally

HRLS's policy regarding discrimination against qualified individuals based on disability applies to all terms, conditions, and privileges of employment, including, but not limited to, job application procedures, hiring, advancement, discharge, compensation, and job training. All employment practices and activities, whether provided or conducted by HRLS or any entity or person on its behalf, shall be in accordance with such policy. HRLS is not required to lower quality or performance standards as an accommodation.

Drugs and Alcohol - Employment

The ADA provides limited protection from discrimination for reformed alcoholics, rehabilitated drug users, those participating in a supervised rehabilitation program, and individuals erroneously regarded as illegal drug users. However, an individual who is currently engaging in the illegal use of drugs is not an individual with a disability as defined by the ADA.

Under the ADA, an employer may prohibit the illegal use of drugs and the use of alcohol at the workplace, require that employees not be under the influence of alcohol, require that all employees behave in conformance with the Drug Free Workplace Act of 1988, hold an employee who engages in the use of illegal drugs or who is an alcoholic to the same qualification standards for employment or job performance and behavior to which HRLS holds other employees (even if any unsatisfactory performance or behavior is Americans with Disabilities Act Policy related to the drug use or alcoholism), and require that employees comply with federal and/or state laws pertaining to alcohol or drug use where applicable.

Reasonable Accommodation - Employment

A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation. Reasonable accommodation(s) to the known physical or mental disability of an otherwise qualified applicant or employee with a disability shall generally be made available. It is therefore important that the individual with a disability make known to the Library Director the physical or mental disability which necessitates an accommodation. HRLS may inquire into the need for an

accommodation and require, in certain circumstances, a medical examination. Accommodations will be given on a case-by-case basis. An employee seeking a reasonable accommodation for employment should notify the Library Director and submit the *HRLS ADA Accommodation Request Form*.

HRLS is not required to provide a reasonable accommodation in the following situations:

- The accommodation would impose an undue hardship upon HRLS operations;
- The applicant or employee is found to be unqualified for or unable to perform the position that is desired or held despite a reasonable accommodation; or
- The employee or applicant poses a direct threat to the health or safety of himself or herself or to others.

This policy does not alter the at-will nature of the employment relationship as set forth in Nature of Employment Policy and specifically does not create any contractual rights, including, but not limited to, rights to continued employment. Applicants with a conditional job offer may be subject to withdrawal of the job offer or employees may be terminated at any time, for any lawful reason, except as otherwise prohibited by law.

Filing a Charge

ADA grievances or complaints of disability discrimination may be filed internally using the Employee Reporting Form. The Employee Reporting Form is used for employee complaints of sexual harassment, disability discrimination, etc. Both staff and applicants may also file a charge with the appropriate state or federal external regulatory agency (e.g., EEOC, Missouri Commission on Human Rights, Department of Labor, etc.).

Forms may be found in Addendum A.

1.6 - Non-Harassment Policy

The Heartland Regional Library strives to provide for all its employees a work environment that is pleasant, professional, and free from intimidation, hostility, or other offense that might interfere with work performance. Harassment in any form (verbal, physical, visual) by a customer, another employee, supervisor, director, or board member will not be tolerated.

All employees, especially supervisors, have a responsibility to keep the work environment free of harassment. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told about it, must report it as soon as possible to his/her immediate supervisor or the Library Director.

An employee that feels he/she is being victimized by harassment should immediately contact his/her supervisor or the Library Director. Any validated complaint of harassment will result in immediate and appropriate disciplinary action of the offending party. In the event that the offending party is a member of the Library District's Board of Trustees, the appointing authority will be immediately notified, and a request made that the offending party be immediately removed from the Board.

All complaints will be held in the strictest confidence to the extent it does not interfere with the investigation. Retaliation of any sort will not be permitted. If it is found that a charge of harassment is filed maliciously or with malfeasance, the person filing the complaint will be subject to disciplinary action.

For more information, check the U.S. EEOC and the Missouri Department of Labor on harassment policies and guidelines. Links are provided below.

<https://www.eeoc.gov/harassment>

<https://labor.mo.gov/mohumanrights/discrimination/sex-and-sexual-harassment>

1.7 - Probation

Professional appointments (those requiring a Master's degree in Library Science) are made for a probationary period of one (1) year during which time the employee's performance is subject to close examination as to competency to carry out the responsibilities and assignments of the position. The probationary period for non-professional employees shall be six (6) months.

1.8 - Volunteers

Prospective volunteers will undergo a comprehensive background investigation. This will include checks for criminal convictions, instances of child abuse or neglect, verification with previous employers and educational institutions, and reviews of personal and professional references. The privilege to volunteer is provisional and will remain so until satisfactory results are received from all relevant agencies.

Information provided on application must be true, accurate, and complete. Any misrepresentation or willful omission of facts shall be sufficient cause for disqualification of the application or termination to volunteer.

Anyone under 18 years of age applying to volunteer must provide three (3) adult references from teachers, former employers, or others who can attest to their character and abilities.

Prospective volunteers over the age of 18 are required to sign a release form allowing the Library System to implement a background check.

Forms may be found in Addendum A.