

## CHAPTER VII

### PERSONNEL POLICIES

#### A. HIRING PRACTICES

1. Selection of staff members shall be based on merit with due consideration of personal and educational qualifications and of training and aptitude for the position involved. The library will be an "Equal Opportunity Employer."
2. The Library Board hires the Library Director.
3. The Library Director hires all other library employees. The Library Board must grant prior approval for the filling of a vacant regular position (except in urgent situations, in which case, the hiring will be tentative until subsequent approval of the Board is received). Unless a change is authorized by the Board, hiring for a vacant salaried position will be at the same classification, for the same number of hours and at the same or lower salary step as the previous employee in the position. All hiring of regular employees will be reported to the Board at their next meeting. Hiring of other employees (pages, aides, custodial assistants, substitutes, and temporaries) may be delegated. Hiring of said other employees will conform to all pertinent policies and the availability of budgeted funds, but will be reported to the Library Board only on request.
4. A newly hired employee shall serve a probationary period of six (6) months during which time the person will be required to demonstrate his or her fitness and qualifications for the position. At any time during the probationary period the employee may be dismissed by the Library Director. As appropriate, the Director may give two (2) weeks notice, pay in lieu of such notice, or dismiss for just cause without notice. The Board shall be notified of such dismissal at their next meeting and dismissed employees retain their right of appeal to the Library Board.
5. If a question of health exists, applicants for a position may be required to undergo a medical examination, at their own expense, by a physician of their choice to determine physical and mental fitness to perform the duties of the position. The Board may require a second examination by a physician of the Board's choice, costs to be paid by the Library upon the Board's approval.
6. A member of an employee's immediate family will be considered for employment by the Library, and some preference may be given such a person, provided the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if such employment would create a direct supervisor-subordinate relationship with a family member.
7. The Library will comply with federal and state laws with respect to the employment of persons under the age of 18.

#### B. TERMINATION

1. Voluntary Resignation

- a. Resigning employees should notify the Director of their intentions in writing as early as possible (at least one month in advance for Librarian III positions or two (2) weeks for others).
- b. Employees who have given adequate notice as defined above shall be entitled to accrued paid annual vacation leave.

2. Dismissal

- a. An employee of the library may be dismissed by the Board of Trustees for incompetency, unprofessional performance of duty, elimination of position, willful neglect of duty, failure to conform to the rules and regulations of the library, or physical and/or mental inability to perform requisite duties. In the event of discharge because of physical or mental inability, such inability shall be determined by a qualified physician to be named by the Board. As appropriate, the Director may give two (2) weeks notice, pay in lieu of such notice, or dismiss for just cause without notice. The Board shall be notified of such dismissal at their next meeting and dismissed employees retain their right of appeal to the Library Board.
- b. If an employee is terminated, he/she shall receive written statements of the reasons for such termination within five (5) days after any written request for such a statement. After the receipt of notice of termination, an employee may, within ten (10) days, apply in writing for a public hearing before the Board of Trustees.

C. SALARY & WAGE COMPENSATION

1. Classifications

- a. All library positions will be assigned a position classification generally corresponding to the Wisconsin Association of Public Libraries (WAPL) classification system adopted in 1977 (see Appendix No. 5). Part-time employees shall be assigned classifications in the same manner as full-time employees.
- b. Position classifications for this library shall include, but not be limited to:
  - 1) Director: corresponds to WAPL Pos. IX.
  - 2) Librarian III (Professional Librarian/Dep't Head): corresponds to WAPL Pos. VI or VII.
  - 3) Librarian II: corresponds to WAPL Pos. V.
  - 4) Librarian I: corresponds to WAPL Pos. IV.
  - 5) Clerk II: corresponds to WAPL Pos. III.
  - 6) Clerk I: corresponds to WAPL Pos. II.
  - 7) Aide: corresponds to WAPL Pos. I.
  - 8) Page: also corresponds to WAPL Pos. I, but lower responsibility level than aide.
  - 9) Custodial Assistant.

- c. Individual employees' job descriptions should generally correspond to the appropriate classification description, but may include responsibilities normally assigned to higher or lower classifications.
2. Library Director. Annually, the Library Board will evaluate the Director's performance and establish a new salary. The Director shall provide such information as the Board requests relative to comparative salaries, etc.
3. Salary/wage scales for Librarian I-III and Clerk I-II positions:
  - a. Construction of scales.
    - 1) The scale for each classification will consist of a series of ten (10) "steps," each representing a pay increase recognizing one (1) year of full-time experience. The base, or first-year salary/wage, shall be Step 1.
    - 2) Each step within a classification will represent an increase of two and a half percent (2.5%) over the previous step.
    - 3) There shall be three (3) additional "performance recognition" step levels, also of two and a half percent (2.5%), which MAY be awarded to employees who have reached the top of their respective scales.
    - 4) The Library Board may modify the base salaries or wages for any or all classifications.
    - 5) Scales for part-time salaried employees (Librarian I, II, III) will be determined by dividing the annual salary of full-time employees by one thousand nine hundred twenty-four (1,924) (annual full-time work hours), and multiplying by the annual work hours of the employee.
    - 6) Scales for clerical employees are expressed as hourly rates.
  - b. Assignment of employee to step level.
    - 1) New employees will normally start at the base level (Step 1).
    - 2) In recognition of prior experience or other qualifications, a new employee may be assigned to a higher step level.
    - 3) Employees who are promoted to a higher classification will be assigned to an appropriate step level.
    - 4) Part-time employees will be assigned salary or wage steps in the same manner as full-time employees.
  - c. Advancement

- 1) Employees will normally advance from one salary step to the next based on satisfactory performance of duties during the previous year until Step 10 is reached.
  - 2) Employees will normally be awarded salary step advancements commencing the first pay period of a new calendar year.
  - 3) In order to make each employee's work year coincide with the calendar/budget year, a new employee hired (first day of work) after January 1 or before July 1 will be eligible for advancement to the next step on January 1 following the date of employment. Employees hired in the second half of the year will be eligible for step advancement on the second January 1 after employment.
  - 4) Advancement from one step to the next will be approved in advance by the Library Board based on individual performance evaluations and recommendations by the Director.
  - 5) Part-time employees normally working at least one thousand five hundred sixty (1,560) hours per year (30 per week) may be considered for salary/wage scale advancement four out of five (5) years. Those working one thousand three hundred (1,300) hours per year (25 per week) may be advanced two (2) out of three (3) years. In both cases, there will be no advancement in the second year of the cycle. Employees working one thousand forty (1,040) hours may be advanced every second year. Employees working fewer than one thousand forty (1,040) hours per year may be advanced every third year or as appropriate.
  - 6) "Performance recognition" promotions will be awarded for superior performance and accomplishment beyond levels expected of competent and experienced employees. An employee will not be awarded performance recognition promotions in consecutive years. A recommendation for such a promotion by the Director will be reviewed by the Board, which will vote separately for each such promotion.
- d. General salary scale increases
- 1) Annually, the Library Board will examine the salary scales and modify them based on:
    - a) comparison with salaries offered by other Wisconsin Public Libraries,
    - b) other City of Menasha departments and Menasha School District employees,
    - c) changes in the cost of living,
    - d) available financial resources,
    - e) and other pertinent factors.
  - 2) Except for a specific reason as determined by the Library Board, the base salaries of each classification level will be changed by the same percentage.
4. Pages, Aides, and Custodial Assistants will receive hourly wages set within wage scales approved annually by the Board. The Library Director will approve individual rates and advancements within those wage scales.

5. Temporary, Substitute and Contract Workers

- a. Substitute workers may be employed at hourly wage rates not to exceed base salary levels of the employee who is temporarily replaced. Such employees qualify for no benefits except Social Security. If the regular employee's absence is expected to exceed seventy-four (74) hours work time, Board approval is required.
- b. Temporary workers may be employed by the Library to accomplish specific tasks at wages determined according to the situation. Except in case of emergency, the Library Board shall approve such action in advance. Such employees qualify for no benefits except Social Security.
- c. Contract workers may be engaged for purposes of substituting for regular salaried employees or temporary work. Such contracts shall normally be approved in advance by the Board.

6. Staff working summer Saturdays will be compensated at time and a half for their work.

D. HOURS

- 1. Full-time employees, other than custodial employees, shall work thirty-seven (37) hours per week.
- 2. Part-time regular salaried employees (Librarian I-III and Clerk I-II) working a minimum of one thousand forty (1,040) hours (20 hours per week) are eligible for leaves and fringe benefits as defined under the appropriate headings. Temporary employees, pages, aides, custodial assistants and part-time employees working fewer than one thousand forty (1,040) hours are not eligible for paid leaves or health insurance.
- 3. Work schedules will be made for each department by the Department Supervisors, and approved by the Director. Necessary departures from schedules will be approved by Department Supervisors.
- 4. Relief breaks of fifteen (15) minutes may be taken in the morning, afternoon, or evening when it is convenient for the staff member to leave his/her post without impairing the efficiency of the Library.

E. ATTENDANCE

- 1. The Library emphasizes good attendance. Frequent absence or tardiness places an extra burden on other employees. Only when all employees are dependably on the job can the Library provide its services.
- 2. Employees who must be absent or late on any workday shall notify their supervisor as early as possible. If an employee is absent due to accident, illness, or disability, management may request a release for the employee's return to work, signed by a licensed physician. If an employee is absent or late due to weather conditions, they should contact their supervisor as soon as possible. Employees are expected to make every reasonable effort to report to work.
- 3. In case of an emergency closing, salaried employees shall be paid their regular pay for that day if they were scheduled to work. If an employee calls in before an emergency closing is declared and is given

permission to take a paid leave day, that employee must use the paid leave time for that day. Non-salaried part-time and casual employees shall not be paid for emergency closing.

4. Two or more tardiness incidents occurring within a single pay period will be considered excessive and will generally result in disciplinary action. Habitual, repetitious, or patterns of tardiness may also result in disciplinary action.
5. Employees should avoid scheduling medical and dental appointments during working hours; necessary exceptions may be arranged with management.

F. VACATION LEAVE

1. Vacation time is a form of compensation earned by the completion of specified periods of employment. Eligible employees earn specified number of hours of vacation (based on length of tenure) for each year of employment. Vacation leave is earned during one calendar year and used during the next (during the first year of employment, an employee hired in the first quarter will receive an extra thirty-seven (37) hours of "personal holidays," in the second quarter, twenty-two (22) hours, in the third quarter, fifteen (15) hours - prorated for part-time employees per Par. E6.)

2. All full-time "regular" salaried employees shall accrue vacation leave with pay according to the following schedule:

- a. From date of employment - Seventy-four (74) hours per year.

**(NOTE:** For purposes of computing vacation due to new employees hired other than January 1: persons beginning employment January-March will be entitled to seventy-four (74) hours of vacation as of the following January 1; persons beginning April-June will be entitled to fifty-five (55) hours as of the following January 1; persons beginning July-September will be entitled to thirty-seven (37) hours as of the following January 1; persons beginning October-December will be entitled to twenty (20) hours as of the following January 1).

- b. After five (5) years of service - One hundred eleven (111) hours per year.

**(NOTE:** Employees beginning work January 1 to June 31 will be eligible to receive and use one hundred eleven (111) hours of vacation during the sixth (6) year of employment counted from January 1 of the year during which they began work. Eligibility for vacation scale advancement for employees beginning work July 1 to December 31 will be determined by counting from January 1 following the date they began work.)

- c. After ten (10) years of service - One hundred forty-eight (148) hours per year.

- d. After seventeen (17) years of service, one hundred fifty-five (155) hours per year; after eighteen (18) years, one hundred sixty-three (163) hours per year; after nineteen (19) years, one hundred seventy (170) hours per year; after twenty (20) years, one hundred seventy-eight (178) hours per

year; after twenty-one (21) years, one hundred eight-five (185) hours per year. For part-time employees: those working at least one thousand forty (1,040) hours per year (20 per week) will add four (4) hours per year; those working at least one thousand three hundred (1,300) hours per year (25 per week) will add five (5) hours per year; those working at least one thousand five hundred sixty (1,560) hours per year (30 per week) will add six (6) hours per year.

3. A maximum of thirty-seven (37) hours of vacation may be carried over from one calendar year to the next with authorization from the Director. Employees are expected to use at least one (1) week of vacation per year.
4. Vacation schedules shall be approved by the Director. Employees should request vacation leave as far in advance as possible. The Library will attempt to honor all reasonable requests as long as the operation of Library services will not be impaired. Date of request will be the deciding factor in the event that too many employees want the same days off.
5. Employees terminating in good standing, and with proper notice as defined under "Termination," shall be entitled to vacation pay for unused leave. For employees who have worked for the Library at least twelve (12) months, this vacation pay shall include vacation pay earned during the current year of employment which would normally be credited the following January 1.
6. Regular salaried part-time employees working at least one thousand forty (1,040) hours per year (20 hours per week) shall be entitled to forty (40) hours vacation after one (1) year, sixty (60) hours after five (5) years, and eighty (80) hours after ten (10) years. Employees working one thousand three hundred (1,300) hours per year (25 per week) shall earn vacation of fifty (50) hours after one (1) year, seventy-five (75) after five (5) years, and one hundred (100) after ten (10) years. Employees working one thousand five hundred sixty (1,560) hours (30 per week) shall earn vacation of sixty (60) hours after one (1) year, ninety (90) hours after five (5) years, and one hundred twenty (120) hours after ten (10) years. Vacation "carryover," per Par. 3 above, will be on a pro rata basis.
7. The Director of the Library shall earn fifteen (15) days of vacation during the first year of employment and twenty (20) days thereafter. Any vacation of more than ten (10) consecutive workdays shall be approved in advance by the Library Board. All other provisions pertaining to vacation will be the same as for other employees. As of 1990, the Director is awarded two additional days of vacation.
8. Full-time Librarian II or III employees as of January 1, 1991 shall receive a permanent additional six and a half (6.5) hours annual vacation. Part-time Librarian II or III employees as of January 1, 1991 shall receive a permanent additional five (5) hours annual vacation.

**G. PAID HOLIDAYS**

1. Paid holidays for employees will be the same as described under "Library Hours" (Chapter IV).
2. If a holiday falls on an employee's regular day off, he/she will be entitled to a compensatory day off within thirty (30) days before or after the holiday.

3. Employees will also be entitled to four (4) "floating holidays." The Library Board may require all employees to take up to three (3) of their floating holidays at the same time and close the Library.
4. A "holiday" equals an employee's average workday.

H. LEAVES

1. SICK LEAVE - Each employee shall be granted sick leave of seven and a half (7.5) hours per month actually worked which are credited to the employee at the end of each month. Sick leave may be used only for actual illness or temporary physical inability to perform normal duties. Unused sick leave may cumulate up to a total of ninety (90) hours per year for full-time employees and to a maximum total of nine hundred (900) hours. Regular salaried part-time employees working at least one thousand forty (1,040) hours annually are entitled to sick leave on a pro-rata basis: one thousand forty (1,040) work hours (20 per week) earns four (4) hours sick leave per month, cumulating up to forty-eight (48) hours annually to a maximum of four hundred eighty (480) hours; one thousand three hundred (1,300) hours (25 per week) earns five (5) hours per month cumulating up to sixty (60) hours annually to a maximum of six hundred (600) hours; one thousand five hundred sixty (1,560) work hours (30 per week) earns six (6) hours per month cumulating up to seventy-two (72) hours annually to a maximum of seven hundred twenty (720) hours. An employee who is ill shall notify the Director or their supervisor one (1) hour before his/her scheduled starting time or sooner, if possible. Illnesses or disabilities requiring absence in excess of five (5) workdays must be attested in writing by a physician. In situations when extended sick leave (more than ten (10) workdays) is required due to serious illness, surgery, childbirth or similar situations, the employee shall provide notice from a physician attesting a date after which the employee is physically and/or mentally able to resume normal work responsibilities. Any absence beyond said date may not be charged off against accumulated sick leave. The Library has the right to investigate the use of all sick leave. Employees must use sick leave for their own medical appointments and emergency leave for family members' medical needs.
  - a. Sick Leave Retirement Payout. Unused accumulated sick leave may be paid out to employees under the following conditions:
    - 1) Each employee having attained the maximum sick leave accumulation of 120 days shall at the end of each year be credited with the number of days that would have been accumulated had it not been for the maximum accumulation restriction. The additional days thus credited are not available to use as sick leave, but will count towards the retirement payout as described below.
    - 2) Upon an employee's retirement or death, the employee (or his/her beneficiary in case of death) shall be paid one hundred percent (100%) of his/her accumulated and unused sick leave up to a maximum of ninety (90) days in a lump sum based on the employee's regular straight time pay rate at the time of retirement or death, or alternatively, may receive the same amount in the form of extended health insurance coverage.
    - 3) Upon an employee's retirement or death, the employee (or his/her beneficiary in case of death) shall be credited two thirds (2/3) of his/her accumulated and unused sick leave over ninety (90) days (including accumulation beyond 120 days) based on the employee's regular straight time pay rate at the time of retirement or death in the form of extended health insurance coverage.

- b. Sick Leave Annual Payout. Employees may elect to receive one third (1/3) of unused sick leave hours from the preceding year in the form of a lump sum check at the preceding year's regular wage or salary rate. The Library's Secretary must be informed of the employee's request for an annual payout by January 15, failing which, all unused sick leave will be cumulated.
- 2. FUNERAL LEAVE - An employee shall be granted a leave without salary deduction not to exceed three (3) days in case of death in his/her immediate family. Immediate family shall be interpreted as wife, husband, child, brother, sister, parent and parents-in-law. Any other cases will be given consideration at the discretion of the Library Director, but may not exceed one day. If additional time off is required, sick leave may be used after approval by the Library Director.
- 3. MATERNITY/CHILD REARING LEAVE - Shall be granted under Sick Leave or Leave of Absence Without Pay as applicable in accordance with Wisconsin Statutes.
- 4. JURY LEAVE - When occasion demands that an employee be present for jury duty, or in those instances where the employee may be subpoenaed as a witness to a civil or criminal trial, the employee is to continue in regular pay status. Payment received for jury duty or as a witness must be turned over to the Library to receive the regular pay. Such payments are to be prorated with respect to part-time employees. Employees receiving compensation may keep that portion of jury duty pay or court appearance compensation attributable to transportation and meal expenses. Employees required to appear in Court for personal matters shall be required to use vacation or floating holiday time.
- 5. LEAVE OF ABSENCE WITHOUT PAY - If not detrimental to library service, an employee may be granted a leave without pay. Requests for such leave should be made in writing as far in advance as possible. Requests may be granted for professional purposes, extended travel or vacation, health reasons (if sick leave is exhausted), child rearing, or other reasonable purposes. Each request will be considered on its own merits and no types of requests will be granted automatically. The Director may approve leaves of ten (10) workdays or fewer. Longer leaves must be approved by the Board of Trustees. In cases where the leave totals ten (10) or fewer workdays, normal benefits will be provided without interruption. In cases where the leave is more than ten (10) work days, but less than a calendar month, the Board may, at its discretion, continue to provide benefits. For leaves in excess of one calendar month, the employee may maintain full medical and life insurance coverage by personally paying the premiums. Employees will not accrue any benefits; e.g., vacation, sick leave, paid holidays, during leaves of absence in excess of one calendar month.
- 6. EMERGENCY LEAVE - In the event of sudden or serious illness of a member of an employees family (living in the residence), or in the event of other legitimate and urgent family need, emergency leave, not to exceed three days per calendar year, may be authorized by the Director. Emergency leave will be deducted from accumulated sick leave.
- 7. MILITARY LEAVE. The Library will comply with all state and federal regulations relative to military duty.

I. RETIREMENT

1. Library employees participate in the Wisconsin Retirement Fund. Employees are entitled to full retirement annuities without reduction for early retirement at age 65.
2. The Library will comply with state and federal laws regarding retirement.
3. The Board reserves the right under Chapter VIII, B2 (Dismissal) to appoint a qualified medical examiner to determine cause for imposed retirement if or when a question of physical or mental competency arises.
3. An employee who retires under the Wisconsin Retirement Fund at or after age 55 may continue to receive the benefit of the City's health insurance program by personally paying the normal monthly rate to the City. This coverage is available only until the retiree becomes eligible for Medicare coverage.

J. EVALUATIONS

1. Evaluation of employee performance is necessary to insure that library services are provided efficiently and properly. Evaluation should be an ongoing activity, and supervisors should share both formal and informal evaluations with employees to allow employees to improve their performance.
2. The Library Director shall submit to the Board a systematic evaluation of each regular salaried employee (excluding Pages, Aides, Custodial Assistants and temporary employees) in December of each year. Department heads will cooperate in the evaluation. Evaluations for other employees will be prepared by their supervisors.
3. The evaluation shall include the strengths and areas of needed improvement.
4. Such annual evaluations shall be in writing and shall be shown to the employee. Employees shall sign the evaluation and are permitted to append comments to it. Written evaluations are confidential and will be kept in the employee's personnel file.
5. Recommendations for salary step advancement and merit pay for the ensuing year shall be based on the evaluation.
6. The Director may prepare written evaluations at any time and enter them in the employee's file.
7. The Board will prepare a written evaluation of the Director's performance.

K. PERSONNEL FILES

1. A personal file will be kept for each current employee. All files will be kept in one secure location. Upon termination, extraneous materials will be removed, and pertinent materials, including all evaluations will be placed in an inactive file which will be retained for at least ten (10) years. Active files will contain the following: pertinent application materials (applications, resumes, references, etc.); records of step increases, promotions or any other payroll matters; records of all leaves including vacation and sick leave; annual written evaluations; records of certifications, educational attainment, commendations or

awards; written reprimands (signed by the employee), notices of suspension or termination, or notes describing oral reprimands; optional written permission for the Director to share information with potential future employers; and other pertinent materials.

2. Employee files are confidential. Access is restricted to the subject employee and the Director (or the Library Secretary or the employee's supervisor). An employee has the right to request in writing to examine his/her file. Evaluative references about the employee by third parties obtained during the selection/hiring process will not be shown to the employee. The employee may prepare written responses to evaluations or other materials in the file for inclusion in the file. The employee may photocopy items in his/her file. No information of a confidential nature may be released to anyone without the employee's express written permission. Inquiries requesting employment dates will be honored. The employee will be given the option of filing a written permission to divulge personal information under specified conditions.
3. The City of Menasha Personnel Office will maintain a separate file with copies of all information relative to payroll or pertinent fringe benefit information, but will have no evaluative materials.
4. Upon termination, the Director (or supervisor) will write a termination evaluation to be included in the file. The employee will be given the option of filing a written permission to divulge personal information under specified conditions.

#### L. RESOLUTION OF DIFFERENCES

##### 1. GRIEVANCE PROCEDURES

- a. The purpose of these grievance procedures is to assure fair and equitable treatment of all employees including supervisors and managers; to promote harmonious employer-employee relations; to establish a review procedure on matters for which an appeal and hearing are not specifically provided by law; to provide employees a systematic means for receiving full consideration of problems when efforts to resolve them through discussion have failed; to encourage the settlement of disagreements as near as possible to the point of origin when necessary; to provide an orderly procedure to handle the review and resolution of disagreements by successively higher supervisory levels; and to provide that the resolution of disagreements be handled as quickly and as efficiently as possible.
- b. The Director and/or Board of Trustees or designee shall have the authority to resolve grievances on behalf of the Library in those situations where the Board has partial or complete jurisdiction and for which an appeal procedure is not specifically provided by law or otherwise provided in these Policies and Procedures.
- c. Grievances may be initiated only the affected employee. A reasonable amount of work time, as determined by the employee's supervisor, may be used to prepare and present the grievance.
- d. The employee is assured freedom from reprisal from the Library or its representatives for using the grievance procedure.

- e. An employee who has a grievance or complaint should first try to get it settled through a discussion with the immediate supervisor without undue delay. The employee and supervisor must jointly write a description of their resolution of the complaint; both staff members sign and date the agreement and both keep copies. If a resolution cannot be reached, the employee shall have the right to discuss it with the Library Director.
  
- f. **Formal appeal:** If the employee is not in agreement with the decision reached by the informal grievance procedure, or if an informal decision cannot be reached, a formal appeal shall be filed in writing within ten working days after the date when the employee has sought relief through all levels of the supervision including the Library Director.
  - 1) **Step One:** The appeal shall be presented in writing to the employee's immediate supervisor, who shall render a decision and comments in writing to the employee within five working days of receiving the appeal. If the employee does not agree with the supervisor's decision, or if no answer has been received within five working days, the employee may present the appeal in writing to the Director. Employees who report directly to the Director shall present the appeal in writing to the President of the board of Trustees, or in the President's absence, the Vice-President. Failure of the employee to take further action within five working days after receipt of the written decision of the supervisor, or within a total of ten working days if no decision is rendered will constitute an abandonment of the appeal.
  
  - 2) **Step Two:** The Director shall render a decision and comments in writing to the employee within five working days of receiving the appeal. If the employee does not agree with the decision, or if no answer has been received within five working days, the employee may present the appeal in writing to the President of the Board of Trustees, or in the President's absence, the Vice-President. Failure of the employee to take further action within five working days after receipt of the decision, or within a total of ten working days if no decision is rendered, will constitute an abandonment of the appeal.
  
  - 3) The President of the Board of Trustees shall refer the appeal to the City of Menasha Human Resources Director. The Director shall investigate the issues and report on her/his findings as well as recommended action to the Board of Trustees at their next regular meeting or within 30 days of receiving the appeal, whichever is longer. The Board of Trustees shall make a decision on the matter at that time. The Board of Trustees' decision shall be final.

2. DISCIPLINARY PROCEDURES

- a. An employee who fails to maintain proper standards of conduct as outlined in either this policy or departmental rules and regulations, shall be subject to disciplinary action up to and including discharge. Examples of transgressions that may result in disciplinary actions include but are not limited to: neglect of duties, disobedience of orders, willful misconduct, and failure to properly perform the duties of the employee's position.

- b. The purpose of progressive discipline is to provide the opportunity for an employee to correct his/her behavior by providing for more serious consequences in those situations where an employee chooses not to correct his/her behavior. Nothing in this chapter shall imply that the steps of progressively more serious discipline must be followed in order. The seriousness of each offense shall be judged on its own merits and discipline assigned accordingly.
- c. If the Director intends to suspend, demote or discharge a regular employee for cause, the employee shall be provided with a written notice of intent to discipline.
- d. Forms of Action
  - 1) Oral Reprimand  
The supervisor shall issue an oral reprimand to put the employee on notice that his/her performance or conduct is substandard and advise the employee of the expected levels of conduct. A written record of the oral warning shall be made.
  - 1) Written Reprimand  
In the case of a more serious offense or where an employee's performance or conduct has not improved as a result of one or more oral reprimands, the supervisor shall issue a written reprimand. This written record puts the employee on notice that his/her performance or conduct is unacceptable, and documents the specific acts or omissions upon which the discipline is based as well as the expected corrective action.
  - 2) Suspension  
In the case of either a serious or intentional transgression of policy, if performance or conduct of an employee has not improved as a result of lower levels of discipline, an employee may be suspended without pay for up to 30 calendar days. The employee shall receive a written notice of the suspension that documents the specific acts or omissions upon which the discipline is based as well as the expected corrective action.
  - 3) Discharge  
With just cause the Director may discharge an employee at any point in the disciplinary process.

### 3. SEXUAL HARASSMENT AND DISCRIMINATION POLICY

All employees are responsible for assuring that the work place is free from sexual harassment. The purpose of this policy is to maintain a healthy work environment in which all individuals are treated with respect and dignity, and to provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination. Federal and State law provides for the protection of classes of persons based on race, color, sex, religion, age, disability, national origin and sexual orientation.

It is the policy of the Menasha Library Board that all employees have the right to work in an environment free from all forms of harassment. The Board will not tolerate, condone, or allow harassment by employees, whether sworn (regular or reserve), civilian, volunteer, or other non-employees, who conduct business with the Library. Menasha Library Board considers harassment and discrimination of any form to be serious employee misconduct. Therefore, the Board shall take direct and immediate action to prevent such behavior,

and to remedy all reported instances of harassment and discrimination. A violation of this policy can lead to discipline up to and including termination, with repeated violations, even if “minor,” resulting in greater levels of discipline as appropriate. This policy applies to all employees, elected officials or appointed members of councils, boards, commissions, or committees, as well as all co-op students, outside vendors, contractors, volunteers, or any other person who has business with the Menasha Public Library.

Sexual harassment is a form of unlawful discrimination that undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment does not refer to occasional compliments or other generally acceptable social behavior. It refers instead to behavior which is unwelcome, personally offensive, undermining or weakening to employee morale. Sexual harassment, therefore, interferes with the work effectiveness of its victims and their co-workers.

- a. Prohibited sexual harassment or discrimination includes, but is not limited to conduct, implicitly or explicitly implied, which constitutes:
  - 1) Unwelcome physical contact or gestures.
  - 2) Unwelcome sexually explicit language or gestures, including sexually degrading words used to describe an individual, or sexually graphic or suggestive comments to or about an individual.
  - 3) Uninvited or unwanted sexual advances or request for sexual favors.
  - 4) Making submission to, or rejections of, such conduct a factor in the employment decisions affecting the employee.
  - 5) Permitting such conduct to interfere with an employee’s work performance, or to create a hostile, intimidating, or offensive work environment.
  - 6) An offensive overall environment including the use of vulgar language, the presence of employee’s sexually explicit photographs or other materials, and the telling of sexual stories.
  - 7) Ridiculing, mocking, deriding, or belittling any other person.
  - 8) Any offensive or derogatory comments to any person, either directly or indirectly, based on race, color, sex, religion, disability, sexual orientation, or national origin. Such harassment is a prohibited form of discrimination under State and Federal employment law and is also considered misconduct subject to disciplinary action by the Menasha Library Board.
  - 9) Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
    - a) submission to such conduct is made either explicitly or implicitly a term or condition of employment; or

- b) submission or acquiescence to such conduct by an employee is used as the basis for employment decisions affecting the employee, or
  - c) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.
- b. Sexual harassment by an employee, supervisor, manager, or any other person will not be tolerated. All supervisors, administrators and employees, as part of their job requirements, are responsible for preventing and eliminating sexual harassment in their respective work areas. Each supervisor shall be responsible for taking all reasonable measures with the goal of preventing acts of harassment. This responsibility includes the following:
- 1) Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
  - 2) Counseling all employees on the types of behavior prohibited; and the Board's procedures for reporting and resolving complaints of harassment;
  - 3) Stopping any observation that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision.
  - 4) Taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where there has been a complaint of harassment, pending investigation, or any direct observation. If a situation requires separation of the parties, care should be taken to avoid actions that appear to punish a complainant. Transfer or reassignment of any of the parties involved should be voluntary, if possible and, if non-voluntary, should be temporary pending the outcome of the investigation.
  - 5) Failing to carry out these responsibilities will be considered in any evaluation or promotional decisions and may be grounds for discipline.

Each supervisor has the responsibility to assist any employee of the Library who comes to that supervisor with a complaint of harassment in documenting and filing a complaint with the Library Director, the City Personnel Director, or the City Public Health Director.

Each employee of the Library is responsible for assisting in the prevention of harassment through the following acts:

- 1. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
- 2. Reporting acts of harassment to a supervisor;
- 3. Encouraging any employee who confides that he or she is being harassed or discriminated against to report these acts to a supervisor.

Failure of any employee to carry out the above responsibilities will be considered in any performance evaluation or promotional decision and may be grounds for discipline.

- c. Each employee, if such employee feels comfortable doing so, who believes that he or she has been the subject of sexual harassment or discrimination should promptly take the following steps:
  - 1) Firmly state to the person who is doing the harassing how you feel about his or her actions and request that the person cease such behavior immediately.
  - 2) If the harassment continues, or if you believe some employment consequences may result from your request that the action stop, report the matter as soon as possible to the department supervisor, the Library Director, the City Personnel Director, or the City Public Health Director.
  - 3) Document all incidents of harassment in order to provide the fullest basis for the investigation.
  - 4) The supervisor to whom the incident is reported shall meet with the employee and document the incident(s) complained of, the person(s) performing or participating in the harassment, any witnesses to the incident(s), and any relevant date(s).

Any employee who believes that it is not practical to file his/her complaint directly with the Board or any of the appropriate Library or City officials may file the complaint with either:

- a. State Equal Rights Agency  
819 North 6<sup>th</sup> Street  
Milwaukee, WI 53203  
(414) 227-4384
- b. EEOC  
310 W. Wisconsin Ave. Suite 800  
Milwaukee, WI 53203  
(414) 297-1111

If the employee exercises either of these options, a copy of the complaint must be filed with the City Attorney within 24 hours of filing of the complaint.

- d. The Library Director shall be responsible for investigating any complaint alleging harassment or discrimination in cooperation with the City's internal investigation authority consisting of the Personnel Director and the Public Health Director.
  - 1) The internal investigative authority shall immediately notify the Library Board President and the prosecutor's office if the complaint contains evidence of criminal activity such as battery or sexual assault or attempted assault.
  - 2) The investigative authority shall determine whether the person is harassing other employees, and whether other employees participated in or encouraged the harassment.

- 3) The internal investigative authority shall inform the parties involved of the outcome of the investigation.
- 4) The Personnel Director and/or the Library Director shall maintain a file of harassment and discrimination complaints in a secure location.

It is the policy of the Library Board to listen to all reasonable complaints, thoroughly investigate all relevant material, seek early corroboration, and quickly apply sanctions when appropriate. An investigation will be undertaken to determine the facts of the complaint. The investigation will include conferring with the parties and witnesses named by the complaining employee. Because of its sensitive nature, complaints of sexual harassment will be investigated with particular care and should remain, to the extent possible, confidential. **There will be no retaliation against anyone who complains or serves as a witness during an investigation.** The complaining party's confidentiality will be maintained throughout the process to the extent practical and appropriate under the circumstances.

Complainants or employees accused of harassment may file a grievance/appeal in accordance with relevant Library Board policies.

This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency, forum, or Court of law.

- e. Retaliation against any employee for filing a harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by the Library, the City and by State and Federal law.

Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for the harassment and discrimination complaints. Monitoring to ensure that retaliation does not occur is the responsibility of the Library Director, supervisors and the City's investigative authority.

After appropriate investigation, any employee found to have sexually harassed another employee will be subject to appropriate disciplinary action, up to and including discharge.

The Library Board recognizes that the question of whether a particular action or incident is a purely personal, social matter without a discriminatory effect requires a determination based on the facts of the incident. The Board also recognizes that false accusations of sexual harassment can have serious adverse effects. The Board expects all employees to act honestly and responsibly in complying with and enforcing this policy. It is the Board's desire to continue providing a pleasant work environment free of harassment for all employees.

4. Employees are encouraged to discuss work-related problems or complaints with their supervisor.
5. If an employee feels he/she cannot discuss a problem with his/her supervisor, or has without satisfactory result, or that the problem requires higher-level attention, he/she is encouraged to meet with the Director to seek a satisfactory solution to the problem.

- f. If no solution can be reached, the employee may present the problem to a meeting of the Board of Trustees Personnel Committee in executive session. If unresolved, the problem may be brought to the attention of the full Board.
- g. The decision of the Board shall be final.

**M. FRINGE BENEFITS**

1. **RETIREMENT** - Employees working more than six hundred (600) hours annually are eligible for the Wisconsin Retirement Fund. The Library pays the full share of the "employee's contribution" to the fund.
2. **HEALTH INSURANCE** - The Library Board shall provide a health insurance plan for employees and will annually determine amounts to be paid towards family and single plan premiums. The library will pay fifty-four percent (54%) of the amounts above for regular salaried part-time employees working at least one thousand forty (1,040) hours per year. Employees working one thousand three hundred (1,300) hours will receive sixty-eight percent (68%) of the benefit. Employees working one thousand five hundred sixty (1,560) hours will receive eighty-one percent (81%) of the benefit. Employees will become eligible for health insurance thirty (30) days after employment. Terminating employees have the right to continue coverage under the Library's health plan (for up to eighteen (18) months or until he/she becomes eligible for coverage under another employer's plan) by personally paying the premium. Employees covered by such insurance will receive a Library contribution to their deferred compensation accounts in the amounts of \$30.00 per month for those utilizing family coverage and \$15.00 for those with single coverage. The Library uses the same health insurance provider as the City of Menasha, which has the right to change insurance carriers, alter coverage, add cost containment measures to the City's health care coverage or determine the amount of premium contribution by employees. Health insurance coverage for new employees shall begin the first of the month following the employee's hire date.
3. **DENTAL INSURANCE** - is offered under similar conditions to the Health Insurance Plan.
3. **LIFE INSURANCE** - Library employees shall be eligible for life insurance under the State plan. The Board will pay its required share. Employees will become eligible for life insurance six (6) months after employment.
4. **VISION INSURANCE**. The Library will provide vision insurance to employees. Any changes in vision coverage shall be pursuant to the rules of the Vision Insurance provider.
5. **SOCIAL SECURITY** - The Library will pay the required employer share of Social Security payments.
6. An optional deferred compensation plan is offered to employees working more than six hundred (600) hours annually.

7. A "flexible spending account" is provided to employees to allow the payment of employee portions of health and dental insurance payments, non-covered health and dental costs, and qualified child or dependent care costs with "pre-tax" dollars.

N. STAFF DEVELOPMENT

1. The Library recognizes that employees and the library benefit when they take courses, attend seminars and workshops, attend professional and business meetings and visit other libraries.
2. Employees may be allowed to be absent from duty for the purpose of attending meetings, conferences or conventions of professional or technical organizations. The Director shall authorize attendance in accordance with scheduling needs and the budget.
3. Budgeted funds permitting, the Director may authorize actual travel expenses at a mileage rate to conform with City of Menasha mileage allowances and include reasonable expenses for meals, lodging and other necessary expenses.
4. Educational Development
  - a. Staff members shall be encouraged to take appropriate college courses, vocational courses, or workshops to improve their competencies in library work.
  - b. Whenever possible, the Director shall authorize changes in work schedules to accommodate employee's course schedules, providing that time is "made up" and that normal library services are not disrupted. Depending on relative importance to library operations, the Director may authorize partial or complete released time for the course.
  - c. The library budget shall include an amount, to be determined annually by the Board, which shall be used to defray tuition and fees expenses for employees.
  - d. Employees should request permission as far in advance as possible, and date of application may be considered in the decision to grant the request. Application should include a description of course work, schedules, a list of fees, and a statement concerning the benefit to the Library. Primary consideration will be given to those applications which offer direct benefit to the library, and secondary consideration to those which will result in general professional development. Grants will be given only to employees with at least one (1) year of service, and employees receiving tuition grants one (1) year will have a lower priority in the following year.
  - e. The Library Board will approve applications for any request involving more than \$100 cost to the library. Approval is discretionary and the Board will not be obligated to expend all budgeted funds.
  - f. Grants shall not exceed actual tuition and expenses or a total of \$500 per year. The employee shall agree to return any tuition grant to the Library if he/she leaves Library employment within one (1) year after course completion.

- g. The Library Board may request an employee to enroll for outside course work, in which case, the Library will pay all legitimate expenses and allow paid time off to attend classes.

5. Professional Associations

- a. The Library recognizes the value of library professional associations and encourages employees to participate in them, especially the Wisconsin Library Association and the American Library Association and their sub-units. Attendance at their conferences is encouraged. Within reason and subject to the scheduling needs of the library, the Director may permit attendance on library time. "Time off" will be limited to the number of work hours missed, not the number of hours in attendance.
- b. Volunteer work as an officer or committee member on behalf of a professional association is encouraged, but is secondary to the employee's responsibilities to this library. Employees nominated or appointed to positions which would require more than occasional and minor time on the job, or which would require significant time away from the Library should discuss the matter with the Director in advance.
- c. The library will further support membership by reimbursing members one half of basic dues in the Wisconsin or American Library Associations. This provision applies to librarian and clerical employees. The library will pay the full basic dues for the Director.
- d. Expenses for attendance at professional meetings may be reimbursed partially or wholly within budgetary limitations. Employees desiring reimbursement may inquire of the Director in advance whether reimbursement will be provided.

O. LIBRARY BUSINESS TRAVEL

- 1. Travel expenses will be reimbursed at the rate established by the City of Menasha.
- 2. Reasonable meal or other necessary expenses will be reimbursed.
- h. The Director shall authorize business travel except for out-of-state or overnight travel.
- i. Anyone using a personal vehicle for library business must provide proof of Liability Insurance with limits of not less than \$100,000 per person, \$300,000 per occurrence and statutory minimums for uninsured/underinsured motorists. The insurance on the vehicle shall be primary to any Library insurance coverage.

