



# **LIBRARY EMPLOYEE HANDBOOK**

Prepared by

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## **100 INTRODUCTION**

Welcome to your position with the Oshkosh Public Library. We hope you will find your work interesting, challenging, and rewarding.

It is our hope that you will find this Handbook a helpful reference in becoming familiar with the Library policies, benefits, and procedures. Though it is not all-inclusive, we have attempted to cover a variety of topics about which questions may frequently arise.

The policies were written with the intent of increasing understanding and to help assure uniformity throughout the Library organization.

Your Supervisor, Department Head, and the Library Administration are available to answer any further questions you may have with regard to your employment with the Oshkosh Public Library.

The Oshkosh Public Library reserves the right to modify, revoke, suspend, terminate, or change any or all of its plans, policies, or procedures, in whole or in part, at any time with or without notice. The language used in this handbook is not intended to create, nor is it to be construed to constitute an employment contract between the Oshkosh Public Library and any one or all of its employees. Employees of the Oshkosh Public Library are employees-at-will. No person other than the Library Director or his or her designee has authority to make any agreement for employment for any specified period of time or to make any agreement contrary to the foregoing.

## **101 PERSONNEL POLICY**

The following principles form the basis for this policy:

- Recruiting, selecting and advancing qualified candidates on the basis of their relative knowledge, skills, and abilities.
- Establishing pay rates consistent with the principle of providing comparable pay for comparable work.
- Reinforcing good job performance, correcting inadequate performance, and separating employees whose performance cannot be corrected.
- Ensuring fair treatment of all applicants and employees in all aspects of personnel administration in accordance with all applicable state and federal laws.

## **102 INCLUSIONS / EXCLUSIONS**

This employment handbook applies to non-represented employees and to employees covered under collective bargaining agreements when the specific agreements do not apply to the contrary.

This handbook shall apply to personnel administration for all employees and departments of the Oshkosh Public Library now existing or hereafter established except the following:

- a. Persons employed to make or conduct a temporary special inquiry, investigation or examination on behalf of the Library.
- b. Members of committees, boards or commissions who are not Library employees.
- c. Students engaged in field training.
- d. Work relief participants.
- e. Volunteer workers.
- f. Independent contractors.

### **103 EQUAL EMPLOYMENT OPPORTUNITY**

All Oshkosh Public Library applicants and employees will be assured equal employment opportunity in accordance with all applicable state and federal laws.

### **104 AFFIRMATIVE ACTION**

#### **1. Purpose**

The goals of Affirmative Action is to provide equal employment opportunity for all qualified persons.

#### **2. Affirmative Action Officer**

The City of Oshkosh Director of Administrative Services serves in the capacity of the Affirmative Action Officer (AAO) for the Oshkosh Public Library. As the City's AAO, the Director of Administrative Services has the responsibility and authority for the development, implementation, and review of the City's Affirmative Action Policy. The Library's Affirmative Action Policy is based upon, and intended to be uniform with, that of the City of Oshkosh. The AAO has full access to all departmental policies and procedures, rules and regulations, including personnel files and any other documents of information relating to the personnel employed by the Oshkosh Public Library.

#### **3. Internal Analysis**

A thorough work force analysis is undertaken by the City each year. This analysis includes the Library. A comprehensive report (EE04) is on file in the City Human Resources Department for any interested party to view.

#### **4. Affirmative Action Goals**

The Oshkosh Public Library, through its continued efforts to provide Equal Employment Opportunity, will strive to attain the following goals in its Affirmative Action efforts:

- a. Continue to provide equal employment opportunities for all qualified persons as defined by State, Federal, or local law.
- b. Continue to administer personnel management methods that are nondiscriminatory and based on job-related criteria established through position analysis.
- c. Continue to update position descriptions as job duties change so that they properly reflect the knowledge, skills and abilities required of the positions.
- d. Continue to recruit, select, and retain members of protected classes in the Library.
- e. Continue efforts to achieve a representative mix of applicants for all positions.
- f. Continue training of all personnel to inform them of the problems, responsibilities, and means of eliminating harassment in the workplace.
- g. Continue to identify needs for reasonable accommodation which will be met unless such accommodation would constitute an undue hardship for the Library.
- h. Continue contact with minority groups, and community groups to ensure Equal Employment Opportunity.

#### **5. Grievance Policy**

Section 113 of this Employee Handbook outlines the grievance policy.

#### **6. Legal Action**

Nothing in this policy shall abrogate any legal means of redress to the courts available to all employees.

- a. External complaint processes are also available with state and federal government agencies:
  - i. U.S. Equal Employment Opportunity Commission (EEOC)  
310 West Wisconsin, Suite 800  
Milwaukee, WI 53203  
800-669-4000
  - ii. Equal Rights Division (ERD)  
201 East Washington Avenue

Madison, WI 53707  
608-266-6860

- iii. Office of Federal Contract Compliance Programs  
Reuss Federal Building, Suite 1115  
Milwaukee, WI 53203  
414-297-3822

## **105 ANTI HARASSMENT / BULLYING POLICY**

### **1. Definitions**

The Oshkosh Public Library and the City of Oshkosh are committed to providing and maintaining a professional work environment that maintains employee equality, dignity, and respect. Harassment, including sexual harassment, bullying, and/or retaliation is strictly prohibited. Harassment and bullying increases hostility, creates an offensive working environment, adversely affects productive working relationships, and ultimately obstructs the vision of a diverse workforce, reflective of the City itself. Employees are entitled to a work atmosphere free from harassment.

Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on Oshkosh Public Library or City of Oshkosh premises and whether or not the incidents occur during working hours.

Behavior that creates a hostile work environment is a serious matter and will not be tolerated. Employees are prohibited from engaging in any conduct that could be construed as harassment, as defined by this policy.

The City Attorney and Equal Employment Opportunity Officer of the City of Oshkosh are resource persons for the Library Director and may be involved in harassment investigation and/or decision-making processes at the request of the Library Director or the library staff charged with responsibility for investigating complaints under this policy.

### **2. Harassment Defined**

- a. According to the Equal Rights Division of Wisconsin's Department of Workforce Development (ERD), harassment becomes illegal when an employer, supervisor or co-worker harasses a person because of their race, color, creed, ancestry, national origin, age (40 and up), disability, sex, arrest or conviction record, marital status, sexual orientation or membership in the military reserve. According to the U.S. Equal Employment Opportunities Commission (EEOC), it is unlawful to harass a person (an applicant or employee) because of that person's sex (including pregnancy), national origin, age (40 and older), disability and/or genetic information.
- b. Harassment may include verbal abuse, epithets, and vulgar or derogatory language, display of offensive cartoons or materials, mimicry, lewd or offensive gestures and telling of jokes offensive to the above protected class members. The behavior must be more than isolated incidents or casual comments, it involves a pattern of abusive

and degrading conduct directed against a protected class member that is sufficient to interfere with their work or create an offensive and hostile work environment.

- c. Harassment can include “sexual harassment” or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to be of a sexual nature however and can include offensive remarks about a person’s sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. Although the law doesn’t prohibit simple teasing, offhand comments, or isolated incidents, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim’s supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer. Although the above refers to details of sexual harassment, the city will use similar analysis for other forms of harassment.
- d. Prohibition of the Possession or Display of Harassing Materials - Employees are prohibited from possessing, displaying, disseminating, distributing, trading or sharing of any materials, regardless of format; (e.g., electronic, paper, film, video, animated) that constitute harassment on the basis of any characteristic protected by State, Federal or local law. This prohibition extends to all materials which are pornographic and/or demeaning. This includes, but is not limited to, nude, semi-nude or scantily clad images, or images of people simulating acts or exhibit expressions which are intimate, sexual, demeaning or provocative.

### **3. Bullying Defined**

- a. Bullying is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e., cyberbullying, through the use of internet, cell phone, personal digital assistant (pda), computer, or wireless handheld device, currently in use or later developed and used by employees) that is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress.
- b. Bullying also includes forms of retaliation against individuals who report or cooperate in an investigation under this policy. Such behaviors are considered to be bullying or harassment whether they take place on or off Library property, or at any Library-sponsored function.

- c. Bullying is conduct that meets all of the following criteria:

Is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress, and; is directed at one or more employees, and; is conveyed through physical, verbal, technological or emotional means, and; substantially interferes with an employee’s ability to do their job.

#### **4. Responsibilities**

- a. Employee - The employee should:  
Make their unease and/or disapproval directly and immediately known to the bully or harasser;
  - i. Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
  - ii. Report the incident to a supervisor, the Assistant Director, or the Library Director.
  - iii. Employees should be aware that making a charge of harassment is a serious matter and that doing so frivolously, recklessly, or with malicious intent is a violation of this policy and is subject to discipline.
- b. Supervisors - Supervisors must deal expeditiously and fairly with allegations of bullying or harassment whether or not there has been a written or formal complaint. Supervisors who knowingly allow or tolerate harassment are in violation of this policy and are subject to discipline. Supervisors must:
  - i. Act promptly to investigate bullying, harassment or inappropriate sexually oriented conduct.
  - ii. Ensure that bullying, harassment or inappropriate sexually oriented conduct is reported to the Assistant Director or the Library Director.
  - iii. Take corrective action to prevent prohibited conduct from reoccurring.
  - iv. In many cases, a supervisor's warning to an alleged bully or harasser, combined with appropriate follow-up supervision and monitoring of the employee's behavior may be sufficient to prevent or stop bullying or harassment.
- c. The Assistant Director or the Library Director must:
  - i. Ensure that both the individual filing the complaint (hereafter referred to as the complainant) and the accused individual (hereafter referred to as the respondent) are aware of the seriousness of a bullying or harassment complaint.
  - ii. Explain the Library bullying / harassment policy and investigation procedures to the complainant and the respondent.
  - iii. Explore means of resolving the bullying or harassment complaint.
  - iv. Refer the complainant and/or the respondent to the City of Oshkosh Employee Assistance Program (EAP) for counseling and referral services, if appropriate.
  - v. Notify the police if criminal activities are alleged; and arrange for an investigation of the alleged harassment and the preparation of a

written report to be submitted to a decision-making panel (see below).

1. The City of Oshkosh Equal Employment Opportunity (EEO) Officer.
2. Act as a consultant and resource person for Library administrators as they discharge their responsibilities under this policy.
3. Fulfill the responsibilities of the Library Director under this policy in the event that the Library Director is alleged to have bullied or harassed other Library employees.

## **5. Complaint**

All incidents of bullying or harassment or inappropriate sexually oriented conduct should be reported as provided in the Employee Responsibilities section above. All reported incidents will be investigated. A formal investigation into an alleged violation of this policy can be initiated by an employee filing a written harassment complaint with the Assistant Director or the Library Director.

Complaints should be filed as soon as possible after an incident of alleged harassment. The supervisor, Assistant Director or Library Director will assist the complainant in completing a bullying or harassment complaint. To ensure the prompt and thorough investigation of a bullying or harassment complaint, the complainant should provide as much of the following information as is possible:

- a. The name, department, and position of the person or persons allegedly causing the bullying or harassment.
- b. A description of the incident(s), including the date(s), location(s), and the presence of any witnesses.
- c. The alleged effect of the incident(s) on the complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment.
- d. The names of other employees who might have been subject to the same or similar bullying or harassment.
- e. The steps the complainant has taken to try to stop the bullying or harassment.
- f. Any other information the complainant believes to be relevant to the bullying or harassment complaint.

## **6. Investigation**

The Assistant Director or the Library Director is responsible for ensuring that an impartial investigation begins within 10 working days after a complaint has been filed. The Library attempts to complete investigations within 15 working days. Except in the most unusual circumstances, investigations must be completed within 30 working days.

In most cases the Assistant Director and the Library Director will conduct the



investigation. They may consult with the City of Oshkosh EEO Officer who may be asked to participate in the investigation. An independent outside investigator may be appointed by the Library Director to lead the investigation if necessary to expedite the resolution of a complaint or resolve any potential conflict of interest. In any case, two persons will conduct all interviews with the complainant, respondent and witnesses so that information obtained during the interviews can be corroborated.

The investigator will contact the respondent, inform him or her of the nature of the complaint, solicit the respondent's account of the alleged incident(s), inform the respondent that a report will be prepared, and advise the respondent of his or her right to be represented by legal and/or union counsel.

## **7. Report**

The designated investigator will prepare a written report immediately following the completion of the investigation. Except in the most unusual circumstances, the report must be completed within 15 working days after the completion of the investigation. The report must include:

- a. A summary of the complaint.
- b. A summary of the response by the individual charged with bullying or harassment.
- c. A summary of the statements and evidence obtained during the investigation.
- d. A summary of prior settlements or substantiated complaints against the respondent.
- e. A finding of whether a violation of this policy occurred, evidence for the finding, and an evaluation of the severity of the violation.
- f. An appendix containing the statements of all parties to the complaint and any other documentary evidence obtained in the course of the investigation.

## **8. Decision-Making Panel**

The report will be delivered to members of a decision-making panel, consisting of the Library Director, the respondent's supervisor and the City Attorney or Library counsel. If one of these people is involved in the complaint, the Library Director shall have the right to appoint an individual as a replacement.

After consideration of the report, the panel may agree to one of the following courses of action:

- a. Sustain the complaint, order the bullying or harassment to stop, enforce appropriate sanctions on the respondent, provide for the restoration of any employment benefits the complainant lost because of the harassment and provide any other relief necessary to remedy the situation.
- b. Order further investigation, for a period not to exceed 10 working days

and require a supplementary report.

- c. Dismiss the complaint, if it is found to be without merit. If the investigator finds that the complaint was made frivolously, recklessly or with malicious intent, and if the panel agrees, it may choose to recommend disciplinary action against the complainant.
- d. Order other corrective actions to bring about required changes in employee behavior. Once the panel has reviewed the report and decided upon a course of action, copies will be provided to both the complainant and the respondent. The Assistant Director or Library Director and a member of the committee will meet with the complainant to explain the decision. The Assistant Director or Library Director and the respondent's supervisor and/or department head will meet with the respondent to explain the decision and any corrective or disciplinary action that will be taken. Copies of the investigative report will be placed in the personnel files of any employees found to be in violation of this policy.

**9. Monitoring Compliance**

The supervisor is expected to monitor future compliance with this policy in order to guard against any retaliation that may be aimed against the complainant and to prevent further harassment.

**10. Discipline**

Employees who violate this policy may be subject to disciplinary action, as determined by the decision-making panel.

**11. Confidentiality**

All inquiries, complaints and investigations are treated as confidentially as possible. However, when the Library becomes aware of the potential of a bullying or harassment situation, it is obligated to follow up on the circumstances, which may require discussion of the information provided.

All information pertaining to a bullying or harassment complaint or investigation is maintained by the library administration in secure files.

All individuals contacted in connection with a complaint will be counseled that any information pertaining to the complaint should be held in confidence.

Although every effort will be made to keep information contained in a formal complaint confidential, it may be necessary to reveal the identity of the complainant to the respondent and witnesses. The library administration will take steps to ensure that the complainant is protected from retaliation during the period of the investigation and after its conclusion.

## **12. Other Available Procedures**

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of harassment under state or federal law.

[Section 105 was extensively revised July 27, 2017]

## **106 EMPLOYEE - MANAGEMENT RELATIONS**

Certain Library employees have the right to organize, join and participate, or refuse to organize, join and participate in any employee organization freely and without fear of penalty or reprisal as provided for in the Municipal Employment Relations Act (Wisconsin Statute 111.70).

## **108 JOB CLASSIFICATION**

The purpose of the job classification plan is to provide a standard system of titles and job descriptions for the effective administration of personnel activities such as: staffing, planning and budgeting, establishing and maintaining standards of job performance, fair and equitable pay, valid selection and recruitment programs, training programs and career development.

### **1. Authorized Position Count**

The authorized position count, as authorized by the Library Director and subsequently set forth in and duly adopted as part of the annual Library Budget, shall serve as the official documentation of positions within the Library organization. The authorized position count shall identify the title and status of each position and shall be maintained and updated by the Library Director and incorporated into an organizational chart.

### **2. Administration**

The Library Director shall be responsible for the administration of the job classification plan in cooperation with Department Heads, key staff employees, and other appropriate resources.

### **3. New Positions**

When a suitable class does not exist, the Library Director shall establish a new class with an appropriate pay range subject to the approval of the Library Board and subsequently set forth in and duly adopted as part of the annual Library budget.

### **4. Abolition of Positions**

When it is determined that a classification or classifications are no longer useful or needed, the Library Director shall recommend to the Library Board that such classes be abolished and duly adopted as part of the annual Library Budget.

### **5. Reclassification**

If an employee has facts which indicate that a position is improperly classified, the

employee may work with their supervisor and/or submit a written request to the Library Director for review and approval and subsequently set forth in and duly adopted as part of the annual Library Budget.

**6. Department Reorganization**

If a department or division is reorganized, position descriptions for all affected employees shall be submitted to the Library Director for review and approval and subsequently set forth in and duly adopted as part of the annual Library Budget.

**7. Position Description**

The Library Director may require departments to submit position descriptions when vacancies occur or anytime there is reason to believe that there has been a significant change in the duties or responsibilities of one or more positions. Annual review of position descriptions by Supervisors and employees is recommended. Official job descriptions shall be on file in the Library Administration office.

**8. Review of Classification Plan**

The Library Director shall review the classification plan as often as appropriate to ensure that the plan accurately reflects existing position responsibilities and market conditions. The Library Director shall take whatever action is appropriate to amend and update the classification plan and subsequently set forth in and duly adopted as part of the annual Library Budget.

**109 SALARY ADMINISTRATION**

**1. Pay Plan**

The Library administers two pay plans: one for all employees except Pages (hereafter referred to as the Pay Plan) and another for Pages (hereafter, the Page Pay Plan). The Pay Plan includes the schedule of pay ranges consisting of a minimum and maximum rate of pay for all classes of positions. The objective of each pay plan is to provide an appropriate salary structure to recruit and retain the required number of Library employees.

**2. Responsibility and Administration**

The Library Board, acting through the Library Director, shall be responsible for determining the total annual amount available for salaries and salary measures under each pay plan. The Library Board shall also be responsible for the approval of the basic structure and overall ranking of job classifications based upon the recommendations of the Library Director. The Library Director shall be responsible for the overall administration of each pay plan and shall make additions, subtractions and modifications to classifications and the corresponding pay range assignments as needed between formal surveys with the approval of the Library Board for reflection in future budget documents.

**3. Linkage**

Each pay plan shall be directly linked to a classification plan. Positions of similar responsibility shall be grouped together in grade levels to establish an appropriate

rate for each grade, and to establish a range for that grade. The appropriate rate shall be based on internal rankings and external market conditions.

**4. Pay System**

Pay periods are bi-weekly. Hours worked during a pay period are ordinarily paid the following Friday of the subsequent pay period.

**[Section 109 (4) Revised May 25, 2017]**

**5. Deductions**

Before any deduction from an employee's wages is made, other than those allowed by law or court order, employees must authorize the deduction in writing. Forms for authorizing a deduction are available from the Assistant Director.

**6. New Employees**

- a. A new employee may be employed at a point within the salary range commensurate with his/her qualifications as determined by the Library Director.
- b. Performance evaluation(s) will be conducted at least annually. Performance evaluation reports shall be considered in personnel decisions affecting such things as compensation, promotion, demotion, removal, reduction in force, re-employment and training.

**7. Salary Adjustment**

- a. General - The salary schedule shall be reviewed annually to consider overall changes of salaries inside the organization, the labor market and economic conditions. If a general adjustment is given, it may be made either on a straight percentage basis, a flat dollar amount, or a combination of the two. All annual salary adjustments under the pay plans – whether general, individual performance-based or individual steps – shall normally be effective January 1 or pay period #1. To be eligible for an annual salary increase, an employee's supervisor must have certified that they were meeting or exceeding expectations on the previous year's annual performance evaluation. When an employee's salary exceeds their existing pay range maximum the employee's pay is said to be "red circled". An employee whose pay is red circled will not be eligible for further base-accumulating pay increases until his/her salary is within the salary range for their current position.

**[Section 109 (7) a. Revised May 25, 2017]**

- b. Special - Individuals whose salaries are substantially below the level called for by the labor market and the individual's performance, may be given an increase in addition to that called for elsewhere in these guidelines, upon recommendation of the Supervisor, Department Head, and the Library Director provided sufficient funds have been made available through the budgeting process by the Library Board.
- c. Transfers - Employees in good standing may request to be considered for transfer to another position in the Library which is vacant. Such requests

shall be made to the Library Director. When employees transfer within the same classification or pay range, they will receive no salary adjustment.

- d. Promotion - Employees who are promoted from one class to another having a higher pay range will be granted a salary increase of 5% or the pay step of the new range that provides an increase of at least 5%, or the minimum of the higher range, whichever is greater. In the event of a promotion of two or more salary grades, the increase will be at least 8%, or the pay step of the new range that provides an increase of at least 8%, but not to exceed 10%, or the minimum of the higher range, whichever is greater. Promoted employees will not exceed the pay rate of the highest paid employee in their new classification, unless that rate is less than or equal to their former rate.
- e. Demotion - Demotions may be made in lieu of layoff, as a disciplinary measure or can be voluntary. Demotions must be approved in advance by the Library Director.

When employees are demoted, the following provisions apply:

- i. Involuntary - An employee who is demoted for non-voluntary reasons but unrelated to performance will retain his/her present salary if the salary exceeds the new range maximum. If the present salary falls within the new range, the employee will be placed in the new range at their current salary. However, employees who are involuntarily demoted will not exceed the pay rate of the highest paid employee in their new classification. As long as an employee's salary exceeds the new range maximum, the employee will not be eligible for further base-accumulating pay increases until his/her salary is again within the salary range for the new position.
- ii. Voluntary – An employee who takes a voluntary demotion will retain his/her present salary unless that salary exceeds the maximum rate of pay for the new position in which case the employee's salary will be adjusted to the new maximum. However, employees who are voluntarily demoted will not exceed the pay rate of the highest paid employee in their new classification. However, an employee may continue to receive a rate of pay in excess of that maximum upon the recommendation of the Department Head and approval of the Library Director. If the employee continues to receive a rate of pay in excess of the maximum salary range, the employee will not be eligible for further base-accumulating pay increases until his/her salary is again within the salary range for the new position.
- iii. Related to Performance – An employee who is demoted for performance reasons will retain his/her present salary unless that salary exceeds the maximum rate of pay for the new position in which case the employee's salary will be adjusted to the new maximum. However, these employees will not exceed the pay rate of the highest paid employee in their new classification.

- f. Reallocation/Reclassification - When an allocation of a position has been changed as a result of changes in the duties assigned to the position, the organizational structure of a department or logical and gradual changes in the duties and responsibilities of the position, such change in grade will be considered to be a reallocation or reclassification. When employees are reallocated or reclassified the following provisions apply:
- i. Employees who are reallocated or reclassified to a higher pay grade will be granted a salary increase of 5% or the pay step of the new range that provides an increase of at least 5%, or the minimum of the higher range, whichever is greater. In the event of the reclassification of two or more salary grades, the increase will be at least 8%, or the pay step of the new range that provides an increase of at least 8%, but not to exceed 10%, and then movement to the next closest step that provides an increase, or the minimum of the higher range, whichever is greater. Employees who are reallocated / reclassified to a higher pay grade will not exceed the pay rate of the highest paid employee in their new classification, unless that rate is less than or equal to their former rate.
  - ii. If a position is reallocated or reclassified to a classification in a lower salary range and the salary of the employee exceeds the maximum of the new range, the employee will be placed in the new range and will retain his/her current salary. However, employees who are reallocated / reclassified to a lower pay grade will not exceed the pay rate of the highest paid employees in their new classification. As long as an employee's salary exceeds the new range maximum the employee will not be eligible for further base-accumulating pay increases until his/her salary is again within the salary range for the new position.
- g. Recall/Reinstatement – When employees are recalled to a position with a lower or higher pay grade they shall be paid according to their experience and qualifications within the pay grade in which they will be employed. Employees who are recalled will not exceed the pay rate of the highest paid employee in their new classification. When employees are reinstated to their former position, they shall normally be paid at the rate of the position they are returning to, commensurate with the level at the time of separation unless significant experience was obtained since separation which enhances the value of the employee to the Library. In such instances, a higher rate may be paid up to the maximum for that position. However, employees who are reinstated will not exceed the pay rate of the highest paid employee in their classification.
- h. Market Survey Implementation Guidelines – The following implementation guidelines will be applied to approved studies:
- i. If an employee's current rate of pay is between a step in the new range, then the employee will be placed at the step that provides an increase.
  - ii. If an employee's current rate of pay is between the Control Point of the new range and the Maximum rate of the range, then no increase is required.

- iii. If an employee's current rate of pay is "red-circled" and would be higher than the Maximum rate of the new range, then the employee would continue to be "red-circled". [Section 109 (7) h. Added May 25, 2020

**8. Exceptions to the Pay Plan**

Exceptions to the Pay Plan or Page Pay Plan may be made by the Oshkosh Public Library Board of Trustees.

**110 RECRUITMENT & SELECTION**

**1. Policy**

It shall be the policy of the Library to recruit and select the most qualified persons for positions in the Library, including part-time, seasonal, and limited term appointments. Recruitment and selection shall be conducted in a manner to promote open competition, provide for equal opportunity, and prohibit discrimination.

**2. Relatives**

With the exception of positions covered by the provisions of Wis. Stats. Chapter 62.13, an applicant for a position will not be eligible for appointment or hire if he or she has an immediate relative serving in the capacity of Library Trustee, Library Director, Assistant Director, or a supervisor/subordinate relationship (see 3, d, viii of this section). This includes both direct supervision and indirect supervision as a result of a vertical relationship on the organization chart of the Library.

For purposes of this section, immediate relatives shall mean: spouse, child, parent, sibling, grandparent, grandchild, and any step-relative, half-relatives, and in-laws of the aforementioned immediate relatives.

When an applicant is an immediate relative of a staff person involved in a selection process, the relationship must be revealed by the staff person to the Library Director in advance of the selection process. When this occurs, the staff person is not allowed to participate in the selection process.

Immediate relatives shall not be employed, promoted, or transferred to any department or division which results in supervisor/subordinate relationships. This includes both direct supervision and indirect supervision as a result of a vertical relationship on the organization chart of the Library.

Employees who become immediate relatives within the same department or division, subsequent to employment with the Library are required to notify the Library Director or Assistant Director within 30 days of the status change. The Library Director reserves the right to review the working relationship between the two employees and take appropriate action if necessary.

This provision is not intended to deprive any individual of employment opportunity in the Library but rather to prevent situations which result in or provide potential for conflicts of interest.



### 3. Recruitment

The Library Director shall develop and conduct an active recruitment program designed to meet the current and projected Library staffing needs. Recruitment shall be tailored to the position to be filled and directed to sources likely to yield qualified candidates.

- a. Job Announcements - All job announcements shall include the job title, description, salary range and other pertinent information including minimum knowledge, skills and abilities required to perform desired duties. Job openings shall be formally announced and will state the time for filing except in cases of immediate need or unusual circumstances.
- b. External Services - The Library Director may direct recruitment efforts to outside services; these may include, but are not limited to, the following:
  - i. Review of applications on file which are part of a continuing recruitment effort.
  - ii. List with nearby job information and placement centers including Department of Workforce Development and the State Division of Vocational Rehabilitation.
  - iii. Advertisement in the local newspaper.
  - iv. Advertisement in regional newspapers, nationwide newspapers or professional journals where it appears that local coverage will not provide a reasonable number of qualified applicants.
  - v. Advertisement on various websites.
  - vi. Direct mailings to members of professional organization.
  - vii. Use of a professional recruitment firm.
- c. Application Form - All applications for employment shall be made on forms prescribed by the Library Director and which meet State or Federal regulations. Individuals wishing to make an application for future openings may do so. Such applications will remain active for six (6) months unless updated by the individual within this time frame.
- d. Rejection of Applications - The Library Director may reject any application if the applicant:
  - i. Has provided incomplete, false or inaccurate information.
  - ii. Has been convicted of a crime which is substantially related to the duties required such that the conviction renders the applicant not suitable for the position.

- iii. Is not within the age limits prescribed for the position or for Library employment.
  - iv. Has an unsatisfactory employment record which indicates unsuitability for the position.
  - v. Does not meet the minimum requirements for the position.
  - vi. Is unable to perform the essential duties of the position.
  - vii. Does not have the legal right to work in the United States.
  - viii. Has an “immediate relative” serving in the capacity of Library Trustee, Library Director, Assistant Director, or a supervisor/subordinate relationship, as described in section 110(2) of this handbook.
- e. Screening - The Library Director or designee will select only the best qualified applicants for screening and final consideration.
  - f. Interview Expense - Applicants who are called in to interview for FLSA Exempt positions may be reimbursed for all or part of reasonable expenses incurred in conjunction with such interview including travel, meals and overnight accommodations.
  - g. Moving Expense - When the Library fills a FLSA Exempt position with an individual who resides outside the City of Oshkosh, the Library may pay the reasonable cost of relocation.

#### **4. Selection**

The selection process shall maximize reliability, objectivity, and validity as well as assess attributes necessary for successful job performance.

- a. Selection Devices - The Library Director shall be responsible for determining methods to be used to screen applicants for job vacancies. In developing the selection devices, the Library Director may confer with the Assistant Director, Department Heads, consultants, and others familiar with the knowledge, skill, and ability required and devices to best measure these factors. Such methods or devices may include but need not be limited to one or more of the following:
  - i. Review of education, training, and experience as shown on the application.
  - ii. Practical written or oral tests, work samples or performance tests if job related.
  - iii. Physical tests of strength, stamina or dexterity when job related.
  - iv. Background and reference inquiries.
  - v. Physical, psychological, and drug & alcohol testing after a conditional

offer of employment is made.

- b. Confidentiality - All persons participating in the development and maintenance of selection materials shall exercise every precaution to ensure the highest level of confidentiality. Only the Library Director and individuals designated by the Library Director shall handle confidential selection materials.

## **5. Certification and Appointment**

Applicants selected for certification and interview in accordance with the selection process shall number three or more than the number of vacancies, whenever possible.

- a. Rank - The applications of the best qualified shall be certified as eligible by the Library Director and, when appropriate, submitted to the Department Head or Supervisor for consideration.
- b. Interviews - Candidates selected from applications may be interviewed by the Library Director, Assistant Director, Department Head, a Supervisor, or appropriate panelists.
- c. Appointment - For Department Head positions, the final approval of the candidate selected shall be made by the Library Director. In all other cases, the Department Head or his/her designee in conjunction with the Assistant Director shall make the final selection and appointment to the position. First consideration shall always be given to the best qualified candidates to fill the vacancy. If one of the certified candidates is not selected, justification shall be given to the Library Director. If the reasons for not selecting the individual are found to be valid, the Library Director may certify other qualified candidates.

## **6. Eligibility**

The Oshkosh Public Library does not maintain eligibility lists but follows the principle of open competition and equal opportunity in recruiting and selecting for each vacancy.

## **7. Full-Time, Part-Time, and Seasonal Employment**

These employees shall be classified as follows:

- a. Regular Full-Time Employee is defined as a person hired to fill a full-time position in the Table of Organization.
- b. Regular Part-Time Employee is defined as a person hired to fill a part-time position and regularly scheduled to work every week of a calendar year and accumulating 975 hours or more per year or if hired after July 1, 2011 accumulating 1,200 hours per year.
- c. Part-time Employee is defined as a person who works less than the weekly and annual number of hours required for regular part-time employees. Pages and some Library Assistants are regarded as part-time employees.

- d. Seasonal Employee is one who is hired for a stated limited period of time which shall conclude on or before the end of said period.

**[Section 110 (7) was revised July 27, 2017]**

**8. Limited Term Appointments/Emergency Appointments**

If there is an urgent need to fill a vacancy and the Library Director is unable to immediately provide eligible candidates, the Library Director may fill the vacancy by emergency appointment until proper recruitment can take place.

- a. Temporary Appointments - Temporary Appointments shall be made from applications on hand. If none are available for temporary work, the Library Director may authorize the appointment of a qualified individual. The acceptance or refusal by an eligible candidate of a temporary appointment shall not affect the candidate's standing for a permanent position if one becomes available.
- b. Persons hired under Federal or State Programs - Persons employed by the Library under Federal or State programs are considered limited term employees and are not considered regular Library employees unless specific action is taken to appoint such an employee to a regular position after he/she has been duly certified as eligible for such appointment by the Library Director.

**9. Introductory Period**

All persons promoted or transferred from one position to another or from one Department to another shall serve an introductory period of up to sixty (60) calendar days. This period of time is for the employee to show his or her ability to work successfully with the Supervisor and fellow employees as well as perform the duties of the position. During this introductory period should the supervisor determine that the employee should not continue to remain in the new position, the Supervisor may end their introductory period. The employee will be allowed to return to their prior position as long as a vacancy is available.

Employees will not be allowed to change positions until the introductory period has been completed. Introductory periods may be extended by agreement between the Department Head and the Library Director.

**[Section 110 (9) was revised July 27, 2017]**

**10. Evaluation**

At the end of the introductory period or at any other time deemed necessary by the Library Director, the Library Director or his/her designee may request a performance evaluation to evaluate individual performance. The performance evaluation reports shall be considered in personnel decisions affecting such things as compensation, promotion, demotion, removal, reduction in force, re-employment and training.

## **111 SCHEDULED HOURS, OVERTIME, COMPENSATORY TIME, AND EXTRA PAY**

### **1. Purpose**

This section sets forth the policies and practices governing the establishment of work schedules, the scheduling of overtime and forms of overtime compensation.

### **2. Attendance**

All Library employees are expected to be punctual when reporting to and leaving work along with regular attendance at their respective jobs. If it becomes necessary to be late or absent, employees must notify their Supervisor immediately so adjustments can be made to work assignments.

### **3. Job Abandonment**

Employees who fail to report to work for three (3) consecutive business days without notifying their Supervisor of the absence will be considered as having voluntarily terminated their position as a result of job abandonment. If the employee is unable to contact their Supervisor for any absence, he or she should ask a representative (such as a family member or friend) to do so on the employee's behalf. If the employee or a representative is unable to contact their Supervisor due to extreme circumstances (such as a medical emergency or natural disaster that prohibits the employee or his or her representative to contact the Supervisor within three days), the employee or his or her representative must contact the Supervisor as soon as practicable to explain the situation. In extreme circumstances, the Supervisor and the Library Director will consider the explanation and its timing before determining if the voluntary termination will be upheld.

### **4. Scheduled Hours**

The scheduled hours for each full-time position shall normally be forty (40) hours per week. Temporary variations in daily and weekly work schedules may be authorized by the employee's supervisor in response to department needs. Supervisors, at their discretion, may also authorize temporary variations in work schedules for subordinate employees in order to accommodate employee needs. Any such variations shall be in accordance with the Fair Labor Standards Act (FLSA) where applicable.

Department Heads and salaried persons in executive, administrative, and professional positions may be allowed to work a flexible schedule of hours in order to accommodate fluctuations in their workloads. Such scheduling shall be subject to the general approval of the Library Director or Assistant Director in the case of Department Heads, and by the Department Head in the case of supervisory or professional positions.

### **5. Lunch Periods, Breaks**

Lunch or dinner breaks are taken on employee time as scheduled by the supervisor. An unpaid minimum half-hour lunch or dinner break may be taken when the employee's work day is at least 6.5 hours. Minors covered under this policy are required to take an unpaid half-hour lunch break after six consecutive hours worked.

Rest breaks are based upon hours worked, not hours paid. They are taken on Library time, as scheduled by the Supervisor, according to the following schedule:

- a. No rest break for up to 2 hours work.
- b. More than 2, up to and including 3 hours work per day: 10 minutes.
- c. More than 3, up to and including 5 hours work per day: 15 minutes.
- d. More than 5, but less than 7.5 hours work per day: 20 minutes.
- e. 7.5 to 8 hours work per day: two 15 minute breaks.

Break period begins at the time an employee leaves their assigned public service desk or workstation and ends at the time the employee returns to that desk or workstation prepared to resume work.

## **6. Overtime**

Overtime is time worked in excess of forty (40) hours in a workweek. Holiday, vacation and floating holiday leave time are counted toward the calculation of time worked. Substitution of these forms of leave for other forms of leave will not be counted toward the calculation of time worked. Whenever practicable, overtime shall be approved in advance by an employee's Supervisor. It shall be the responsibility of every Supervisor to assign overtime work only when emergencies or other compelling circumstances prevent the reasonable accommodation of additional work through the reassignment of work priorities or through the rescheduling of hours within the same workweek.

Eligibility for overtime compensation shall be determined in accordance with the Fair Labor Standards Act. Exempt employees shall be ineligible for any form of additional compensation for overtime hours worked.

Non-exempt employees eligible for overtime pay will be compensated at the rate of time and one-half (1.5) for the time worked in excess of forty (40) hours in a workweek. Where staffing levels are judged sufficient by the department Supervisor and the Director, the Library will allow compensatory time in lieu of cash payment for overtime. Compensatory time may be earned at a rate of one and one-half (1.5) hours for each hour of overtime. An employee may request to use compensatory time off within a reasonable time period of the request. Compensatory time will accumulate on a standard calendar year basis (January to December). All accumulated compensatory time balances must be used by the first week of December in order to be paid out in the last paycheck of the year. Employees who transition to a new position may be required to take a compensatory time payout at the time of transfer. Employees are not allowed to accumulate more than the statutory limit. Compensatory time will not be counted toward the calculation of time worked for overtime purposes.

## **7. Call In**

If a non exempt employee is called back into work at other than his or her regular schedule of hours, he or she will receive a minimum of two (2) hour's pay for such work. All time worked as a result of the call in will be paid at the rate of one and one half (1.5) times their hourly rate of pay. This provision will not apply to hours worked consecutively prior to or subsequent to the employee's regular schedule of hours.

**8. Bookdrop Pay**

If a non-exempt employee is assigned to empty the library bookdrop(s) and discharge materials when the library is closed, the employee shall receive two (2) times their hourly rate of pay for doing so.

**9. Holiday Pay**

Non exempt employees required to work on a recognized holiday shall receive two (2) times their hourly rate of pay for hours worked in addition to the holiday pay. As a condition for payment of holiday pay, every employee shall report for work on the scheduled work day before and after the recognized holiday unless such employee is on an approved form of leave.

**10. Sunday Pay**

Non exempt employees required to work on a Sunday shall be paid at a rate of one and one-half (1.5) times their hourly rate of pay.

[Section 111 Revised March 25, 2021]

**112 EMPLOYMENT CONTINUANCE, LAYOFF, RECALL FROM LAYOFF**

**1. Purpose**

The purpose of this section is to set forth the policies and practices regarding employment continuance, layoff and the recall of laid off employees.

**2. Employment Continuance**

An individual's employment can be terminated with or without notice at any time, for any reason. Furthermore, no management official is authorized to make an oral assurance or promise of continued employment and any such pledge or agreement must be in writing and signed by the Library Director.

**3. Layoff**

Employees may be laid off based upon the nature of the duties to be consolidated or eliminated, funding levels and the past performance of the individual employees involved. Under certain circumstances, workweek reductions may be imposed in lieu of layoff.

Employees laid off shall be eligible for continuation of their participation in applicable benefit programs per COBRA regulations. Employee premium payments shall be made on a monthly basis in accordance with Library policy.

Laid off employees shall not accrue sick leave or vacation credits during any full month of layoff, but shall retain all past sick leave accumulations for possible use following recall from layoff, and shall retain their service time for vacation accumulation purposes following recall. Laid off employees may be able to continue their participation in other benefit programs at their expense in accordance with the terms established under the various benefit programs. Laid off employees may continue on the payroll beyond the date of layoff until all earned and accrued vacation

and floating holidays benefits are exhausted or shall be paid all earned and accrued vacation and floating holidays benefits on the normal paycheck following their layoff date.

Laid off employees shall be given notice of vacancies based upon their demonstrated abilities and past performance.

Employees who have not been recalled to their former positions or placed in another appropriate position within one (1) year from their date of layoff are no longer eligible for recall. Persons assigned to reduced workweeks in lieu of layoff shall have their salaries and benefits eligibility administered on a prorated basis effective from the date of reduction.

It is the responsibility of laid off employees to apprise their Supervisors and the Library Administrative Office as to their current address and telephone number so that recall or other placement activities may be efficiently handled. An employee failing to do so may be considered to have voluntarily terminated their position and forfeited his/her recall or other placement options.

#### **4. Recall From Layoff**

Any employee recalled from layoff shall report for work as soon as possible following the date of recall notice but no later than seven (7) calendar days there from. An employee who fails to report for work within the recall period shall be considered to have voluntarily terminated his/her employment. Exceptions to the work return requirement may be made at the discretion of the Library Director for medical or other compelling circumstances. In the event that other appropriate employment is offered by the Library to a laid off employee, the employee is obligated to accept such employment in order to retain his/her employment status with the Library. Refusal of such employment shall be considered to constitute a voluntary termination of employment.

## **113 GRIEVANCE**

### **1. Policy**

It is the policy of the Library to provide all employees with a process to resolve workplace disagreements relating to employee discipline, termination of employment, and workplace safety. The Library hopes that any disagreement can be resolved informally between the employee and their supervisor. However, if an informal resolution cannot be reached, then each employee may on an individual basis file a formal grievance which will be reviewed by a number of levels of Library management. The final review for grievances that cannot be resolved is with the Oshkosh Public Library Board of Trustees. The filing of a grievance by an employee will not reflect unfavorably on the employee's standing, performance, or loyalty and shall be without fear of reprisal.

### **2. Administration**

The Assistant Director and the Library Director shall jointly supervise and administer the grievance process. Supervisors and Department Heads shall keep the Assistant



Director informed of all grievances in progress.

### **3. Definitions**

Grievance - A grievance is a formal complaint regarding the application of Library policies related to an individual employee's discipline, termination of employment, or a dispute concerning workplace safety. The terms "discipline," "termination of employment," and "workplace safety" referred to shall be limited to the definitions and scope specifically identified in this policy.

In order to process written grievances, the grievance must contain all of the following:

- The name and position of the grievant.
- The date the incident or alleged violation took place.
- The issue involved.
- A clear and concise statement of the grievance.
- The specific section of the Library Personnel Policy or Workplace Safety Rule alleged to have been violated.
- Steps taken to informally resolve the issue and the results.
- The relief sought or actions the employer is requested to take.
- The signature of the grievant and the date.

Employee – all Library employees except those excluded by any state statute governing the creation of this grievance procedure. Employees receiving the benefits of this grievance policy shall not include employees subject to a collective bargaining agreement addressing employee discipline, termination and workplace safety; statutorily appointed individuals identified specifically in state statutes as serving at the pleasure of an appointing authority; elected officials; and, independent contractors.

Workplace Safety – are those actions or inactions related to physical health and safety of employees enforceable under federal or state law, or Library Policy related to: safety of the physical work environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements.

Discipline – means oral reprimands (only where a written record of the reprimand is placed in the employee's file), written reprimands, suspensions and demotions. The definition of discipline does not include:

- Performance reviews, work plans or corrective actions that do not include a reprimand or other adverse employment action.
- Suspension for investigative purposes.
- Non-disciplinary wage, benefit or salary adjustments; or
- Change in assignment, assignment location, or unsuccessful completion of an introductory period resulting in non-disciplinary wage, benefit or salary adjustments.

Termination – means action taken by the employer to terminate an individual's employment for misconduct or performance reasons. The definition of termination does

not include:

- Layoffs or failure to be recalled from layoff.
- Workforce reduction activities.
- Job transfers, demotions, or reinstatements.
- Action taken as a result of an employee's failure to meet the qualifications of the position.
- Voluntary termination including without limitation, quitting and resignation.
- Job abandonment.
- End of employment due to disability.
- Retirement.
- Death.
- End of employment due to completion of temporary assignment; or,
- Termination of an at-will employee for other than rules violations, acts detrimental to the employer, or other acts of misconduct.

#### **4. Grievance Procedure**

Step 1 – The grievance procedure may begin for any dispute which remains unresolved after informal efforts of both the employee and employer. Employees that are not satisfied with the results of informal resolution efforts and are eligible to file a grievance may do so in writing no later than five (5) days after the event. Written grievances shall be submitted to the Assistant Director in the form required by this policy. The Assistant Director will then forward the grievance to the employee's immediate supervisor. The employee's supervisor shall discuss and review the grievance in a manner the supervisor believes is most appropriate for the circumstances and shall determine whether or not the actions taken, which are the subject of the grievance, were reasonable. The supervisor should provide to the employee a written response, report, and/or conclusions describing their resolution of the problem, or any unresolved issues, within five (5) days after the grievance was submitted to the Assistant Director.

Step 2 – If the response or report of the employee's immediate Supervisor is not acceptable to the employee, then the employee may appeal the supervisor's response or report to the Assistant Director. The appeal to the Assistant Director must be in writing, must set forth the reasons for this further appeal, and must be submitted to the Assistant Director within five (5) days after receiving the supervisor's response / report. The Assistant Director shall discuss and review the grievance appeal in a manner the Assistant Director believes is most appropriate for the circumstances and shall determine whether or not the actions taken, which are the subject of the grievance, were reasonable. The Assistant Director should provide to the employee a written response, report, and/or conclusions describing their resolution of the problem, or any unresolved issues, within five (5) days after the grievance appeal was submitted to the Assistant Director.

Step 3 - If the response or report of the Assistant Director is not acceptable to the employee, then the employee may appeal the Assistant Director's response or report to the Library Director. The appeal to the Library Director must be in writing, must describe the facts and circumstances surrounding their grievance and their appeal of previous decisions of their supervisor and the Assistant Director, and be submitted

within five (5) days after receiving the Assistant Director's report / response. The Library Director shall discuss and review the grievance and its appeal in a manner the Library Director believes is most appropriate for the circumstances and shall determine whether or not the actions taken, which are the subject of the grievance, were reasonable. The Library Director should provide to the employee a written response, report, and/or conclusions describing their resolution of the problem, or any unresolved issues, within five (5) days after they receive the grievance appeal.

Step 4 – If the response or report of the Library Director is not acceptable to the employee, then the employee may appeal the Library Director's response or report to an Impartial Hearing Officer (IHO). The appeal to the IHO must be in writing, must describe the facts and circumstances surrounding their grievance, and must be submitted to the Library Director within five (5) days after receiving the Library Director's report / response. The IHO will be designated by the Library Director at the sole discretion of the Library Director. Any costs incurred by the IHO will be paid by the Library. The IHO will convene a hearing in the manner the IHO determines necessary according to the particular circumstances of each situation. The IHO shall have the authority to administer oaths, issue subpoenas at the request of the parties, and decide if a transcript is necessary. The IHO may require the parties to submit grievance documents and witness lists in advance of the hearing to expedite the hearing. The IHO's decision shall be based upon whether or not a preponderance of the evidence indicates that the actions taken, which are the subject of the grievance, were reasonable. In termination and discipline cases, the Library shall have the burden of proving that the actions taken were reasonable. In workplace safety cases, the employee shall have the burden of proving that the actions, or inactions, taken were unreasonable. The IHO may request oral or written arguments and replies. The IHO shall provide the parties a written decision in a timely manner; which in most cases will not exceed thirty (30) days. The IHO shall have the discretion to take all necessary action, and make all necessary orders, related to the grievance up to and including dismissal of the grievance for failure to comply with the rules of the this policy or the IHO's rules. IHO's may only consider the matters presented in the initial grievance filed by the employee. The IHO shall have no power to add to subtract from or modify the terms of the Library policy or rule that forms the basis for the grievance. The report / response of an immediate supervisor, Assistant Director, or Library Director may be relevant to the IHO proceeding for procedural purposes, but shall not be conclusive or binding upon the IHO's final determination. If the IHO is unwilling or unable to serve at any time during the process the Library Director shall designate a new IHO.

Step 5 – Either the employee or the Library, or both, may appeal the final determination of the IHO, either in whole or in part, to the Oshkosh Public Library Board of Trustees. The appeal to the Library Board must be in writing, must describe the facts and circumstances surrounding their grievance and their appeal of the IHO's final determination, and be submitted to the Library Director within ten (10) days after receiving the IHO's final determination. The Library Board shall begin its review of the grievance appeal within thirty (30) days after it has been received by the Library Director. Library Board review will be conducted during a closed session meeting unless an open session is requested by the employee, or when some or all of

the grievance review is required by law to be held in an open session. The Library Board involvement in the grievance process shall be for the purpose of reviewing the IHO final decision and shall not be for the purpose of conducting a new hearing or a continuation of a previous hearing. Therefore, the Library Board will make its decision based upon the final written decision of the IHO and any evidence collected during the IHO hearing process. During its review, the Library Board may, at its sole discretion, accept oral and/or written statements from the grievant and from a representative of the Library. However, no new testimony, records, or evidence shall be offered to, or accepted by, the Library Board.

The Library Board may adjourn its review of the grievance as it deems appropriate under the circumstances. The Library Board is responsible for deciding whether or not the IHO decision is reasonable in light of the information that was presented at the IHO's hearing. Because reasonable minds may come to different conclusions, the Library Board should not overturn an IHO decision simply because they may have reached a different conclusion. IHO decisions may be overturned if it appears that material rules or laws were not followed, or if it appears that the IHO final decision was arbitrary and capricious. The Library Board may make a decision despite recognized IHO errors or omissions if they are not material or, if they are material, that they do not affect the final outcome. A simple majority vote of the Library Board membership shall decide the appeal within twenty (20) days following the last session scheduled for review. The Library Board will issue a final written decision signed by those approving the decision which will include statements indicating either that the IHO final decision is affirmed, or that the IHO decision did not follow material rules or laws and therefore is reversed, or the IHO decision is arbitrary and capricious and therefore is reversed. The Library Board's written decision shall be binding on all parties.

#### **5. Representation**

A grievant may be accompanied by a representative throughout the grievance process. The representative may be an attorney or non-attorney. The cost of any representative, and all of the grievant's costs associated with the grievance procedure, shall be at the grievant's sole cost regardless of the outcome of the grievance. The grievant's right to a representative shall not impede the timely and efficient resolution of the grievance process.

#### **6. Time**

A grievance will be processed according to the established timelines. Except for decisions and determinations required of the IHO and Library Board, in those instances when a report / response of the employer is not provided within the timeframe noted, the grievance is considered denied. A grievant may advance a grievance to the next step if a report / response is not provided by the Library within the designated timeframes. A grievant shall not file, advance, or appeal a grievance outside of the designated timeframes. Failure of the grievant to follow the timelines and other requirements in this policy shall result in the IHO and/or Library Board not having jurisdiction over this matter and shall terminate the grievance procedure for the grievant. However, an extension of time can be made in writing by agreement of

both parties. For purposes of this section, time limits are defined as weekdays, excluding Library recognized legal holidays. The time limits within which an action is to be taken under this grievance procedure shall be computed by excluding the first day and including the last day (for example, an event happens on a Tuesday; the employee has five weekdays to file a written grievance; assuming no holiday intervenes, the written grievance must be submitted by the following Tuesday).

**7. Legal Action**

Regardless of the terms of this grievance policy, employees shall at all times retain all rights, protections, and procedures granted by federal and state laws. Nothing in this section shall abrogate any legal means of redress to the courts available to all employees.

**8. Exclusive Remedy**

This procedure constitutes the exclusive process for the redress of all employee grievances as defined herein. However, nothing in this grievance procedure shall prevent any employee from communicating with the Library their concerns regarding matters which are either not subject to the grievance procedure or where the employee does not wish to pursue the formal grievance procedure. Matters not subject to the grievance procedure that are raised by employees shall be considered, and potentially acted upon, by Library administration which retains final authority regarding any necessary procedures and conclusions, subject to any applicable Library policy or directive, to resolve the matter.

## **114 RECORDS & TRANSACTIONS MANAGEMENT**

**1. Purpose**

Personnel records are essential to provide factual data about an individual's employment with the Library. In addition to meeting a variety of legal requirements, they also service as a basis to evaluate qualifications for promotion or transfer; to determine the status, eligibility, rights and benefits of employees under pertinent regulations and serve to support other management decisions.

**2. Responsibility & Authority**

- a. Library Board - The Oshkosh Public Library Board of Trustees, guided by the recommendations of the Library Director, shall approve new positions and grade changes through the annual budget process.
- b. Library Director - The Library Director, shall approve all reclassifications, status changes, reallocation of existing positions, demotions and dismissal actions.
- c. Library Business Manager - The Business Manager will act as the liaison to the City's Benefits Coordinator on all matters affecting Library employee participation in City fringe benefit programs. The City Benefits Coordinator maintains records of insurance, benefits and other information necessary for efficient benefit administration.

- d. Library Administrative Office - The Library Administrative Office shall:
  - i. Establish, maintain and coordinate personnel transactions and records for all Library employees.
  - ii. Maintain a central personnel file for each Library employee showing name, address, title, salary, changes in status, performance evaluation, cumulative vacation, sick leave and such other pertinent information necessary for effective personnel administration and for compliance with State and Federal law.
  - iii. Advise and assist Library administrators and managers on all Library personnel transactions, records and system procedures.
  - iv. Act as liaison to the City payroll office on all matters affecting Library employee payroll, including changes to pay rates, the need to execute payroll deductions, etc.
- e. Department Heads - Department Heads or their designated Supervisors shall:
  - i. Initiate and process transactions that affect their employees using forms provided by the Business Manager or Library Administrative Office.
  - ii. Maintain a record of each employee's compensatory time, if any, to justify time off from work.
  - iii. Promptly notify the Business Manager or Library Administrative Office of all changes in personnel information affecting records and payroll, including change of address or dependency, leave of absence or other pertinent information.
- f. Employees - All employees shall be responsible for notifying their supervisor and the Library Administrative Office of any changes which affect their employment or benefit status, such as name, address, telephone number, marital status, number of dependents, and insurance coverage.

### **3. Security of Records**

Access to personnel and payroll records is limited to those employees who utilize official records in order to perform their assigned duties. Other people who are authorized access should obtain the records from those assigned responsibility for their maintenance.

### **4. Public Inspection**

Information is available for public inspection in accordance with the procedures prescribed by the Library Director, subject to State and Federal law governing open records.

**5. Destruction of Records**

Applications for employment, examinations, payroll and other records shall be kept according to the General Records Schedule for Wisconsin's Public Libraries and Public Library Systems.

[Section 114 Revised June 30, 2022]

**115 TRAINING & DEVELOPMENT**

**1. Purpose**

To provide organized training programs for the purpose of increasing the knowledge, proficiency, ability and skills of public employees in order to keep personnel abreast of current developments in their occupational fields and improve the quality of service to the Library.

**2. Library Director**

The Library Director shall be responsible for development, administration and coordination of employee training and development. The Library Director shall:

- a. Analyze and evaluate the overall needs for employee training and development of employees within the Library and discuss such needs with the Assistant Director and Department Heads.
- b. Match identified needs with available training resources.
- c. Assure that employees receive opportunity to participate in training programs being offered and are properly encouraged to do so.
- d. Properly credit each employee's personnel record upon successful completion of training and development activities to assure maximum consideration for transfers and promotions.
- e. Assure that programs are arranged at times that are available and do not unduly interrupt Library operations.
- f. Remain current on training opportunities available.

**3. Department Head**

Department Heads shall provide active leadership in training and development of employees under their supervision and shall:

- a. Suggest to the Library Director any particular training that would be helpful to employees in their department.
- b. Cooperate with the Library Director in organizing programs and encouraging employees to attend training sessions.
- c. Assist in assessing the effectiveness of employee training programs and make recommendations for improvements and modifications.

- d. Grant employees sufficient time to participate in training programs provided that such participation does not unduly interfere with the necessary operations of the department.
- e. Grant employees reasonable time, if required during working hours, to register at a school of instruction.

**4. Credentials**

The Library will pay for training to maintain job required credentials, certifications, or licensures, as funding allows.

**5. New Employee Orientation**

The Library shall provide a program outlined to orient new employees.

- a. Assistant Director - On the first day of employment or as soon as possible during the first pay period, new employees will meet with the Assistant Director or designee who shall advise them in regard to hours of work, fringe benefits, pay and pay periods, city rules, privileges and responsibilities. All required forms such as tax withholding, insurance enrollments, etc., shall be completed and signed. All relevant descriptive literature shall be furnished.
- b. Supervisor - The supervisor shall orient each new employee to the job and work site. Such orientation shall include introductions to fellow workers, work standards, safety regulations, break periods, supplies, etc.

## **116 PERFORMANCE DEVELOPMENT AND MANAGEMENT**

**1. Purpose**

The purpose of the performance development and management system detailed in this section is to insure that all employees are given the opportunity to be successful in their jobs and to create a work environment that encourages communication, accountability, and professional growth and achievement.

**2. Objectives**

- a. Every employee understands his/her responsibilities and is meeting performance expectations.
- b. Every employee receives appropriate and relevant feedback on performance.
- c. Every employee is given opportunities to discuss barriers to their success, to request assistance or training/education, and to offer suggestions for workplace improvements.
- d. Supervisors communicate regularly with every employee in their department.
- e. Supervisors recognize and acknowledge employee achievement.
- f. Supervisors are aware of and address workplace issues and obstacles that limit the ability of the employee and/or department to perform effectively.
- g. Supervisors address performance issues as they arise.



### **3. Process**

#### **a. Employee Progress Meetings**

- i. The supervisor meets at least two times per year with each employee. More frequent meetings may be appropriate if the employee is involved in a new project or has taken on new responsibilities.
- ii. Discussion focuses on current projects, recent accomplishments, issues or obstacles that affect employee performance.
- iii. The supervisor takes notes, particularly on action items and goals, and keeps a file for each employee; the employee may request a copy of the supervisor's notes for her/his own files.
- iv. The employee may also wish to take notes on the topics covered in progress meetings with the supervisor.
- v. For additional performance feedback, employees may also elect to meet with another manager or with a coworker, depending upon current projects / assignments.

#### **b. Annual Performance Evaluation Meeting**

- i. The final progress meeting during the year is the annual performance evaluation meeting and must take place before any salary increase can be approved.
- ii. The meeting should take place in October or November of the calendar year, with all employee annual meetings completed by November 30 of each year.
- iii. The employee will receive a copy of her/his position description and the library's mission and goals at least one month before the annual meeting date.
- iv. Annual performance evaluation meeting discussion will include an overall look at performance expectations and the current year's activities, review of the position description, and possible activities or goals for the coming year.
- v. The supervisor will complete the "Annual Performance Evaluation Record" form to be signed by both the supervisor and the employee.
- vi. The "Annual Performance Evaluation Record" form will be submitted to the Library Director to be filed in the employee's personnel file.

### **4. Performance Improvement**

A performance improvement process may be implemented when a supervisor believes that an employee's performance is less than satisfactory and can be resolved through coaching or a Performance Improvement Plan (PIP). Initiation of this process is entirely at the discretion of library administration and may be terminated at any point. Failure to achieve satisfactory performance of job duties may result in disciplinary action, which is covered in Section 315 of this employee handbook. Violations of library policies or procedures that are not directly tied to performance of job duties also may result in disciplinary action.

- a. Coaching – As a first step in correcting unsatisfactory performance or behavior, the supervisor will meet with the employee to review pertinent job requirements and behaviors to ensure that the employee understands what is expected and to

determine the most effective methods for improving the performance or task-related behavior. The supervisor will document the discussion, including agreed-upon strategies and timelines, keeping a copy and providing a copy to the employee.

- b. Performance Improvement Plan – If the unsatisfactory performance or task-related behavior continues without improvement, the next step is the creation of a formal Performance Improvement Plan that describes the unacceptable performance or behavior, provides strategies and timelines for improvement, and notes the potential consequences for failure to improve, including resort to disciplinary action if it is warranted. The written document will be signed by the employee to acknowledge receipt of a copy. The signed original will become part of the employee’s personnel file.
- c. Probation – If coaching and the Performance Improvement Plan approach fail to result in improvement, progressive discipline will be administered as covered in Section 315 of this employee handbook.

## **117 EXIT INTERVIEWS**

### **1. Purpose**

An exit interview is used to gain insight into the effectiveness of Library personnel and managerial practices, to determine where personnel policies and procedures are in possible need of review or revision, and to determine where supervisory or managerial practices need modification or improvement.

### **2. Exit Interview**

At the discretion of the Library Director or designee, an exit interview may be conducted with an employee who is leaving Library employment regardless of length of service, position or circumstances of separation.

- a. The Library Director or the Director’s designee may conduct interviews with employees leaving Library employment to determine if separation is in any way related to personnel practices, poor supervision, misunderstanding, or for personal reason.
- b. Department Heads shall notify the Library Director as soon as they learn that one of their employees is leaving. Should the Library Director request an exit interview, he/she shall then schedule a time and a place for the interview which normally would be close to the employee’s last day of work.

### **3. Return of Library Equipment**

Employees leaving employment must return Library keys, tools, identification and equipment on or before their last day of work.

## **200 FRINGE BENEFITS**

All persons employed in qualified regular positions shall be eligible to participate in the Library's Fringe Benefit Programs. Additional information on the benefits listed in sections 201 through 224 is available from the Business Manager.

### **1. Proration Method**

For the purpose of proration of paid time off (including vacation, floating holidays, and recognized holidays) and for sick leave, the method used shall be as follows. Part-time regular employees shall be prorated by the following calculation method: eight (8) hours multiplied by the ratio of the number of hours normally worked per week by a person in the position, as established in the table of organization, to the number of hours worked in a week by a full-time employee (40).

[Section 200(1) revised June 30, 2022]

**201/**

## **202 ROTH IRA / DEFERRED COMPENSATION**

Under these programs, an employee may designate a portion of his/her income to be deposited into a special investment account for use in retirement future years. These programs offer certain tax advantages to participants. Further information is available through the Assistant Director City Benefits Office.

[Section 201 / 202 Revised May 25, 2017]

## **203 DIRECT DEPOSIT**

All newly hired regular full-time and part-time employees shall participate in the direct deposit payroll system. This system automatically deposits payroll checks into a financial institution of the employee's choice.

## **204 EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Library provides an employee assistance program to its employees and their family members. EAP provides confidential, quality services to help employees and their families successfully meet home and workplace challenges. EAP is committed to enhancing the well-being and quality of life of the diverse populations addressing the full spectrum of family and workplace needs. An employee may access EAP through supervisor referral, or through employee self-referral. Employees, or their family members, who contact EAP, can do so with complete confidentiality. Only aggregate statistics are shared with the employer. In no case will the use of this program itself have an adverse impact on an employee's job or future chances for advancement. For contact information, employees should ask their supervisor or contact the Assistant Director.

## **205 FAMILY AND MEDICAL LEAVE ACT (FMLA)**

The Oshkosh Public Library complies with the requirements of the Federal and Wisconsin Family and Medical Leave Acts, and any amendments thereto.

### **1. Qualifying Events**

FMLA is for an employee's own serious health condition; to care for a parent, son or daughter, or spouse with a serious health condition; or for birth, adoption, or foster care placement; or for a qualifying exigency related to active military duty. In no event will an employee be entitled to more Federal and/or State family or medical leave than the maximum number of weeks provided for in one calendar year by Federal or State FMLA statutes.

### **2. Eligibility**

To be eligible for leave under the Federal FMLA, an employee must have been employed by the Library for at least twelve (12) months and must have worked at least 1,250 hours during the twelve-month period immediately preceding the commencement of the requested leave. To be eligible for leave under the Wisconsin FMLA, an employee must have been employed for more than 52 consecutive weeks and have worked or been paid for at least 1,000 hours in the preceding 52 weeks. The kind and amount of leave available under this Policy, as well as rights during leave, depend upon whether the above requirements are satisfied.

## **206 FUNERAL LEAVE**

All regular employees shall be allowed up to three (3) work days off with pay necessary for attending funerals for death in the immediate family (spouse, children, step-children, parents, step-parents, sister, brother, step-brother, step-sister, mother in-law, father in-law, sister in-law, brother in-law, son in-law, daughter in-law, grandparents, grandchildren, legal guardian, half-brother, and half-sister). The employee will be paid for scheduled time off from the day of death up to and including the day after the funeral but not to exceed three scheduled work days at the employee's regular straight time hourly rate. No funeral leave will be paid to any employee without documentation, while on sick leave, layoff, or any leave of absence and funeral leave will not be counted toward the calculation of time worked for overtime purposes.

Funeral leave without pay will be permitted by the Library to attend funerals of the employee's aunts, uncles, nieces and/or nephews.

## **207 DENTAL, HEALTH, & VISION INSURANCE**

If the Library contributes an amount per month toward the premium of the plans, this amount is based on eligibility and shall be set and modified from time to time by the Library Board, advised by the Library Director. Specific benefits provided by this plan are explained in the Master Plan Document(s) which may be obtained in the City of Oshkosh Benefits Office. Premiums are collected one month in advance of effective coverage, through payroll deductions.

**[Section 207 was revised 28 September 2017]**

## **208 HOLIDAYS**

### **1. Eligibility**

Paid holiday leave for recognized holidays shall be granted to regular full-time

employees with full pay (i.e. eight hours of paid leave time per recognized holiday).

Library personnel policy distinguishes between **regular** part-time employees and part-time employees. As stated in section 110 (7), regular part-time employees are those who accumulate 975 or more hours of work per year or, if hired after July 1, 2011, accumulate 1,200 or more hours of work per year. Paid holiday leave hours for recognized holidays shall be granted to regular part-time employees on a prorated basis.

As defined in section 110 (7), part-time employees are those that work fewer than the number of hours required to be considered regular part-time employees. Part-time employees are not eligible for paid holiday leave.

## **2. Recognized Holidays**

The following are recognized as holidays:

- a. New Year's Day
- b. Memorial Day
- c. Independence Day
- d. Labor Day
- e. Thanksgiving Day
- f. The Day before Christmas
- g. Christmas Day

## **3. Paid Leave in Lieu of holiday**

When any of the recognized holidays falls on a regularly scheduled day off, or if the employee is scheduled to work on the holiday, the employee will be granted paid leave time in lieu of the holiday, subject to staffing requirements.

## **4. Day of the Week and Scheduling of Holidays**

- a. When any of the above holidays fall on a Sunday, the following Monday shall be deemed a holiday, and the library will be closed both days.
- b. When any of the above holidays fall on a Saturday the previous Friday shall be deemed a holiday, and the library will be closed both days.
- c. Christmas holidays (December 24 and 25):
  - i. If these holidays occur on Friday and Saturday, they shall be deemed holidays, and the library will be closed both days.
  - ii. If these holidays occur on Sunday and Monday, they shall be deemed holidays, and the library will be closed both days.
  - iii. If these holidays occur on Saturday and Sunday, the three days from Friday, December 23 through Sunday, December 25 shall be deemed holidays, and the library will be closed for those three days. In such a case, the library will re-open on Monday, December 26 and employees shall be granted a day off in lieu of the December 25 holiday, as specified in Section 208 (3) above.

## **5. Floating Holidays**

Floating holidays are paid leave days that may be taken when the employee chooses, subject to scheduling needs and with advance approval by the employee's supervisor. Floating holiday leave hours shall be credited for employee use at the beginning of the calendar year. They must be used by the end of the calendar year in which they were

credited.

Regular full-time employees shall be granted five floating holidays (40 hours) per year. Regular part-time employees shall be granted a number of floating holiday hours calculated using the proration method in Section 200(1) Fringe Benefits – Proration Method. No roll over from year to year shall be made to employees for floating holidays not used.

**[Section 208 revised August 25, 2022]**

## **209 INCOME CONTINUATION INSURANCE (ICI)**

ICI is an income replacement plan that replaces up to seventy-five (75) percent of an employee's gross salary (to a maximum of \$4,000 per month) if the employee is unable to work because of non work related sickness or injury. The plan is not a guarantee of employment. The plan provides replacement income for disabilities that are considered short term in nature, as well as those that may last for extended periods after employees exhaust all accrued paid leave time. The City will pay the premium for the 180 day elimination (waiting) period. Employees may select a shorter elimination (waiting) period of 30, 60, 90, or 120 days. If employees desire a shorter elimination period, they are required to pay the necessary additional premium.

**[Section 209 was revised May 25, 2017]**

## **210 JURY DUTY**

During any period of jury service, the employee will receive full pay from the Library. All compensation received by the employee for jury duty must however be reimbursed to the Library. When the employee is not actually assigned to a case or is released early, he/she will be expected to report to their regular job. No overtime will be allowed for jury duty and jury duty will not be counted toward the calculation of time worked for overtime purposes. A leave of absence without pay shall be granted an employee upon request when he/she has to appear under subpoena or in his/her own behalf in litigation involving personal or private matters. Should any Library employee be subpoenaed in matters relating to one's duties as a Library employee, the employee shall receive full pay from the Library. All compensation (witness fees, etc.) for Court appearances shall be turned over to the Library.

## **211 LEAVE OF ABSENCE**

A leave of absence without pay shall be granted to an employee for a justifiable reason and when in the interest of the Library. Application for such leave shall be made in advance by writing to the Department Head, stating the period of the leave and reason requested. Disposition of such requests will be made on the basis of staffing requirements of the employer.

At expiration of the leave without pay, the employee shall be reinstated in the position which is vacated or in an equivalent position which is vacant if he/she meets the stated qualifications.

Leave without pay shall not constitute a break in service. Employees who are on a leave without pay do not accrue paid time off or other benefits related to time worked.

[Section 211 Revised May 27, 2021]

## 212 LIFE INSURANCE

### 1. Enrollment

Employees should enroll for group life insurance immediately. Failure to do so will require the employee to apply for life insurance through medical evidence of insurability.

[Section 212 was revised September 28, 2017]

## 213 MILITARY SERVICE

### 1. Active Duty

All regular Oshkosh Public Library employees who are called to active military duty will be placed on a “leave without pay” status. When the assignment with the military is complete, employees will be reinstated to their former position, or in some cases a comparable position, providing they are capable of doing the job, and they notify the Library Director or Assistant Director of their intent to return to work after discharge from military duty. Failure to notify the Library Director or Assistant Director of the employee’s intention to return to work after discharge from the service, within time limits specified by Uniformed Services Employment and Reemployment Rights Act (USERRA), shall be considered a termination of the employee’s employment. Employees will also retain their pay level, unused leave balances, length of service status, and any salary adjustments that may have occurred while they were on active duty. Leave balances will not accrue while employees are on military leave.

- a. Requesting Leave - Unless notice is impossible, employees called to active duty must request a leave of absence from the Library Director or Assistant Director in writing. The request should indicate the date of departure and expected return date (if known). Finally a copy of the formal military orders associated with the absence should also accompany the request.
- b. Leave Approval - Leave is approved when written approval is provided from the Library Director. A copy of this approval is sent to the Library Administrative Office to initiate status changes.
- c. Retirement while on Leave - The Library will continue reporting to the Wisconsin Retirement System any wages employees would have received had they remained continuously employed throughout their service period. The Library will also make contributions to WRS up to the amounts specified as statutorily required. To receive this credit, employees must do the following:
  - i. Notify the Library that they are going on military leave.
  - ii. Leave the military under honorable conditions.
  - iii. Return to the Library within the allowable time limits, which are:
    1. Less than 31 days of duty, return to work the next regularly scheduled workday.

2. 31 to 180 days of duty, return to work within 14 days after completion of service.
3. More than 180 days of duty, return to work within 90 day after completion of service.

As long as the above requirements are met, military service should have no adverse impact on retirement benefits.

- d. Health Insurance while on Military Leave - COBRA law provides employees with the option of continuing their health insurance, at their own expense, for 24 months beyond their call to active duty. The military does provide health insurance coverage to its members and their families through TRICARE, the Defense Department's regional managed health care program.
- e. Life Insurance while on Leave - Minnesota Mutual will allow employees to continue their life insurance coverage, at their own expense, for up to 36 months beyond their call to active duty. All levels of coverage would be honored in the event of the employee's death during military action, with the exception of the Accidental Death, Dismemberment, and Loss of Use coverage, which is not payable when the cause of death is due to any act of war, declared or undeclared. In the event that employees decide not to extend their life insurance, or employees do but their leave extends beyond 36 months, employees may re-enroll within 30 days of their return to work.
- f. Disability Insurance while on Leave - If employees are enrolled under the disability insurance policy at the time of departure, their coverage will end the last day of the month following the month they are called to active duty. Employees may re-enroll in the disability benefit upon their return to work for the Library.

## **2. Military Reserve Leave**

A permanent employee who is a member of any United States Military Reserve or the National Guard and who is required to undergo a temporary emergency duty or annual field training shall be granted a leave of absence without pay. The Library Director or Assistant Director shall be notified in advance of the starting date of regular training and immediately upon receipt of notice of emergency service.

## **214 RETIREMENT**

The Oshkosh Public Library currently participates in a retirement plan known as the Wisconsin Retirement System (WRS) which is administered by the Department of Employee Trust Funds. The employer shall pay to the retirement fund the statutorily required amount designated by the fund. A WRS employee benefit handbook explaining the program in detail is available in the Benefits Office.

## **215 SECTION 125-FLEXIBLE BENEFIT PLAN**

The Flexible Benefit Plan is a program that was enacted by Congress in 1978 and is open to



regular City employees. The plan allows employees to pay for certain expenses using pre-tax dollars. Employees deduct monies from their paycheck before federal, state, Social Security and Medicare taxes are calculated. The monies are withheld from each paycheck in equal installments and reimbursed once an employee shows proof that the service was rendered. This plan allows two separate categories of expenses to be claimed up to annual maximums. The categories are: Dependent Care Reimbursement, and Medical Reimbursement.

**[Section 215 was revised May 25, 2017]**

## **216 SEPARATION PAY**

When a regular full-time or regular part-time employee voluntarily separates employment with the library, he/she shall be paid for any earned but not used vacation and floating holiday credits. No payment will be made in the case of an involuntary termination.

**[Section 216 revised June 30, 2022]**

## **217 SICK LEAVE**

Sick leave should be regarded by all employees as valuable, health and welfare insurance which, in the best interest of all employees, should not be used unless needed. Sick leave is not a “right” it is a privilege to be used carefully. Employees requesting sick leave shall do so in accordance with Library policy.

### **1. Accumulation**

All regular employees shall receive sick leave with pay. Regular full-time employees shall accumulate sick leave credits at the rate of eight (8) hours for each month of completed service; regular part-time employees shall accumulate sick leave credits prorated on the FTE percentage of their position compared to a full-time position. New employees will accumulate sick leave credits from the first day of their employment, pro-rated on the percentage of the first month worked and on the FTE percentage as above. New FLSA exempt employees may be advanced a sick leave amount, upon hire. If this benefit is negotiated as a condition of employment, accumulation will not occur until corresponding months of employment have elapsed. Any time used in excess of this accumulation schedule will be deducted from an employee’s pay upon termination.

### **2. Reporting**

Absences to be covered by this provision shall be reported to the Department Head or other designated employee prior to the scheduled starting time for work, except in case of emergency.

### **3. Employee**

An employee may apply for sick leave with pay for absences necessitated by injury or illness to the employee. Sick leave may also be used for employee doctor or dental appointments that cannot be scheduled other than during the employee’s work day. At least three (3) days notice shall be required to apply for the leave for doctor or dental appointments which are subject to the approval of the supervisor for scheduling, except

in the case of an emergency.

**4. Spouse/Dependent**

Sick leave accumulation may be used for illness, injury, doctor and dental appointments of the employee's spouse, parent, child or grandchild that cannot be scheduled other than during the employee's work day. At least three (3) work days notice shall be required to apply for leave for doctor and dental appointments which is subject to the approval of the employee's supervisor for scheduling, except in the case of an emergency.

**5. Doctor Certification**

Upon request, or illness/injury absencing an employee for more than three (3) consecutive days, employees shall submit a doctor's certificate for such absence. The certificate must state the kind and nature of sickness or injury and whether the employee has been incapacitated for said period of absence.

**6. Unused Accumulation**

Unused sick leave credits shall accumulate to a maximum of twelve-hundred (1,200) hours for regular full-time and regular part-time employees.

- a. Unused accumulated sick leave up to twelve-hundred (1,200) hours shall be paid to employees who retire on an immediate Wisconsin Retirement System annuity, or who die in service, at one-half the employee's pay rate in effect at the time he/she retires or dies.
- b. Employees planning to retire may choose to have their entire sick leave payout placed into their 457 account prior to retirement (subject to IRS contribution limits and rules, regulations and requirements of the 457 plan). In such case, an employee who has achieved WRS retirement eligibility will be required to place one-third of their accumulated sick leave payout (based on sick leave balance as of date of election up to 600 hours) into their 457 account for no more than three (3) separate years. The sick leave will be paid at employee's pay rate in effect at the time the deposit is made. Once this option is exercised, it shall be irrevocable unless otherwise directed by the Library Director.

**7. Overtime Eligibility**

Sick leave will not be counted toward the calculation of time worked for overtime purposes.

**[Section 217 revised June 30, 2022]**

**218 SOCIAL SECURITY**

For those employees to which social security applies, the Library pays the IRS required FICA amount on covered compensation up to the IRS maximum wage base limit, and the Library pays the IRS required amount with no wage base limit for Medicare.

**219 UNEMPLOYMENT COMPENSATION**

Library employment is covered by Wisconsin Unemployment Compensation Laws. Under

provision of that law, employees who lose their jobs through no fault of their own may receive limited financial allowances (Unemployment Compensation) during the period they are out of work and seeking employment.

## 221 VACATION

### 1. Eligibility

All regular full-time and regular part-time employees shall be entitled to paid vacation leave, which shall be earned and used in accordance with the terms in this section.

### 2. Allocation

Employees are allocated paid vacation leave hours based on their length of employment up to the amounts shown below. Regular part-time employees and part-time employees are allocated paid vacation hours on a pro-rated basis, as calculated using the method in **Section 200 of this handbook.**

	<b>Annual Allocation (Days)</b>	<b>Annual Allocation (Hours)</b>	<b>Monthly Allocation (Hours)</b>
Upon Hire	5 days		3.34 hours
After 1 year	10 days	80 hours	6.67 hours
After 5 years	15 days	120 hours	10 hours
After 10 years	20 days	160 hours	13.34 hours
After 18 years	25 days	200 hours	16.67 hours
After 25 years	28 days	224 hours	18.67 hours

### 3. Accumulation

Employees shall earn vacation monthly as of the first day of each month according to their allocation level. Employees shall earn additional paid vacation leave hours at a new level beginning on the first day of the month following the work anniversary date on which they qualify for an increase.

### 4. Maximum Balances

Each employee's maximum balance of paid vacation leave will be the hourly amount for their length of service, as detailed in sub-section (2) above, pro-rated for part-time employees. Additional paid vacation leave hours will be allocated monthly up to an employee's maximum allowed balance. Once the maximum balance has been reached or exceeded, additional paid vacation leave hours will not be allocated until their balance falls below the maximum.

### 5. New Hires

All newly hired employees shall be credited with 40 hours of vacation upon their first day of employment (prorated for part time). This time is available for use immediately upon approval of their supervisor. Newly hired employees will also begin monthly accrual the first of the month after their hire. New hires are those who have never worked for the Oshkosh Public Library or have been separated from the library for a

period of three years. In hiring a new employee, the Library Director may consider prior relevant experience in determining the starting balance and allocation level for paid vacation leave.

**6. Prior Service**

The Library Director may consider an employee's prior relevant experience in determining their proper vacation schedule.

**7. Separation**

Upon voluntary separation, an employee shall be paid for the unused portion of his/her allocated paid vacation leave balance. In the event of separation prior to completion of one (1) year of service, paid leave hours advanced to the employee at hiring will be deducted from the unused portion of their allocated leave balance before paying out after separation. If the employee's unused portion of allocated vacation leave time is less than the number of hours advanced to the employee upon hiring, no time will be paid out upon separation.

**8. Recognized Holiday**

Allocated paid vacation leave shall be used only on days which an employee normally works. If a holiday for which paid leave time is authorized falls within the employee's vacation period, the hours shall be paid as holiday leave and not vacation leave.

**9. Approval**

Use of vacation time must be approved in advance by the employee's supervisor. Requested vacation leave may be denied by a supervisor based on the grounds that granting it would compromise efficient operation of the Library.

**10. Accrual Exceptions**

Except for Family Medical Leave, vacation is not earned while an employee has been on leave of absence without pay, layoff, or receiving worker's compensation for an on-the-job injury exceeding thirty days.

[Section 221 Revised March 30, 2023]

**223 WORKER'S COMPENSATION**

All employees are expected to conduct themselves in such a manner that they do not cause injury to themselves or others. If an injury does occur during working hours, an employee shall:

**1. Reporting**

Immediately report such injury to his/her supervisor and, if the injury requires medical attention, the employee's supervisor must complete the "Employer's First Report of Injury or Illness Form" which is available on the Library's intranet or through the Assistant Director.

## **2. Payments**

Payments to hospital, doctor and to employee for lost time shall be made in accordance with the Worker's Compensation Act of Wisconsin.

## **3. Sick Leave**

Employees may choose to use accumulated sick leave for any lost work days, due to job related injury, to augment Worker's Compensation or for any days not payable under that law.

## **4. Updates**

Employees receiving Worker's Compensation shall be required to keep the Library and the City of Oshkosh Safety & Risk Management Coordinator informed of their condition and, at the discretion of the Library Director or designee, may be required to furnish a physician's certificate upon request or prior to returning to work.

# **300 CUSTOMER SERVICE**

## **1. Purpose and General Policy**

Customer service is a key component of the public trust. Employees have a special responsibility to provide exemplary customer service. Every time an employee deals with a member of the citizenry (customers) they should remember that they are the Library's representatives. Every customer who registers a complaint, or is in need of assistance, should expect to be provided with prompt, respectful, and courteous service.

## **2. Administration of Customer Service**

The quality of Library services has a major impact on our customer's attitude toward the Oshkosh Public Library and the City of Oshkosh. When employees view each customer contact as the beginning of a long-term relationship, employees resolve customer complaints in a timely fashion, and when they consistently provide quality service to the customer, employees are building customer relations and therefore a positive customer attitude toward the Oshkosh Public Library as a service provider.

## **3. Teamwork in Customer Service**

When employees interact with customers, they are expected to know as much as possible about the Library's services (or where to direct customers for accurate information). Guidelines are provided to assist employees in most situations, but there will be occasions when employees must rely on their best judgment. The Library has confidence in employee's ability to make the decision that will meet the customer's needs. Always feel free to ask supervisors or Department Heads for any assistance, particularly when dealing with difficult customers or situations.

## **4. Improving Customer Service**

With the confidence the Library has in our employees' ability to make decisions that will meet customer needs, the Library also has confidence in our employee's ability to improve our customer service through ideas for improvement. New ideas are encouraged as to how service delivery and operational efficiency can be improved.

These ideas should be shared with other team members, Supervisors, and Department Heads so as to implement improvements as promptly as possible.

## **5. Public Trust**

It is extremely important for customers to trust Oshkosh Public Library employees. As the Library is fortunate to employ so many caring individuals it is also a privilege to represent Oshkosh as a public employee.

## **301 PUBLIC SERVICE MISSION**

High moral and ethical standards among Oshkosh Public Library employees is essential. Library employees should conduct themselves in a manner which will reflect favorably upon the Library and show respect toward other employees and the public. Each employee of the Oshkosh Public Library, as a public servant, is expected to deal with the public at all times in a prompt, polite and helpful manner. Fulfillment of this requirement may mean occasional personal inconvenience.

## **302 DRESS AND PERSONAL APPEARANCE**

Library employees have a great deal of interaction with the public. The image projected by library employees strongly influences the way that the Oshkosh Public Library and the City of Oshkosh are viewed by members of the public. It is important that Library employees present themselves in a professional manner.

In order to ensure this, the following work rules have been established regarding employee attire:

- a. No torn, soiled or sheer clothing is permitted.
- b. Clothing that exposes the midriff, excessive cleavage, and underwear waistbands are not acceptable.
- c. Types of inappropriate clothing include (but are not limited to) halter tops, strapless tops, pants that leave the buttocks (or any part thereof) exposed, short shorts, sleepwear, clothing with profanity or images that depict graphic sexual or violent content, and hats.
- d. Types of appropriate clothing include clean jeans, long shorts, tennis shoes, sweat shirts and t-shirts.
- e. For safety reasons, sturdy shoes that cover the toes are encouraged for employees who regularly work with library carts or bookdrops or who perform custodial work.

In the event of any question regarding the appropriateness of any particular style of clothing or personal appearance, the Department Head shall make the final determination.

## **304 EMPLOYEE NAME BADGES**

Every Oshkosh Public Library employee will be issued an authorized name badge. Each employee shall wear this name badge throughout their scheduled workday and/or when the

employee is representing the Oshkosh Public Library in the community.

Oshkosh Public Library will purchase a name badge for each permanent employee with the library logo and the first name of the employee printed on it. New employees will be issued a temporary name badge with a name label and the library logo until they gain permanent status. The name badge has a magnetic back and can be worn on a lanyard or directly on clothing.

The name badge shall be located from 2” to 5” below the employee’s collarbone. The employee’s name must be visible to a patron, whether the employee is standing or seated behind a desk or computer screen.

If an employee has forgotten or lost their name badge, a supply of blank badges and name labels will be available in each department and a temporary name badge will be created. The temporary name badge will be worn until the employee finds their badge or a new one is obtained. When the authorized name badge is found or replaced, the temporary name badge will be returned to the department head.

Oshkosh Public Library will replace one name badge per employee per year without a charge.

If an employee loses the replacement name badge or would like to purchase one or more additional name badges, she/he may contact the Library Administrative Office for ordering. Employees are responsible for the cost of name badges lost within a year or for any additional name badges. Prices are subject to change and the size of the order affects the price; employees may consult with staff in the Library Administrative Office for information on the price of replacement badges.

Employees who violate this policy will be subject to disciplinary action. Disciplinary action may be taken by the Library when an employee:

- a. Refuses to wear a name badge.
- b. Wears a name badge in an unauthorized manner.
- c. Inappropriately alters a name badge.
- d. Loses a replacement name badge.

## **306 INCLEMENT WEATHER POLICY**

All decisions about closing the Library are made by the Library Director or designee. The Director may determine that the Library will close early, open late, or not open at all. All decisions about altering a Library employee’s established schedule are made by the employee’s supervisor. Employees may find information regarding Library closures on the Library’s web site homepage or via their work email account.

In the event of inclement weather conditions such as snow, ice, fog, etc., which creates hazardous traveling conditions to and from an employee’s home, an employee, may request from his/her supervisor permission to leave work early or arrive late and with the supervisor’s approval this can be done.

An employee may receive pay for the time away from work because of inclement weather conditions subject to the supervisor's permission by using accumulated compensatory time, floating holiday or vacation time.

In addition to the policy stated above, in the interest of cooperation, if it is possible for supervisors to allow employees to make up their lost time within the week that it occurs, they will try to accommodate the employee if they can. It should also be recognized by employees that this may not be possible due to operational needs and the timing of each particular weather incident.

[Section 306 revised March 30, 2023]

## **307 SAFETY POLICY**

### **1. Purpose**

The Oshkosh Public Library is sincerely concerned with the safety and welfare of its employees and the public it serves. It acknowledges an obligation as an employer to provide the safest possible working conditions for employees and a safe environment for the public that uses our services.

The primary purpose of this policy is to acquaint you with the general safety rules and policies. It reflects the efforts of many people to establish reasonable, practical, safe work practices to prevent accidents and injuries. Your supervisor will explain rules and policies concerning specific department operations to you. In addition, OSHA/D-COMM required written programs are available by contacting the City Safety & Risk Management Coordinator.

### **2. Principles**

Safety process principles are:

- a. All injuries are preventable.
- b. One of management's fundamental responsibilities is to lead the safety effort in a sustained and consistent way, establishing safety goals, demanding accountability for safety performance, and providing resources to make the safety process work.
- c. All employees are responsible and accountable for preventing injuries. Everyone must be connected to and have personal value for the drive toward safety excellence.
- d. All operating exposures that could result in injuries or occupational illnesses can be controlled. No matter what the exposure, an effective safeguard can be provided.
- e. Safety is an important condition of our employment. Safety starts on the first day someone begins working for the Library, and each employee is expected to be conscientious in assuming personal safety from that first day on the job.
- f. Effective training programs to teach, motivate, and sustain safety knowledge are a key element in preventing all injuries and illnesses.
- g. Regular audits of the workplace must occur to assess safety program success.



- h. All deficiencies must be promptly corrected after an audit is completed.
- i. Safety is also a part of every person's life, both at work and at home.
- j. Safety is integrated as a core business and personal value.

### **3. Introduction**

This policy provides uniform safety procedures and processes. Safety procedures for specialized tasks shall be prepared by the department manager concerned and, after approval, issued only to employees performing those tasks. It should be emphasized that all employees should comply with these specialized rules whether they are included here or not. In order to make this policy easy to read, follow and understand, it is divided into sections, each concerned with a particular type of task, equipment, operation or hazard.

Work areas and equipment shall be kept as safe as possible. No job is so important and no service is so urgent that we cannot take time to perform our work safely. We have an obligation to each other to do everything possible to prevent accidents/injuries. Also, every employee is required to report any accident or injury that occurs, to her/his immediate supervisor as soon as possible, but no later than the end of the shift.

All employees are responsible for cooperating with and supporting the safety objectives. Where potential hazards are thought to exist, employees shall use all known precautionary measures. When in doubt as to the procedure to follow, employees shall consult their supervisor before proceeding with the work. Safety is a personal responsibility. Compliance with all safety rules and use of safety equipment is a condition of employment.

### **4. Responsibility For Safety**

Should an accident occur, an investigation will be conducted.

The objective is to determine how and why the accident happened so that it can be prevented from happening again. There should be a constant program of job safety analysis to identify hazards and eliminate them before accidents happen.

- a. City Safety & Risk Management Coordinator - is responsible for the organization, coordination, and implementation of safety programs and education, hazard inspection/elimination, and management of the incident/injury reporting process. The Safety & Risk Management Coordinator will advise all employees on issues relating to accident prevention and will recommend appropriate action to correct the problem areas.
- b. Library Administration - shall be responsible for all areas of safety in the Library.
- c. Supervisors - will assume the responsibility of thoroughly instructing personnel in the safe practices to be observed in their work situations. They will consistently enforce safety standards and requirements to the utmost of their ability and authority. Supervisors will act positively to eliminate potential hazards within the activities under their jurisdiction, and they will set the example of good safety practice. Safety shall be measured along with other phases of supervisor performance.

- d. All Employees - shall be responsible for compliance with safety procedures, standards, and rules outlined in this policy or other applicable directives that are established to prevent injury to themselves, other persons or damage to equipment and property. They shall also be responsible for promptly reporting to their supervisors any hazardous condition or procedure that affects them, their fellow workers, or the general public.
  - i. Employees must report all personal injuries, no matter how minor, to their immediate supervisor as soon as possible, but no later than the end of the shift. This must be done even if the injury did not result in lost time from work or require medical attention. Department managers/supervisors are responsible for submitting injury reports to the Library Assistant Director.
  - ii. The Library does not expect you to take any chances or to work under hazardous conditions. If you are not sure you thoroughly understand the job, ask your supervisor for further instruction.
  - iii. Horseplay and practical jokes on the job are not acceptable.
  - iv. The use of alcohol and/or drugs at the workplace is prohibited. Any employee reporting to work under the influence of alcohol and/or drugs may be subject to disciplinary action.
  - v. When taking prescription and non-prescription (over the counter) medications or drugs that may affect ability to perform tasks in a safe manner, notify a supervisor to determine whether an adjustment in duty assignment should be made.
  - vi. Use the handrails on stairs and on elevated platforms.
  - vii. Jumping from an elevation such as a bench or platform is prohibited.
  - viii. Always inspect tools and equipment before use. Report defects to supervisors and other potential users. Tools and equipment that are defective must be immediately removed from service.
  - ix. Remove jagged edges from work surfaces, including: benches, tables, bins, shelves or chairs.
  - x. Remove, cut off, or hammer down protruding nails, staples or steel straps.
  - xi. Stand clear of all suspended loads. If a load must be moved above where you are working, stand aside until it has passed by.
  - xii. Obey warning tags and signs.

- xiii. Operate only the machinery or equipment you have been authorized and trained to operate.
- xiv. Remove jewelry such as rings, identification bracelets, etc., whenever climbing, material handling, or operating mechanical equipment.
- xv. Never reach over moving parts of machinery or equipment.
- xvi. Never operate machinery or equipment with guards removed.
- xvii. Report to work in appropriate clothing and footwear suitable for the type of work you perform.
- xviii. Wear personal protective equipment as required in this employee handbook and in all policies and procedures.
- xix. Be constantly watchful of the safety of helpers, bystanders and particularly children when operating equipment. Keep them clear of the work zone.
- xx. If there is an unsafe interaction with anyone, the employee should immediately notify his/her supervisor.

## **5. First Aid**

While emphasis is placed on the prevention of accidents and injuries, the potential for injury does exist. Prompt, knowledgeable treatment of injuries will, in many cases, prevent minor injuries from becoming major ones, and sometimes save lives.

The following first aid rules are established:

- a. All employees whose job requires first aid/CPR training shall receive training every two years. Any other employees interested may also receive first aid/CPR training, with the approval of their supervisors.
- b. First aid cabinets or kits shall be maintained. Supervisors should order supplies from the Library Administrative Office.
- c. There may be cases in which it is important that the injured employee be transferred to a medical facility by ambulance. If there is any doubt, it should be resolved by calling for ambulance service. For example, the following conditions would indicate ambulance service:
  - i. Employee is unconscious or apparently is in shock.
  - ii. An apparent fracture.
  - iii. Any hemorrhaging.
  - iv. Severe abdominal cramps and/or vomiting.
  - v. Other symptoms of internal injury.

- vi. Chest pain/discomfort.
- d. To obtain an ambulance, access an outside line, and then dial 911. **Each public service desk has a phone marked “911.” Public service desk staff should use that phone when calling for an ambulance.**
- e. All animal bites, because of the possibility of rabies, are required by law to be reported.

## 6. Housekeeping

The best protection against some hazards may be as simple as good housekeeping. Many injuries or damage to property can be easily prevented if employees carefully store items out of pathways, or securely in overhead spaces. Flammables also must be properly stored. Employees need to be alert to their surroundings for potential problems, correcting those that become evident to them.

Aside from the accident prevention benefits, good housekeeping means efficient performance. When materials, tools and equipment all have a place for orderly storage, and are returned to the proper place after use, they are easier to find and easier to inspect for damage and wear.

The following safety procedures are established:

- a. Keep work areas and storage facilities clean, neat and orderly.
- b. All aisles, stairways, passageways, exits and access ways to buildings shall be kept free from obstructions at all times.
- c. Do not place supplies on top of lockers, hampers, boxes or moveable containers at a height where they are not visible from the floor.
- d. When piling materials for storage, make sure the base is firm and level. Cross tier each layer. Keep piles level and not stacked too high. Keep aisles clear and with adequate space to work in them.
- e. When materials are stored suspended from racks or on hooks, make sure they are secured from falling. Walkways should be routed a safe distance beneath or around such items.
- f. When storing materials overhead on balconies, provide adequate toe boards to prevent objects from rolling over the edge.
- g. Do not allow soft drink bottles, soiled clothes, etc. to accumulate in vehicles, lockers and work areas.
- h. Tools, equipment, machinery, vehicles and work areas are to be maintained in a clean and safe manner. Defects and unsafe conditions shall be reported to your supervisor.

- i. Return tools and equipment to their proper place when not in use.
- j. Lay out air hoses, water hoses, ladders, pipes, tools, etc., in such a way as to minimize tripping hazards or obstructions to traffic.
- k. Clean up spills immediately to eliminate slipping hazards. In the event the removal cannot be done immediately, the area must be appropriately guarded, signed, or roped off.
- l. Snow shall be removed from all access sidewalks and exterior stairs to buildings as soon as practicable. In the event the snow cannot readily be removed from traffic areas, it shall be sanded, or the area roped off.
- m. Nail points, ends of loop or tie wires, etc., must not be left exposed when packing and unpacking boxes, crates, barrels, etc. Nails are to be removed as soon as lumber is disassembled.
- n. Items with sharp edges or points shall be stored in such a manner that accidental contact cannot occur.
- o. All packing materials shall be properly disposed of.
- p. Waste baskets are to be emptied into approved containers.
- q. Oily and greasy rags shall be put in a metal container for that purpose.
- r. There shall be adequate lighting in obscure areas for the protection of employees and the public.
- s. Employees should not handle foodstuffs with oil or gasoline on their hands. Also, oil and gasoline should not be handled with cut or scratched hands.
- t. All switches or drives on machinery shall be removed from the power source and locked out before cleaning, greasing, oiling or making adjustments or repairs.
- u. Control or fuse boxes shall be kept closed and clear at all times. Minimum clearance shall be 36 inches.
- v. Cords shall not be run across aisles or through oil or water. Cords shall be inspected for kinks, worn insulation, and exposed strands of wire before use.
- w. When fuses blow continually, it is an indication of an overload or short. This condition should be reported to your supervisor.
- x. Keep all electrical equipment clean and properly maintained.

- y. To prevent static sparks, keep drive belts dressed. Also check belts for proper tension to prevent overloading motors.

## **7. Fire Prevention and Protection**

Fires can be prevented by orderly planning, sensible arrangement of fire-producing activities in relation to combustible materials, good housekeeping and observance of practical controls of smoking habits when flammable substances are present.

The following safety procedures are established:

- a. Fire equipment shall be prominently displayed and kept clear for easy access at all times.
- b. Know the location of fire extinguishers in your work area. After use of an extinguisher, report such use immediately to your supervisor so a replacement may be obtained or the extinguisher recharged. All employees having access to fire extinguishers shall be trained in their proper use.
- c. Be observant of potential electrical fire hazards. Keep flammable and combustible materials away from electrical equipment and controls.
- d. Oily rags and other combustible wastes shall be kept in covered, approved metal containers. Such debris shall be removed from facilities as soon as possible and, in no case, shall be left unattended in a building overnight.
- e. Cleaning solvents that have flammable properties shall be kept in safety containers that meet OSHA standards. Flammables and combustibles must be stored in approved fire rated cabinets.
- f. Gasoline utilized in small quantities in shops for fueling engines being repaired, tested, adjusted, etc., shall be handled and dispensed in safety containers that meet OSHA standards. All containers must be properly labeled.
- g. The fueling of any type of motorized equipment while the engine is running is prohibited. When transferring flammable liquids, make sure the filler nozzle touches the equipment or container being filled in order to guard against the build-up of static electrical charge.
- h. Never overfill a tank but rather, under fill it to allow room for expansion of the liquid.
- i. No artificial light except UL approved electric flashlights will be used near escaping gasoline or other flammable vapors or when entering an enclosure suspected of containing gasoline.
- j. Rooms without adequate light, basements or cellars must not be entered. The use of matches to illuminate the space is strictly forbidden.
- k. The use of fuel oil or kerosene for starting fires is allowed only after a burning

permit has been issued by the Fire Chief. Caution must be observed. Propane will only be used according to manufacturers' specifications. Under no circumstances will gasoline be used for starting fires.

- l. "NO SMOKING" shall be enforced in all areas where flammable or combustible materials are stored or used.
- m. Exits (or exit ways) shall be kept clear at all times.
- n. All city vehicles shall have an ABC "dry chemical" fire extinguisher in their cabs.
- o. Inspectors from the City Fire Department shall be responsible for fire code inspection of the Library building on a regular schedule.
- p. Each Oshkosh Public Library building is to have an emergency fire plan. The City of Oshkosh Fire Department offers a source of knowledge and assistance to Library administrators for establishing an emergency fire plan. The plan must include:
  - i. Adequate warning measures for alerting all persons in the area of the existence of a fire.
  - ii. Rapid reporting to the 911 Center.
  - iii. Evacuation of affected personnel from areas involved in a fire.
  - iv. Procedures for containing the fire.
    - v. Instruction of personnel in the duties they are to perform in given fire situations.
  - vi. Adequate fire extinguishing equipment that is regularly inspected by a responsible authority.

## **8. Material Handling**

The single and most important preventative safety measure an employee should keep in mind is the Four Step Lifting Process.

- a. Four Step Lifting Process:
  - i. Preparation - Check over the load to be handled. If there are any protruding nails or splinters, sharp edges, oil, grease or moisture, they should be removed.

Be realistic about your carrying capacities. Get help if the load is too heavy or bulky.

Wear appropriate personal protective equipment. Gloves if the surface is rough, and it is advised that you wear ANSI/ASTM approved safety steel toed shoes, or clamp on toe protectors.

Make sure the path is clear of all potential obstacles.

Plan ahead. Know where the load is being moved to and where it will

be set down.

- ii. Lifting It Up - Feet should be shoulder width apart, planted on firm ground. Maintain good balance.

When a load is below waist level, bend your knees, keeping your back as straight as possible.

Grip the load firmly, then lift it to a carrying position. Let your leg and arm muscles do the work, not your back.

- iii. Carry the Load - Make sure you can see well enough around the load so that you know where you are going.

To change directions, turn your whole body by moving your feet. Do not twist.

When moving through tight spaces, use extra caution. Hands and fingers are easily smashed.

- iv. Putting the Load Down - When placing the load on a surface that is about waist high, rest it on the edge first, then carefully slide it forward.

When lowering a load to the floor, bend your knees, keeping your back straight. The load should be kept close to your body until it is resting completely on the floor.

- b. Beyond knowing the proper technique for lifting, employees are to follow established material handling rules.

## **9. Hand Trucks**

Use the right type of hand truck for the material you are moving.

- a. Four-wheel hand trucks with swivel axles and tongue are to be pulled; all other trucks are to be pushed.
- b. Watch where you are going when pushing or pulling a hand truck and slow down and/or stop at corners and blind spots
- c. Allow clearance for your hands when moving through doorways or past other objects. Use truck handles.
- d. Secure help in getting hand trucks up or down inclines to maintain control.
- e. Always park trucks at a spot where people will not stumble over them; leave handles in a vertical position.
- f. Report hand trucks with defects to your supervisor immediately.
- g. All hand truck operators are advised to wear ANSI/ASTM approved safety toed shoes or clamp on toe protectors.

## **10. Hoisting Equipment**

- a. All hoists must have the rated load capacity posted on the exterior of the hoist and the rail. Employees are not to exceed the specified limit.
- b. All chains and slings must have a legible tag certifying their capacity.



- c. All chains and slings must be properly stored to avoid damage. Damaged chains and slings must be removed from service immediately.

## **11. Piling Materials**

Have a safe base. That means a solid, smooth and level surface. If the floor or ground is not level, use dunnage or bearing strips or timber to make sure the pile will not shift. Barrels and other materials that may roll or slide must be chocked at the base.

- a. All piles must be stacked safely and at least 18 inches below sprinkler heads. Also, the floor load limit is not to be exceeded.
- b. Lock the material by cross-tying the layers so there are no unsteady stacks within the pile. Piles should also be stepped back to insure stability.
- c. Maintain aisle space for workers and fire equipment. Materials must not protrude beyond the face of the pile.

## **12. Protective Clothing and Equipment**

All machine guards shall be kept in place while machinery is in operation. Tampering with machine guards is prohibited and any removal requires the prior approval of a supervisor. All guards are to be properly replaced after the repair work that necessitated their removal has been completed. When necessary to work on electrically driven machinery the employee must follow lockout/tag out procedures.

When it is impractical or impossible to place a guard over the source of the hazard, then it becomes necessary to place the guard on the worker. This is done by wearing approved personal protective equipment (PPE) such as hard hats, eye protection, traffic vests, gloves, aprons, safety shoes, respirators, etc. Supervisors shall insure that all employees are properly protected.

Every possible effort will be made by management to select protective clothing and equipment that is acceptable for comfort, appearance and utility and still afford the desired protection.

- a. General Clothing:
  - i. For your safety and comfort, invest in work clothes that are sturdy, fit well and are washable.
  - ii. Wearing clothing that is loose enough to be caught in machinery parts, while on or near moving machinery or other equipment is prohibited.
  - iii. Rolled up sleeves are dangerous because they have flapping ends and because the added thickness of the cloth can pull your arm into a machine before the cloth tears.
  - iv. Appropriate clothing shall be worn to protect employees against the elements.
  - v. Pant legs should be cut to ankle length and if cuffs exist, they should be sewn up.
  - vi. Work clothes should be washed frequently as a safe guard against skin infections and irritations.

- vii. For outdoor work in winter weather, it is best to wear loose, warm, fairly lightweight clothing. Wear layers of clothing so you can remove the proper amount for inside work and put it back on when you have to go outdoors.
  - viii. Oil soaked clothes are a serious fire hazard. Keep your clothes free from oil.
- b. **Head Protection:** Construction and maintenance activities performed by Library maintenance employees may involve working above or below ground levels, movements of material overhead, or working near construction machinery. In such operations, the hazards of being struck by falling objects, machinery, or loads being moved by machinery, constantly exist. Hard hats are provided to prevent head injuries from falling objects, and bumping against objects when working in confined spaces.

The proper protection is provided when the head harness is adjusted so that there is approximately 1-1/2" clearance, plus or minus 1/8", between the skull and the inside of the hat when it is worn.

When the harness becomes worn to the extent that it no longer can be adjusted to maintain that clearance, hard hats should be turned in for replacement. The employees shall not alter the construction and shape of hard hats in any manner. Hard hats shall not have decals or be painted because it alters the dielectric properties of the hat. A hard hat is a personal item and shall be for the individual and exclusive use of the person to whom it is issued.

Hard hats of the type approved by the department manager shall be worn when there is a possibility of being struck in the head by falling objects or in areas of low clearance. Supervisors may designate additional areas where hard hat usage is required as the need arises.

- c. **Face and Eye Protection:** Hazards involving the face and eyes can occur in many places. Dust, small steel pieces, sand, concrete, liquid chemicals, etc. can be splashed, or otherwise propelled into the face and eyes, causing serious injuries. Please refer to MSDS sheets for detailed information on the potential hazards associated with chemicals.

Face and eye protection shall be provided for any task where there is any probability that an injury may occur without such protection. Employees assigned to perform tasks that require eye protection shall wear the protector provided. Library management shall provide appropriate face and eye protection devices at no expense to the employee and shall make their use mandatory in specific tasks.

Safety glasses, goggles and other protective eyewear offer a vital protection. If sufficient care is not exercised to maintain them properly, dirty or scratched lenses may create another hazard from reduced visibility.

The following safety procedures are established:

- i. Safety goggles, safety glasses or face shields shall be worn when there is a possibility for substances to enter the eyes.
  - ii. A full plastic face shield and goggles shall be worn when handling acids, caustics and other harmful liquids.
  - iii. Proper eye and face protection shall be worn when performing electrical switching operations or activating high voltage (more than 600 volts) circuits where arcs may occur.
  - iv. A face shield with the proper filter lens, or welders lens, or welder's goggles, shall be worn in all welding and cutting operations.
  - v. Eye protection may be required on other jobs not listed, if so designated at the time, by your supervisor.
- d. **Foot Protection:** Many tasks involve manual lifting or handling of heavy tools and materials. Foot injuries frequently occur when heavy objects are dropped, resulting in bruises, dislocations, fractures or crushes. Shoes, rubber boots, etc., reinforced with steel toes or soles will prevent foot injuries.

All personnel performing electrical work shall wear electrical rated ANSI/ASTM approved safety toed shoes.

Following are some of the activities in which ANSI/ASTM approved safety toed shoes should be worn:

- i. Personnel while on the job or during ground maintenance activities involving use of mowers, trimmers, and other power equipment. Employees operating mowers are required to wear clamp on steel toe caps if they do not have hard soled leather or ANSI/ISEA approved safety shoes.
  - ii. All other personnel working near construction equipment.
  - iii. All personnel performing repair shop tasks involving heavy materials.
- e. **Hand and Finger Protection:** Gloves with leather palms should be worn when handling rough edge or abrasive material or when the work subjects hands to possible lacerations, puncturing or burns. Other hand protection may be designated by supervisors. Hands should be washed with soap and water as soon as possible to prevent skin irritation. Learn to recognize poison ivy and poison oak and avoid it. Refer to MSDS when handling chemicals.

### **13. Hand Operated Tools**

A safety check of all tools shall be performed prior to each use. Defective tools must be immediately removed from service.

The following safety rules are established:

- a. Select the right tool for the job.
- b. Sharpen the cutting edges of the tool and carry the tool with the sharp edge down.
- c. Sand the wooden handles of a shovel, rake, mall etc., thus preventing splinters and burns.
- d. Check the handle on each tool for tightness.
- e. Check the head of each tool, such as hammers, chisels, punches, and malls; have the tool dressed if it is mushroomed (includes burrs and chipped edges).
- f. Wear shatterproof clear goggles when using chisels, punches, and wedges. Be sure no one is in the area before using such a tool.
- g. Use only properly insulated tools (screwdrivers, wire cutters, etc.) if the tools might make contact with live parts. Fuse handling equipment shall be insulated for the circuit voltage.
- h. Avoid using metal measuring tape, fabric tapes containing woven metal strands, rope with wire cord, or other tools and equipment that have conductive properties while around energized electrical circuits or equipment.
- i. Return tools to their proper place so that they do not fall from a ledge or are tripped over.

#### **14. Power Tools & Electrical Hazards**

- a. Equipment:
  - i. All electrical tools used in Library operations, unless listed as double insulated, must be grounded by connecting a three-wire cord with polarized, three-prong or grounded plug. Such tools shall be connected to a properly grounded, three-hole receptacle. All outdoor or street conditions require ground fault protection also.
  - ii. If extension cords are used, they must be of the three-conductor type with matching plug and receptacle. Flat style extension cords shall not be used on construction sites.
  - iii. Each electrical tool or machine shall be visually inspected each time it is used for damage to cords and ground connections. The most common defects occur at the points where the cord is attached to the tool or where the cord is attached to the plug. Be sure to check for a secure connection that allows for an insulation plate on the inside portion of the plug.
  - iv. Where electrical equipment is used in a wet location, ground fault protection or low voltage equipment (12 volts or less) shall be used. Use of rubber boots and rubber gloves are also recommended.
  - v. Never operate power tools without the guards provided.
  - vi. All power driven wood working machines should be provided with a

- disconnect switch that can be locked in the off position.
- vii. The frames and all exposed non-current carrying metal parts of portable electric wood working machinery shall be grounded.
  - viii. Provisions shall be made to prevent woodworking machines from automatically restarting upon restoration of power after a power outage.
  - ix. Power and operating controls shall be located within easy reach with a positive means provided for rendering such controls inoperative while servicing or making repairs and adjustments.
  - x. When working on electrical circuits, equipment or machinery, please follow proper Lock Out/Tag Out procedures.
- b. Compressed Air: The use of compressed air for cleaning purposes is prohibited in most situations; compressed air can only be used when not exceeding 30 PSI and then only with personal protective equipment. When in doubt, brushes should be used for cleaning machinery.
- c. Woodworking Machinery:
- i. Safety glasses and face shield must be worn at all times when operating woodworking machinery.
  - ii. Machine guards shall be permanently attached.
  - iii. If you are running short or using narrow stock, protect your fingers by using a block.
  - iv. Before using a circular saw, check all materials for possible warping. If a concave edge is found, always place it away from the straightedge guide of the table saw.
  - v. If the saw binds in a cut, the saw must be shut off before attempting to dislodge the lumber. Lock out procedures must be followed.
  - vi. Stand out of the line to avoid a possible "kick-back" and to avoid the danger of being struck by the small pieces that are frequently thrown from a circular saw.
  - vii. Never reach overreach over any machine to get finished materials from the opposite side, to remove dust or wood particles from the saw table, or to oil the machine while it is in operation.
  - viii. When using a joiner, do not allow either hand to pass over the knife. Use both hands--one on each side of the material--using particular care at the start and finish.

d. Lawn Mowers:

- i. Power mowers shall not be left unattended with motor running.
- ii. Foreign objects must be removed before mowing.
- iii. Bystanders should be warned by the operator of the danger of flying objects. Extreme precaution must be taken when there are children in the immediate area.
- iv. Operator must keep hands and feet away from the undercarriage of the mower.
- v. During maintenance repairs, the spark plug wire must be disconnected from the spark plug.
- vii. Operators of power mowers shall wear approved hard sole leather type work shoes, eye protection, and appropriate hearing protection.

e. Electrical Work:

- i. Only qualified personnel are authorized to perform electrical maintenance and/or repair. Implement lock out, tag out procedures before starting any work where applicable.
- ii. Keep all electrical controls in safe working order, accessible and well marked.
- iii. Jewelry of any kind must not be worn when working on or near electrical circuits.
- iv. All equipment, including power tools and hand tools, shall be operated only for its intended use.
- v. All equipment, and areas around equipment, shall be kept as clean, dry and adequately illuminated as possible.
- vi. All electrical work shall conform to applicable local regulations and provisions.
- vii. In case of contact with live wires, the victim must be freed with a dry wooden stick, or other non-conductor of electricity, or by turning the electricity off. An ambulance must be called immediately.

**15. Ladders and Scaffolding**

The following safety procedures will prevent accidents and possible injury:

- a. Ladders:
- i. Metal ladders shall not be used anywhere near where contact with electrical circuits can occur.
  - ii. Periodically inspect wooden ladders. Wooden ladders shrink over a period of time. In a stepladder, this may cause steps or back bar members to become loose. Hold the rods beneath the steps with a pliers and tighten the nut at the end with a wrench to maintain strength and steadiness.
  - iii. Wooden ladders or scaffold planks should not be painted as defects may be covered by paint. Use a good grade of spar varnish or a mixture of linseed oil and turpentine to preserve the wood.
  - iv. Nonskid feet shall be used on all straight and extension ladders.
  - v. Straight ladders form a triangle when placed against the wall or objects for climbing. When properly placed, the bottom side of the triangle should be about one fourth as long as the vertical (i.e., if the ladder is leaned against a wall eight feet high, the feet should be set two feet from the wall). Ladders shall never be placed against a window sash.
  - vi. When using a straight ladder, it should be long enough to extend at least three rungs above the level to which the user is climbing. Stepladders must not be used as straight ladders; they are not designed for this purpose.
  - vii. If the bottom of a ladder is placed on an unsecured surface, secure the ladder in a position by the use of hooks, ropes, spikes, cleats or other anti-slip devices or by stationing an employee at the base of the ladder to hold it in position during use.
  - viii. Never stand on the top of a stepladder to work.
  - ix. Only one person shall be on a ladder at a time.
    - x. Never carry articles in hand while climbing. Use a hand line to raise and lower tools and materials, or suspend them suitably in a tool belt.
    - xi. Always face a ladder when ascending or descending it and have free use of both hands.
    - xii. Clean your shoes if necessary before climbing.
    - xiii. Keep rungs clean and free of grease, oil, and mud.
    - xiv. If it is necessary to place a ladder near a door or where there is

potential traffic, set up warning signals or take other precautions to prevent accidental contact with the ladder.

b. Scaffolding:

- i. Proper supervision is required to erect scaffolding.
- ii. Planks and other material used in building scaffolding must be sound and free from knots. Keep planks in good condition with a spar varnish (never paint the planks). All planking shall be adequately cleated.
- iii. Tube and coupler type scaffolding shall not be altered. Wheels shall be locked or chocked, and scaffolding shall not be moved horizontally while in use.
- iv. Freestanding scaffolding shall not be higher than 4 times the narrowest width.
- v. All scaffolding over 10 feet shall have toe boards and a guard handrail at least 36 inches high but not more than 42 inches high. A mid-rail and a screen between toe board and handrail extending the entire opening consisting of #18 wire is required where persons work or pass underneath.

**16. Office Safety**

- a. Every employee shall be responsible for keeping desk and work areas clean and orderly. Pick up items such as pencils or paper clips and wipe up any spilled liquids.
- b. Loose or rough floor covering creates a slip/trip hazard and must be corrected immediately. The area should be clearly marked until repairs can be made.
- c. Be extra cautious when you come up to a door that can be pushed toward you. Take it easy when pushing the door open and slow down when coming to a blind corner.
- d. Wear shoes with slip resistant soles. Take shorter steps when walking on slippery surfaces.
- e. All drawers shall be kept closed when not in use. All drawers shall be closed before leaving the area. Never open more than one file drawer at a time.
- f. Overloading the top drawer of unsecured file cabinets has caused many injuries as well as damage. If unfamiliar with the file cabinet, test the drawers and be careful not to pull them out too far if there is no locking device on them.
- g. Furniture such as tables, desks and chairs must be maintained in good condition and free from sharp corners, projecting edges, wobbly legs, etc.



- h. Tilting chairs can be a hazard when improperly used and care should be taken to assure that they are in good condition. Also be sure your chair is behind you before you sit down.
- i. Never use chairs, desks or other office furniture as a makeshift ladder. Use only a stepladder to aid in reaching high objects.
- j. Keep the blade of a paper cutter secured with a safety lock when not in use.
- k. Use a sponge or other wetting device for envelopes. Rubber finger guards should be used when working with stacks of paper.
- l. Be sure equipment is grounded and that the cord is in good condition. If a machine gives you a shock or starts smoking, remove it from service immediately.
- m. Extension cords are not to be used. However, power strip type cords are acceptable but only if equipped with a circuit breaker.

## **308 RETURN TO WORK POLICY**

### **1. Purpose**

The purpose of this section is to set forth the Oshkosh Public Library's policy regarding the availability of modified work assignments when an employee has sustained an injury or illness. This policy applies to both work and non-work related medical conditions. Modified work assignments are intended to be a positive concept since the successful return to work of an affected employee benefits everyone--the affected employee, the Library, the medical provider, the insurance carrier, and the general public. Modified work assignments are also intended to be short term and will be implemented in all appropriate situations since it (1) accelerates the affected employee's recovery; (2) helps maintain an experienced workforce; (3) improves employee morale; and (4) reduces the Library's personnel costs, including time away from work, sick leave costs, and/or worker's compensation costs.

### **2. Employee Responsibility**

An ill or injured employee is responsible to know and follow his/her medical provider's recommendations (including any medical limitations identified by the physician) and return to work (either on modified work assignment or regular duty) as quickly as possible. The employee shall cooperate with the Library in providing all necessary information about his/her condition and status of treatment, including access to the attending physician by the immediate supervisor and/or designee for the purpose of obtaining medical information. It is the employee's responsibility to submit to their supervisor all medical forms from their medical provider, which outlines work restrictions. In the case of a serious illness, it is the employee's responsibility to submit medical information upon request. This information shall be turned in to your supervisor as soon as possible, but no later than, the start of your next scheduled shift. If you are physically unable to turn in documentation of a visit to a medical provider, the information can be faxed to 920-236-5228.

### **3. Department Responsibility**

If an employee is injured on the job, the affected department is responsible to provide for immediate medical treatment as necessary and to obtain written details of the incident. In the case of either an illness or a work related injury, the immediate supervisor and/or designee and the affected employee are responsible to ensure all required sick leave and/or injury report forms, including medical physician certificates, are completed and submitted to the City Safety & Risk Management Coordinator within 24 hours. The immediate supervisor and/or designee shall be authorized, after informing the affected employee, to contact the attending physician, emergency room, etc., to obtain necessary information on the affected employee's injury, condition, date(s) of past and projected medical appointments, and progress toward returning to work.

The employee's job will be reviewed and, if possible, modified so the employee can return to work during the period of recovery. If the ill or injured employee cannot immediately return to his/her regular job, then the employee's supervisor, with the assistance of the employee, employee's medical provider, and the Library Director or Assistant Director, will determine when the employee can return to work on modified work assignment. This arrangement is anticipated to be temporary, with the intention the employee resumes the unrestricted regular job as soon as medically possible.

If the employee's ability to perform modified work is questionable, a trial period for such purpose may be considered. The employee's supervisor and medical provider shall closely monitor the employee's job performance so there is minimal chance the modified work assignment aggravates the medical condition.

The employee's supervisor and the Library Director or Assistant Director shall develop a Modified Work Assignment that includes physical requirements. This shall be submitted to the employee's medical provider for review to determine if the assignment is within the restrictions placed by that medical provider.

The employee's supervisor and/or the Library Director or Assistant Director shall remain in communication with the ill or injured employee and his/her medical provider to make sure the employee receives adequate care and that the modified work assignment is being followed.

### **4. Medical Provider Responsibility**

Medical providers for an injured employee are encouraged to consider abilities and not disabilities when determining the employee's diagnosis, prognosis, treatment schedule, target return-to-work date and physical limitations.

### **5. Conditions for Modified Work Assignments**

Modified work assignments will be coordinated between the affected employee's supervisor, the Library Director or Assistant Director, and employee, and the employee's medical provider. Modified work assignments will be provided under the following conditions:

- a. The employee must have medical authorization to return to work and his/her limitations must be clearly indicated on his/her medical release, including the

number of hours an employee is released to work.

- b. The work to be performed by the employee must stay within the limitations set by the medical provider.
- c. Modified work assignments are temporary until his/her medical provider releases the employee to his/her regular job. Definite times will be established for review of the affected employee's condition by the medical provider and an anticipated date for return to unrestricted, regular duties will be established and updated as necessary following initial and subsequent medical review of the employee's condition.
- d. An employee on modified work assignment shall not be eligible for overtime assignment when the restrictions prevent the employee from performing all of the duties outlined in their current job/position description.

### **309 DRUG-FREE WORKPLACE ACTION & POLICY**

#### **1. Purpose**

It is the policy of the Oshkosh Public Library to provide a drug-free workplace for all of its employees. The Library requires that employees neither use, possess, sell, exchange, nor be under the influence of a controlled substance(s) except as provided under and consistent with a doctor's care and supervision. The Library recognizes the importance of maintaining a safe, efficient and healthy workplace, as well as the social responsibility to provide assistance to its employees to the extent possible. Employees are expected to report to work free from the influence of any substances that could inhibit their ability to perform their duties. Zero tolerance standards shall prevail in the workplace.

#### **2. Drug and/or Alcohol Testing**

The employer encourages any employee with a drug and/or alcohol problem to seek professional assistance before such problem becomes a workplace issue. The Library reserves the right to require an employee to submit body substance samples (such as hair, urine and/or blood) to test for the presence of drugs or alcohol if the employer determines that there is reasonable suspicion that the employee is under the influence of drugs or alcohol or has otherwise violated this policy. All testing will be done in a fair and respectful manner and in accordance with any applicable federal, state, or local laws. An employee's refusal to take the test, or an employee's delay in taking the test is grounds for termination from employment.

#### **3. Opportunity for Assistance**

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all employer policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause any undue hardship.

#### **4. Reporting of Drug Convictions**

All City employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is strictly prohibited in the workplace. Furthermore, it is a condition of employment that all Library employees abide by the Drug-Free Workplace Policy and notify the Library (employee's immediate supervisor or the Administrative Services Director), no later than 5 days after conviction.

### **310 SMOKING/TOBACCO USE**

The Oshkosh Public Library recognized that smoking is a health hazard to employees and members of the public, both through the direct use of tobacco products and through the EPA identified risks of environmental tobacco (second hand smoke and side stream smoke).

#### **1. Smoking in Library Building & Vehicles is Prohibited**

- a. Building means any enclosed area of a structure owned, leased or administered by the Oshkosh Public Library.
- b. Vehicle means any self-propelled, enclosed vehicle owned or leased by the Oshkosh Public Library, including those vehicles contracted for passenger transportation services.
- c. Smoking means using, carrying or possessing, a lighted cigarette, cigar, pipe, or other lighted smoking equipment.

#### **2. Prohibited Conduct**

It is unlawful and a violation of this policy for any person to engage in smoking in any Oshkosh Public Library building, or vehicle.

#### **3. Notification**

All buildings and vehicles shall be posted in accord with the terms of this policy and Wisconsin Statue 101.123. Posting shall be at the entrance to all Oshkosh Public Library buildings and vehicles to notify the public and employees that smoking is prohibited.

#### **4. Penalty and Enforcement**

Any person convicted of a violation of this policy shall be subject to a monetary forfeiture. The City of Oshkosh Police Department shall be the enforcement agency of this. Employees may be subject to disciplinary action in addition to the aforementioned monetary amount.

### **311 WORKPLACE VIOLENCE**

The Oshkosh Public Library prohibits workplace threats or violence. Acts of threats of physical violence, including intimidation, harassment, or coercion, which involve or affect personnel or property or which occur on the employer's property will not be tolerated.

Acts or threats of violence include conduct, which is sufficiently severe, offensive, or intimidating to alter the employment conditions or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

- a. All threats or acts of violence occurring on the Library's premises, regardless of the relationship between the Library and the parties involved.
- b. All threats or acts of violence occurring off City premises involving someone who is acting in the capacity of a representative of the employer.

Examples of conduct that may be considered threats or acts of violence in violation of this policy include, but are not limited to, the following:

- a. Hitting, touching, or physically harming an individual.
- b. Threatening an individual or his or her family, friends, associates, or property with harm.
- c. Damaging or threatening to harm City property or the property of others.
- d. Marking harassing or threatening communications.
- e. Harassing surveillance or stalking (following or watching someone).
- f. Unauthorized possession or inappropriate use of firearms or weapons.

Prohibition against threats and acts of violence applies to all persons. Every employee is required to report incidents of workplace threats or acts of physical violence or damage of property.

## **312 WEAPONS**

For the purposes of this policy, weapon shall mean without limitation because of enumeration: any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any electric weapon as defined in Sec. 941.295(4), Wis. Stats.; any instrument which expels a missile or other object by the expansion of compressed air or other gas, by spring or any other means; cross-knuckles, blackjack, billy club; any knife which has a blade three inches or longer, or a blade which may be drawn without the necessity of contact with the blade itself, martial arts type weapons such as, without limitation because of enumeration, throwing stars, Tonfa, Nunchaku, fighting chains; pepper spray, mace, tear gas; or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

Regardless of whether an employee possesses a concealed carry weapon license or is otherwise allowed by law to possess a weapon, employees may not possess any weapon on Library or city property or in any other location when the employee is in the course of employment. An employee may not possess any weapon in any Library- or city-owned or leased vehicle. This policy shall not apply to law enforcement officers or fire personnel who are required to handle weapons in accordance with their policies related to transporting patients with weapons. This policy shall not prohibit an employee from carrying a concealed weapon or ammunition or from storing a weapon in the employee's own motor vehicle, whether that vehicle is used in the course of employment or whether the vehicle is driven or

parked on Library or City property.

[Section 312 was revised May 25, 2017]

### **313 TRAVEL**

This document sets forth the Oshkosh Public Library policy with respect to travel expenditures.

The Library shall reimburse an employee for actual, necessary and reasonable travel expenses incurred while on official authorized Library business. If traveling overnight employees shall complete a "Travel Expense Report - OPL" form and submit to their Department Head. All such travel must be authorized by the Library Director or Assistant Director in order to be eligible for reimbursement.

Employees shall be required to complete a travel expense report before reimbursement will be made. Receipts are required for air, train, bus, hotel, motel, and conference registration. Commuting expense between employee's residence and his/her normal place of employment is not reimbursable. Advances to travel expenses must be approved by the Library Director.

Employees are prohibited from using vehicles, for business purposes, which are not outlined in this policy unless the employee receives prior written authorization from the Library Director or Assistant Director.

#### **1. Hotel and Motel Expenses**

The lodging charge should be in line with the average cost of a single room in that location. If the rate is out of line for the locality you are visiting, you should attempt to secure accommodations which are more in line with prevailing commercial and tourist rates. When securing lodging, employees should ask for the government rate. Many hotels have a special rate for government employees and require some type of government identification. Often it is necessary to guarantee hotel reservations. However, if an employee's plans change, notification should be given to the hotel in time to prevent the charge when possible. Employees should observe hotel check-out hours in order to avoid a charge for the day of departure.

To protect yourself against overcharges, it is recommended that you have a definite understanding in advance concerning the required length of stay and the rate to be paid.

Lodging expenses must be supported by the original machine printed receipts which are furnished by most hotels and motels, or an original handwritten receipt. The travel expense report cannot be paid without this receipt.

#### **2. Meals**

The allowance for meals should represent actual and reasonable costs expended for your own meals. It should take into consideration the locality in which the meal is obtained. Tips are reimbursable at 15% of the meal cost.

- a. Reimbursement for meals will be allowed on trips which do not necessitate an overnight stay only on the following conditions and if reasonable travel time

is required:

- i. Breakfast, provided the employee leaves home before 7:00 a.m.
- ii. Lunch, provided the employee leaves headquarters before 10:30 a.m. and returns after 1:30 p.m.
- iii. Dinner, provided the employee returns to home after 7:00 p.m.

- b. When it is required that a meeting be held during lunch, the business luncheon will be an authorized expenditure. However, no meal costs will be allowed if the official business was transacted during normal working hours within a reasonable commuting distance. No reimbursement will be made for the cost of alcoholic beverages.

### **3. Porterage**

Necessary gratuities to hotel employees are reimbursable. These may not exceed \$5.00 for each stay at a hotel. All other fees and tips paid to porters, bellboys, maids, etc., are not reimbursable.

### **4. Public Transportation**

Transportation expenses incurred on necessary trips away from the Library are reimbursable regardless of the type of transportation used. In general, travel by public transportation (railroad, bus, or commercial airplane) should take preference if it is convenient and not too time consuming.

### **5. Air Travel**

Reimbursement for air travel shall be limited to the fare for the lowest class reasonably available. The passenger coupon of the airline ticket shall be attached to the travel expense report. For other modes of travel, attach available receipts for tickets that have been purchased. Expenses for travel cannot be paid without this receipt. Insurance coverage for employees traveling by air is not allowable as reimbursable expense. If reimbursable mileage results in transportation costs less than the air fare, reimbursement shall be at the lesser amount. Reimbursement for use of an employee's private aircraft is not allowed.

### **6. Use of Privately-Owned Automobiles**

The use of personal automobiles for out-of-town travel is to be limited to trips for short distances and situations where other modes of transportation involve excessive loss of time or where use of a common carrier is not otherwise practicable. Employees who are authorized to use their personal automobiles for Library business will be reimbursed at the rate prescribed by the Library auto mileage allowance policy. Employees will be reimbursed for travel by automobile only. Other forms of travel, such as, travel by moped, motorcycle, aircraft, and watercraft is not reimbursable.

- a. The only exception to the foregoing should be in cases where an employee combines a personal vacation with a business trip. In these cases, the allowance for the use of a personal automobile shall not exceed the lowest cost of the most practical means of public transportation between such points.

Because of the time loss involved in traveling by bus and railroad, this is generally interpreted to mean the cost of coach air fare. In addition, reimbursement for meals and lodging shall not exceed what would ordinarily have been required if the most practical form of public transportation had been used.

- b. The mileage allowance is reimbursable without regard to the number of passengers you may have with you. Department Heads should exercise careful supervision and endeavor to consolidate travel crews in as few automobiles as possible. However, employees will not be required to travel in the vehicles of other employees which contain concealed or open-carry weapons. The Library will reimburse employees for their mileage if they elect to use their own vehicle instead of traveling in another employee's vehicle containing concealed or open-carry weapons, but only after providing a written explanation describing the need to use their separate vehicle for travel due to the existence of concealed and/or open-carry weapons.
- c. In addition to mileage, the operator of the car shall be reimbursed for overnight parking at hotels and road tolls.
- d. If mileage is allowed to the operator of a privately owned automobile, the employee should travel by the most direct route. Any person traveling by another route without adequate justification therefore shall assume any additional expense incurred. Employees are also not covered by Worker's Compensation when pursuing personal activities.
- e. Vicinity mileage necessary for conducting official business is allowable and should be supported by sufficient detail to justify the mileage claimed. No mileage will be allowed for travel between an employee's home and his/her official work station.
- f. Charges for gasoline, oil, lubrication, repairs, antifreeze, tires, tire repair, towing and other similar expenditures will not be allowed as reimbursable expenditures when privately owned cars are used. It is required that Library employees on official business, driving personal autos, will be adequately protected by their own personal liability and property damage insurance. The Library Director or Assistant Director will assure himself/herself on this point before allowing use of a privately-owned automobile.
- g. Parking charges incurred in Oshkosh resulting from daily trips from an individual's residence to his/her headquarters are not reimbursable. Other parking charges incurred while on official business outside Oshkosh are reimbursable.
- h. Mileage allowance will be paid for business travel within the Library via the auto allowance policy.



**7. Taxis/Limos**

Charges for taxis and airport limousines, including tips at the maximum rate of 15% of the taxi charge are reimbursable where other modes of travel are not available or practical. Receipts and an explanation are required only if the amount is unusually high.

**8. Rental Cars**

Normally, employees will not use rental car facilities. There are two exceptions to this restriction:

- a. There may be situations when public transportation is so inconvenient and costly in time that a rented car should be used. An explanation of the circumstances should be included with the travel expense report.
- b. When transportation is required at the destination, a rented car should be evaluated against other modes of transportation. Many times extensive travel at the destination can be done at less cost by a rented car rather than multiple taxi fares. This is especially true if a number of employees are involved.

An insurance option which provides collision coverage with a deductible clause is an allowable expense.

**9. Registration Fees**

Receipts are required for registration fees for conferences, conventions, seminars, etc. Convention brochures or schedules with a breakdown of convention costs should be attached to the travel expense report. It should show:

- a. Actual dates of the conference, convention or seminar.
- b. Breakdown of specific meals which were included with the registration fee.

**10. Non-Travel Expenses**

Receipts will be required for all miscellaneous and non-travel expenditures in excess of \$10.00 that are included with your travel expense report.

**11. Telephone**

Telephone charges are reimbursable when necessary for official business. Date, place, person called and nature of business must be shown on the travel expense report for all toll calls charged.

**12. Travel Expenses of Others**

Generally the expenses of only one employee shall be included on a single travel expense report. When more than one person's expenses are included, names of such persons must be shown.

**13. Travel Authorization**

All travel must be pre-authorized including travel inside the City. This authorization may be obtained by completing a Travel Expense Report - OPL.

**14. Traveling with Spouse**

There is no objection to an employee inviting his/her spouse to travel with him/her on

official Library business. No expense for the travel by the spouse will be reimbursable. With respect to the cost of lodging, the amount reimbursable will be equal to the single room rate. The hotel clerk should be asked to write the single room rate on the receipt.

**15. Cash Advance**

Travel advances for specific periods of time to employees traveling on Library business shall be authorized. In no event can the amount of the advance exceed the expected out-of-pocket expenses and no travel advance will be granted under \$100.00. This request should follow the regular procedure of any voucher submitted for payment.

**16. Responsibility**

Compliance with these regulations is the responsibility of both the employee and the employee's direct supervisor. The Library Director or Assistant Director, by signing the expense report, agrees that the trip was necessary and that the expenses shown are reasonable.

**17. Preparation of Travel Expense Report**

All individuals should prepare their expense reports from daily receipts. All information required should be supplied. Receipts and other required supporting documents should be stapled to the upper left hand corner of the detail side of the expense report. Verify all computations and indicate travel advances, including prepaid lodging and registration fees, etc., that should be deducted from the amount due you. Your expense report should be signed in the space provided before submission to your Department Head.

Travel expense reports (original and one copy) shall be filed with the Assistant Director within ten working days upon return to work by the employee.

## **314 EMPLOYMENT TERMINATION**

**1. Notification**

Employees planning to voluntarily terminate their employment with the Oshkosh Public Library are to notify their immediate supervisor as far in advance as possible but not less than two weeks prior to their last day on the job. Terminating Department Heads and others holding FLSA exempt positions shall normally be expected to provide an advance notice of one month. Persons dismissed or involuntarily terminated from employment shall not normally receive advance notice of termination.

**2. Property Return**

Terminating employees shall turn in all keys and other Library properties in their possession to their supervisor or other designated personnel as directed.

**3. Benefits Payout**

When a regular part-time or full-time employee terminates employment with the Library, he or she will be paid for any unused vacation, floating holiday or compensatory time which had been earned prior to the date of termination consistent with other policies in this employee handbook.

## **315 DISCIPLINE**

### **1. Purpose**

It is expected that employees will work in a competent and conscientious manner, which will reflect favorably upon the employee, their department, and the Library. Instances may occur, however, when an employee has exhibited questionable behavior and corrective action is necessary. The purpose of discipline is to correct job behavior and performance problems of employees. The action taken to discipline an employee may include a verbal reprimand, a written reprimand, suspension without pay, demotion, and discharge. Rules and regulations will be fairly and consistently applied and penalties will match the infraction. Employees shall be informed of standards for conduct and performance. All discipline shall be discussed with the Library Director before such actions are taken. In the event that immediate dismissal action is required and the Library Director cannot be reached, the employee shall be suspended pending investigation.

### **2. Documentation**

Persons administering discipline shall systematically document the case. Copies of written records of verbal reprimands, of written reprimands, demotions, suspensions and terminations shall be provided to the employee, the Library Director, the Library Assistant Director, the employee's supervisor or Department Head, the employee's union representative if applicable, and placed in the employee's personnel file.

### **3. Weingarten Rights**

Employees who are subject to an employment investigation interview and reasonably believe that discipline may result from the interview have a right to request representation during the investigatory interview (Weingarten Rights).

### **4. Loudermill Rights**

Employees have a right to a fair and impartial investigation. When management concludes the investigation, the employee will have a predetermination meeting (Loudermill Rights), Notice of this meeting will include the date and time of the meeting. During this meeting the employee will receive the results of the investigation and have an opportunity to respond.

### **5. Grounds for Disciplinary Action**

- a. Dishonesty or falsification of records.
- b. Insubordination (refusal to obey reasonable orders, insolence, talking back, arguing, verbal abuse or assault of a supervisor).
- c. Theft or destruction of Library equipment or property.
- d. Unauthorized use or abuse of Library equipment or property.
- e. Use of intoxicants, controlled substances, and/or drugs (other than prescribed by a physician) while on duty.

- f. Intoxication to a degree, which would make continued presence a menace to safety or production or interfere with discipline or efficiency.
- g. Abuse of prescription or other medications.
- h. Condition brought about from use of drugs away from work which interferes with job performance, efficiency or discipline.
- i. Fighting or creating a disturbance among fellow employees, resulting in an adverse effect on morale, production or maintenance of proper discipline.
- j. Disorderly or immoral conduct.
- k. Notorious off-duty conduct which brings disrepute or which reflects on the Library as an employer.
- l. Conviction of a felony.
- m. Unavailability for work because of incarceration.
- n. Absence without leave (any absence from work which has not been approved).
- o. Leave used for a purpose other than for which it was requested and granted.
- p. Disregard of the public's interest.
- q. Habitual tardiness or abuse of sick leave.
- r. Refusing or willfully neglecting to contact or to try to make arrangements with creditors after being directed to do so by management which is consistently receiving complaints that an employee will not attempt to reach a solution regarding indebtedness.
- s. Use of official position or authority for personal profit, sexual purposes or political advantage.
- t. Disregard or repeated violation of safety rules and regulations.
- u. Sexual harassment.
- v. Discrimination or abusive conduct because of race, color, creed, national origin, ancestry, age, marital status, sex or other criteria protected by equal employment opportunity laws.
- w. Knowingly making false or malicious statements with intent to harm or

destroy the reputation, authority or official standing of individuals or organizations.

- x. Acceptance of any gift, favor or service that might reasonably tend improperly to influence an employee in the discharge of their official duties.
- y. An employee who is found to be in violation of this employee handbook, city policies, or work rules.
- z. Failure to perform assigned work in an efficient manner.
- aa. Being wasteful of material, property or working time.
- bb. Failure to carry liability insurance on a private vehicle used for Library business.
- cc. Failure to report work injuries per safety policy.
- dd. Any other circumstances that may warrant disciplinary action which will be treated on a case by case basis.

## **316 CONFLICT OF INTEREST**

### **1. Purpose**

Democratic government requires that employees be independent, impartial and responsible to the people they service. It is important that the public have confidence in the integrity of its government. State ethics law governs the actions of Library employees, this section summarizes and is in addition to those provisions of the State Statutes.

### **2. Conflict of Interest**

Library employees shall not use their office or position for personal financial gain or the financial gain of their family. Employees shall not use Library facilities, materials, and/or equipment for personal use. Employees shall not engage in their own business activity, accept private employment or render services for private interests when such employment, business activity or service is incompatible with the proper discharge of their official duties or would impair their independence of judgment or action in the performance of their official duties. Employees shall not use or disclose “privileged information” gained in the course of or by reason of their official position or activities. In most cases, the Oshkosh Public Library has no objection to outside employment with a firm or industry. It must be understood, however, that the outside work may not interfere with the performance of regular Library work. Before accepting outside employment, employees should check with their Supervisor to make certain that there is no conflict of interest between their regular and outside work.

### **3. Political Activity**

Every employee will have the right to freely express his/her views as a citizen and to cast his/her vote. Coercion for political purposes of and by employees of federally aided

programs and use of their positions for political purposes will be prohibited. Individuals, whose principal employment is in a federally aided program, are subject to the prohibitions in the Federal Hatch Political Activities Act, as amended, 5 U.S.C. 1501-1508.

No Employee is precluded from engaging in political activity provided that such activity does not interfere with normal work performance and does not involve the use of Library equipment or property. Employees are specifically prohibited from directly or indirectly coercing any person to hold or contribute monetary or other types of assistance to any political candidate, party, or purpose.

#### **4. Gifts & Gratuities**

No City employee shall solicit or accept for himself / herself or another person any gift, campaign contribution, gratuity, favor, services or promise of future employment, entertainment, loan or any other thing of monetary value from a person who has or is seeking contractual or other business activities from the Library. This does not include acceptance of loans from banks or other financial institutions on customary terms of financing for personal use (such as home mortgage loans) and the acceptance of unsolicited advertising or promotional material, such as pens and calendars, and acceptance of an award for meritorious public or personal contributions or achievements.

#### **5. Fund Raising Drives**

No employee or group of employees shall solicit funds or other things of value from firms, persons or corporations without permission from the Library Director.

No employee or group of employees shall solicit funds or other things of value from persons in the Library building, except the “United Way Fund” or those drives authorized by the Library Director.

### **317 SEPARABILITY**

In any article or section of this employee handbook or any addendum thereto should be held invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any article or section should be restrained by such tribunal, the remainder of this agreement shall not be affected thereby.

### **318 SUGGESTIONS**

Every department in the Library is interested in improving its work methods and procedures. Your ideas and suggestions will be most helpful in this effort. If you believe you know how a procedure can be simplified or streamlined or how your department can save money, make your ideas known. Suggestions are always welcomed. Submit yours directly to your Supervisor, Department Head, the Assistant Director, or the Library Director.

### **319 AMENDMENT**

When it becomes necessary or desirable to amend one or more provisions of this handbook, such amendment may be made by the Library Director with the approval of the

Library Board.