

HOBOKEN PUBLIC LIBRARY

EMPLOYEE HANDBOOK

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DISCLAIMER

THE CONTENTS OF THIS EMPLOYEE HANDBOOK ARE PRESENTED AS A MATTER OF INFORMATION ONLY. THE PLANS, POLICIES AND PROCEDURES DESCRIBED ARE NOT CONDITIONS OF EMPLOYMENT. THE HOBOKEN LIBRARY RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE ANY OR ALL SUCH PLANS, POLICIES, OR PROCEDURES, IN WHOLE OR IN PART, AT ANY TIME WITH OR WITHOUT NOTICE. THE LANGUAGE THAT APPEARS IN THIS EMPLOYEE HANDBOOK IS NOT INTENDED TO CREATE NOR IS IT TO BE CONSTRUED TO CONSTITUTE A CONTRACT BETWEEN THE LIBRARY AND ANY ONE OR ALL OF ITS EMPLOYEES. EXCEPT AS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING AGREEMENT OR APPLICABLE LAW, ALL EMPLOYEES ARE EMPLOYEES AT-WILL. THIS MEANS THAT ANY EMPLOYEE MAY VOLUNTARILY TERMINATE HIS/HER EMPLOYMENT AT ANY TIME, FOR ANY REASON. IT ALSO MEANS THAT THE LIBRARY MAY TERMINATE ANY EMPLOYEE'S EMPLOYMENT AT ANY TIME WITH OR WITHOUT GOOD CAUSE.

SOME OF THE LIBRARY'S EMPLOYEES BELONG TO A UNION. THE POLICIES AND PROCEDURES CONTAINED IN THIS EMPLOYEE HANDBOOK ARE NOT INTENDED TO VOID, REPLACE, OR CONFLICT WITH NEGOTIATED UNION CONTRACTS. AS TO UNIONIZED EMPLOYEES, TO THE EXTENT A COLLECTIVE BARGAINING AGREEMENT CONFLICTS WITH THESE POLICIES AND PROCEDURES, THE COLLECTIVE BARGAINING AGREEMENT SHALL SUPERSEDE AND/OR MODIFY THESE POLICIES AND PROCEDURES.

THIS EMPLOYEE HANDBOOK SUPERSEDES ANY PRIOR EMPLOYMENT POLICIES, PRACTICES OR UNDERSTANDINGS.

Basics

Introduction

This is an edition of the "Employee Handbook" of the Hoboken Public Library. This Employee Handbook (also referred to as "manual" is the personnel policies and procedures approved by the Board of Trustees of the Hoboken Public Library. This document supersedes any previous personnel manual.

This manual has been prepared in consultation with department heads, the Employee Association, the Union, and with the approval of the Board to inform the staff of the Hoboken Public Library of certain policies and procedures pertaining to their employment, and, subsequently, to the total operation of the Library. It is intended to provide guidelines covering public service by Library personnel and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for Library personnel. Library personnel are encouraged to contact the Library's Human Resources Consultant concerning any questions they may have that is not addressed in the manual.

The personnel policies and procedures in this manual shall apply to all employees, volunteers, elected or appointed officials and independent contractors.

Nothing in this manual is intended to waive, abrogate, or in any way diminish the immunities conferred upon the Library pursuant to the New Jersey Tort Claims Act (N.J.S.A. 59:2-1).

The Library Director welcomes suggestions from staff for any areas of improvement.

Welcome

This Employee Handbook is for you, Library personnel, so that you may better understand our Library's mission and your role in its service plan.

It is the purpose of the Library to serve the community with books, other media and programming in a manner that is cordial, efficient, and equitable. The manual is not all-inclusive, but it does set down the obligations and rights of staff members.

The Library strives to provide the people of the community with quality Library services and programs through its collections of books, other media and programming delivered by a staff and overseen by a Board of Trustees who see the Library as the informational, educational, cultural and recreational resource of the community.

The Library Board of Trustees

The governing and policy-making body of the Library is the Board of Trustees, consisting of five to seven Trustees appointed by the Mayor, together with the Mayor and Superintendent of Schools serving as ex-officio members. The Board is responsible for the use of the Library building and property, for personnel policies, hiring of staff and for the preparation and control of the budget.

The Board meets at 6:30 p.m. on the 4th Tuesday of each month. There may be some exceptions to this schedule. Meetings are conducted according to the Open Public Meetings Law.

Finance

The Library is supported primarily from tax money appropriated annually by the City. The total operating budget includes funds from State Aid, fines for overdue material, grants, and gifts.

Organization

The Library is divided into Departments, each with its own areas of responsibility. Each department belongs to either the services or operations category. All departments report to the Library Director.

Operations departments include:

Administration - headed by the Director, manages the business of the Library, maintains the business files and personnel records.

Facilities - responsible for the maintenance and upkeep of the Library facilities.

Technology & Network - responsible for implementation, maintenance, upgrade and compliance of architecture, hardware, software and networking of computers at the Library.

Marketing & Public Relations - promotes the mission and activities of the Library in a way that projects an attractive image of the Library that is consistent with the Library's present and future roles in the community.

Services departments include:

Lending Services - coordinates the movement of material in and out of the Library, including to and from patrons, and between other libraries, as well administering the first line of customer service to patrons.

Youth Services - responsible for all services, programs, and book selection for children and young adults.

Information and Technology Center - staffed by professional librarians who provide patrons with information and advice regarding Library material, collections and services in all formats, including digital media and technology services.

Community Engagement - responsible for planning and executing a variety of programs for adults, as well as works with community organizations and other interest groups to create partnerships with the Library and develop services to meet the needs of those individuals who are underserved by the Library.

Equal Opportunity and Affirmative Action

The Library is committed to providing equal opportunity through its employment practices and through the many activities, programs, and services it provides to the community. It undertakes affirmative action programs to expand the quality of opportunity in employment. The Library continues to initiate programs that increase sensitivity to the interests and needs of those who historically have been discriminated against.

Under no circumstances will the Library discriminate on the basis of race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, sex, pregnancy (including childbirth or related medical conditions), breastfeeding, gender identity or expression, disability (including physical, mental, and/or intellectual disabilities, AIDS or HIV infection), political affiliation (to the extent protected by law), atypical hereditary, cellular or blood trait, or because of the liability for service in the United States

Armed Forces, veteran status, citizenship status, or any other group status protected by law, unless required by a bona fide occupational qualification.

Decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee.

Reasonable efforts will be made to accommodate the religious observances and practices of an employee, unless it is unreasonable to accommodate such observances and practices and accommodation would result in an undue hardship to the conduct of business. The Library will consider factors such as business necessity, financial cost and expense and resulting personnel issues to reach a reasonable accommodation.

If any employee or prospective employee feels they have been treated unfairly, they should address their concern with their supervisor, or if they prefer, the Human Resources Consultant or the Library Director.

Disabilities and Accommodation in the Workplace

The Library will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known disability or perceived disability.

The Library will make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Library. Similarly, employees who are pregnant will be provided with reasonable accommodation except where such accommodation would cause the Library undue hardship.

The Human Resources Consultant or the Library Director will engage in an interactive dialogue with disabled employees and prospective employees, who request accommodation in the workplace, to identify reasonable accommodations. The Library may also require information from the employee's or prospective employee's treating physician to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Library Director.

In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day for the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

Employees who are re-assigned to a different position as a reasonable accommodation will receive the salary for their new position.

The law does not require the Library to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

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

Prohibition Against Harassment in the Workplace

This policy is designed to ensure all employees of the Library a work environment free of any type of discrimination based upon a protected status, including freedom from sexual harassment. The purpose of this policy is to inform employees that harassment based upon a protected status is prohibited, to educate employees about harassment based upon a protected status and to provide employees with a procedure to bring complaints to management's attention.

The Library is committed to providing a work environment that is free of discrimination. The Library will not tolerate harassment of or by Library employees towards anyone, including any supervisor, co-worker, or non-employee, including vendors and citizens. Moreover, harassment of any employee in connection with their work by non-employees may also be a violation of this policy.

Applicability

This policy applies to all people employed by the Library, as well as members of the governing body, appointed officials and volunteers working on behalf of the Library, and prohibits such conduct by or towards all such officials, employees and volunteers. Independent contractors, vendors and all other parties engaged in a professional business relationship with the Library are also expected to abide by the policy. Harassment of non-employees by Library employees is also prohibited.

Provisions

1. All Library employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The Library prohibits any form of harassment or discrimination related to an employee's actual or perceived protected group status, including race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, sex, pregnancy (including childbirth or related medical conditions), breastfeeding, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities, AIDS or HIV infection), political affiliation (to the extent protected by law), atypical hereditary cellular or blood trait, or because of the liability for service in the United States Armed Forces, veteran status, citizenship status, or any other group status protected by law. Harassment includes, but is not limited to:
 - A. Treating an individual less favorably based on a person's protected group status;
 - B. Using derogatory or demeaning slurs to refer to a person's protected group status;
 - C. Calling another by an unwanted nickname which refers to one or more protected group statuses, or telling ethnic jokes that harass an employee or create a hostile work environment;
 - D. Using derogatory references regarding a protected group status in any job-related communication;
 - E. Engaging in threatening, intimidating, or hostile acts, in the workplace, based on a protected group status; or
 - F. Displaying or distributing material in the workplace that contains language or derogatory or demeaning images, caricatures or representations of persons using electronically or physically altered photos, drawings, or images, based on any protected group status.

Any form of harassment or discrimination related to an employee's protected group status violates this policy. This policy applies to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, compensation, fringe benefits, working conditions and career development. Violations of this policy will result in appropriate disciplinary action up to and including termination of employment.

2. Sexual Harassment: The Library prohibits sexual harassment of its employees in any form. Such conduct shall result in appropriate disciplinary action up to and including dismissal from employment.

A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct, gestures or communication, expressed or implied, of a sexual nature when:

- (1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
- (2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or
- (3) That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.

Regarding unwelcome sexual advances toward non-employees, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- (1) Submission to such conduct is made either explicitly or implicitly in exchange for a benefit;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for a decision affecting the individual; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's activities or creating an intimidating, hostile or offensive environment.

B. Prohibited Conduct:

No supervisory employee shall threaten or insinuate either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment, advancement, or any other condition of employment. Similarly, no supervisory employee shall promise or suggest either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment for the employee.

Other sexually harassing conduct in the workplace, whether committed by supervisory or non-supervisory personnel is also prohibited. This includes, but shall not be limited to:

- (1) Sexual flirtations, advances, propositions, subtle pressure for sexual activity, flirtatious whistling, discussing sexual activities;
- (2) Verbal abuse of a sexual nature including sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, and foul or obscene language or gestures;

- (3) The display of sexually graphic pictures or pictures of an offensive nature, or object in the workplace, including sexually suggestive written material such as letters, notes, caricatures or representations of persons using electronically or physically altered photos, drawings, or images; facsimiles, text messages and e-mails;
- (4) Any unwelcome sexually motivated touching, including, for example, patting, pinching, hugging, cornering, blocking or impeding movement and repeated brushing against another employee's body.

Sexual harassment also occurs when one person harasses another solely because of the victim's gender. This type of sexual harassment may involve unwelcome sexual demands or overtures, but it may also take the form of other harassing conduct not necessarily sexual in nature. For example, this would include gender stereotyping such as comments about the lesser abilities, capacities, or the "proper role" of females. It also includes subjecting a woman or a man to non-sexual harassment solely because of her or his gender. Sexual harassment is prohibited whether the harasser is male or female, and whether the harassment is opposite sex or same-sex harassment.

3. Complaint Procedure:

Notifying appropriate personnel of any harassment problem is essential to the success of this policy. The Library cannot resolve a harassment problem if it does not know about it. Employees who feel they have been subjected to harassment must report the harassment.

Any employee who feels he or she has been subject to harassment should report the incident directly to the Human Resources Consultant. Alternatively, any employee who feels he or she has been subject to harassment should report the incident directly to the Library Director. The Human Resources Consultant or Director will ask the employee to complete an *Employee Complaint Form*. Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this policy.

The names and telephone numbers of the Human Resources Consultant and the Director are contained in the Contact Information attached to this policy.

Any individual uncomfortable reporting an incident to the Human Resources Consultant or Director should feel free to go to any supervisor with whom he or she feels most comfortable to relay the problem. When any management representative learns of a violation of this policy, the management representative must assist the victim in reporting the alleged incident(s) of harassment. Additionally, the management representative must report the matter to the Human Resources Consultant or Director.

All Library employees should notify the alleged harasser that the behavior in question is thought to be offensive and unwelcome. Failure to inform the alleged harasser that the behavior is unwelcome, however, does not prevent the victim from filing a complaint pursuant to this policy. The harassment or discrimination does not have to occur on Library property during regular work hours for an employee to file a complaint under this policy. Moreover, harassment of any employee in connection with the work by non-employees may also be a violation of this policy.

The Library strongly encourages employees who witness conduct which they believe violates the Library's policy prohibiting harassment to report the violation pursuant to this complaint procedure.

The Library encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. All complaints should be reported as promptly as possible. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

4. Investigation Procedure:

The Library will conduct an investigation into the harassment complaint to determine the merits of the allegations. The Human Resources Consultant or Director will designate an objective investigator to determine the validity of any complaint. The objective investigator may include the Human Resources Consultant, Director or any third party deemed appropriate. The investigation shall be completed in a reasonable time to resolve the issue and minimize the effects of such investigation on the parties involved.

The investigation will, at a minimum, include an interview with the employee bringing the complaint and a separate interview with the accused. All employees who report harassment, or who are interviewed during an investigation have an obligation to be truthful and forthcoming. If the Library determines that the complaint has merit, the accused will face appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges against the individual. Disciplinary action may include a written warning, suspension, demotion, and/or termination of employment. Any disciplinary action will be consistent with applicable collective bargaining agreements and applicable due process safeguards.

Upon completion of the investigation, the entire file shall be maintained in a secure location in the Director's office.

In the event that the Library determines the complaint to be intentionally dishonest, appropriate disciplinary action may be taken against the employee who caused the complaint to be filed. Complaints that are brought in good faith, even if unsubstantiated, do not constitute an intentionally dishonest accusation.

5. Privacy:

The Library will strive to maintain confidentiality to the extent possible. The Library has a compelling interest in protecting the integrity of its investigations. In every investigation, the Library has a strong desire to protect witnesses from harassment, intimidation and retaliation, to keep evidence from being destroyed, to ensure that testimony is not fabricated, and to prevent a cover-up. The Library may decide in some circumstances that to achieve these objectives, employees must maintain the investigation and their role in it in strict confidence. If the Library reasonably imposes such a requirement and an employee does not maintain such confidentiality, the employee may be subject to disciplinary action up to and including immediate termination.

6. Responsibility of Supervisory Personnel:

Supervisors are to monitor the work environment to ensure that all subordinates comply with this policy prohibiting harassment. When a supervisor learns of a violation of this policy, the supervisor must assist the victim in reporting the alleged incident(s) of harassment. Additionally, the supervisor must report the matter to the Human Resources Consultant or Director for resolution.

Any supervisor who receives a harassment complaint from any employee must bring it to the attention of the Human Resources Consultant or Director for resolution.

Supervisors who do not fulfill their responsibilities under this Policy will be subjected to disciplinary action.

7. Retaliation Prohibited:

The Library encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result from the good faith reporting of harassment. The filing of a complaint, in good faith, shall not, under any circumstances provide cause for discipline. Additionally, it is a violation of this policy for any personnel to retaliate against another because he or she filed a complaint or otherwise participated in the complaint procedure or investigation of a complaint.

Supervisors must closely monitor the work environment for any forms of retaliation once an allegation has been made. This will include but not be limited to verbal remarks, irregular assignments or any other activity that may contribute to a hostile work environment.

Any supervisor who receives a retaliation complaint from any employee must bring it to the attention of the Human Resources Consultant or the Director.

8. Legal Effect:

This policy prohibiting harassment is to be construed as a unilateral expression of the policy of the Library concerning harassment in the workplace. It is not intended to create any contractual rights or duties and any such intention or effect is disclaimed. This policy may be amended, supplemented, modified and/or revised at any time.

Any employee with questions regarding the Library's policy prohibiting harassment in the workplace should contact the Human Resources Consultant.

Contact Information
for the Hoboken Library
Prohibition of Harassment in the Workplace

Library Director

Lina Podles, Director
Hoboken Public Library
500 Park Ave
Hoboken, New Jersey 07030

Telephone: (201) 420-2346
E-Mail: podles@hoboken.bccls.org

Human Resources Consultant

Michael Shao, Human Resources Consultant
Hoboken Public Library
500 Park Ave
Hoboken, New Jersey 07030

Telephone: (201) 420-2346
E-Mail: michael.shao@hoboken.bccls.org

Whistleblower Policy

Employees have the right under the "Conscientious Employee Protection Act" (CEPA) to complain about any activity, policy or practice that employees reasonably believe is in violation of a law, rule or regulation promulgated pursuant to law without fear of retaliation or reprisal.

1. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written acknowledgement that the employee received, read, and understood this letter will be included in the employee's official personnel file. The annual notice shall be in English and Spanish and must contain the name of the person who is designated to receive written notification of policies and practices that might violate CEPA. This right will also be communicated in the Employee Handbook. All complaints will be taken seriously and promptly investigated.
2. The Library shall not take any retaliatory action against an employee or tolerate any reprisal against an employee for any of the following:
 - Disclosing or threatening to disclose to a supervisor, department head, Library Director, other official or to a public body, an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, a rule or regulation issued under law;
 - Providing information to or testifying before any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship; or
 - Providing information involving deception of, or misrepresentation to, any customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - Providing information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation issued under the law; is fraudulent or criminal; or is incompatible with a clear public policy concerning the public health, safety or welfare or protection of the environment.
3. In accordance with the statute, the employee must bring the violation to the attention of the Library Director.
4. Disclosure, however, is not required where:
 - the employee is reasonably certain that the violation is known to one or more officials;
 - the employee reasonably fears physical harm; or
 - the situation is emergent in nature.
5. Employees are encouraged to complain in writing using the *Employee Complaint Form*. See Employee Complaint Policy.
6. Under the law, the employee must give the Library a reasonable opportunity to correct the activity, policy or practice.

**CONSCIENTIOUS EMPLOYEE PROTECTION ACT
"WHISTLEBLOWER ACT"**

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any government entity.
 - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. **N.J.S.A.** 34:19-1 et seq.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergent in nature.

CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Library Director
Lina Podles, Director
Hoboken Public Library
500 Park Ave

Hoboken, New Jersey 07030
Telephone: (201) 420-2346
E-Mail: podles@hoboken.bccls.org

Employee Complaint Policy

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to the Human Resources Consultant or Library Director. Reporting of such incidents is encouraged when an employee feels that he or she is subject to such incidents, or when an employee observes such incidents in reference to other employees. Employees should report incidents in writing using the *Employee Complaint Form*, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

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

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

4. Are there any documents or physical evidence which contain information supporting the occurrences described above?

5. Have you missed any work time or incurred any unreimbursed medical expenses as a result of the alleged acts? If "yes," please identify the missed work time and describe the expenses incurred:

6. If you previously complained about this or related acts to a Hoboken Library supervisor or official, please identify the individual to whom you complained, the date of the complaint, and the resolution of your complaint:

7. Are you afraid that someone may retaliate against you because you filed this complaint? If so, please identify the person(s) and indicate the reasons why you feel the person(s) may retaliate against you.

Received by (Employer Representative)

Date

Drugs and Alcohol in the Workplace

The Library recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees, vendors, contractors, and patrons. Any employee who is observed by a supervisor or Department Head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor or Department Head will immediately report any reasonable suspicions to the Library Director.

The Library is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Library employee improperly consumes alcohol or illegally uses drugs on the job, comes to work under their influence, or possesses, distributes or sells alcohol or drugs in the workplace. Therefore, the Library has established the following policy:

- It is a violation of Library policy for any employee to possess, manufacture, distribute, sell, trade, or offer for sale alcohol or illegal drugs or otherwise engage in the consumption of alcohol or illegal use of drugs on Library premises, while on Library business or during working hours.
- It is a violation of Library policy for anyone to report to work under the influence of or exhibit signs of consumption of alcohol, illegal drugs or illegally used prescription drugs. (Nothing in this policy, however, precludes the appropriate use of legally prescribed medications).

Violations of this policy are subject to disciplinary action up to and including termination.

Everyone shares responsibility for maintaining a safe work environment and co-workers should encourage anyone who may have an alcohol or drug problem to seek help.

Any reference to Library premises includes any temporary pop-up branches.

Drug and Alcohol Testing

The Library adopts reasonable suspicion drug and alcohol testing and follow-up drug and alcohol testing. Drug testing will be conducted through split-sample urinalysis while alcohol testing will be conducted through breath or saliva screening. Testing will be conducted by an independent medical facility chosen by the Library.

The Library adopts National Institute on Drug Abuse (NIDA) cutoff standards to determine positive results for initial and confirmation drug tests. An alcohol concentration of 0.04% or greater constitutes a positive alcohol screening test.

If an employee receives a positive drug test result, the employee can request a second drug test from a split sample at the employee's own cost. If the results of the second test conflict with the first, the Library will schedule a third and final test at a mutually agreed independent medical lab. All parties will be bound by the result of the third and final test. Both parties will share the cost of the third test. If a false positive test result is proven to have occurred, the cost of the second test and one-half of the cost of the third test will be reimbursed to the employee.

A. Reasonable Suspicion Drug and Alcohol Testing

All employees must submit to alcohol and/or drug testing when there is reasonable suspicion to believe that an employee is under the influence of alcohol or using illegal drugs. The Library will cover the cost of reasonable suspicion drug and/or alcohol testing

B. Follow-Up Alcohol and Drug Testing

Generally the Library will cover the cost of follow-up drug and/or alcohol testing where employment has been conditioned upon remaining alcohol or drug free following treatment.

Refusal to Test

Any employee who refuses to comply with a request for alcohol and/or drug testing shall be considered as having produced a positive test result and will be discharged. Any employee who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be terminated. If the laboratory detects that a substance has been added to the sample to interfere with the normal testing process, the employee will be deemed to have refused to test and the same sanctions will apply.

Prescription Drugs

No prescription drug shall be used by any person other than the individual to whom it is prescribed. Prescribed drugs and over-the-counter drugs should be used only as prescribed or indicated. Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Library property or while performing Library business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

If an employee takes an over-the-counter medication or a prescribed drug, the employee must consult his or her prescribing medication professional or the over-the-counter drug's directives to determine whether the drug may have an adverse effect on his or her personal safety or job performance while at work. If the effects of the medication could pose a danger to the employee's safety, or the safety of a co-worker or any other person, or otherwise impair the employee's ability to perform his or her job, the employee must inform the Library Director. The Library Director is required to maintain the confidentiality of any information regarding an employee's medical condition.

The Library Director may require the employee to produce acceptable medical documentation of the employee's ability to safely and properly perform all of his/her job duties. Failure or refusal by an employee to properly inform the Library Director or to produce acceptable medical documentation, upon request, may result in discipline, up to and including termination of employment.

The Library does not accommodate the medical use of marijuana in its workplace or on any Library premises. The medical use of marijuana in the workplace means the use of marijuana at any time which produces a level of THC (Tetrahydrocannabinol), or its metabolite, within a person's bodily systems that equals or exceeds the detection levels established by the Federal Motor Carrier Safety Regulations, 49 CFR Part 40.

Right to Inspect

Pursuant to its independent authority as an employer, the Library reserves the right to inspect, investigate, and search for controlled substances at any time, with or without prior notice, on or in any and all Library premises and vehicles. Library premises include Library offices, work locations, desks, parking lots and any vehicle engaged in Library operation. Searches of Library premises, including personal effects when entering Library premises and employee vehicles parked at Library premises, may be conducted pursuant to a lawful investigation. Employees have no expectation of privacy regarding illegal drug activities.

Refusal to cooperate with any inspection, investigation, or search that is authorized by a Library representative will result in termination of employment. The Library may take into custody any alcohol found on Library premises and use it as evidence in disciplinary proceedings. Illegal drugs will be confiscated and turned over to law enforcement officials as appropriate. Employees who refuse to

comply with a lawful legal investigation as described in this policy will be subject to discipline, up to and including termination.

Rehabilitation

The goal of this policy is to balance respect for individuals with the need to maintain a safe, productive and alcohol/drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the improper consumption of alcohol or illegal use of drugs is incompatible with employment with the Library. Therefore, the Library strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell the Library Director, Human Resources Consultant or any other management representative with whom the employee feels comfortable.

The Library recognizes the health implications of alcohol abuse and drug use on its employees and considers it a treatable illness. As with other illnesses, the Library's primary objective is to assist in the employee's rehabilitation. The Library designed this policy to encourage employees to voluntarily seek help for any substance abuse problems.

An employee may voluntarily admit to the Library, through the Human Resources Consultant, Library Director or any other supervisory employee with whom the employee feels comfortable, that he or she has an alcohol or substance abuse problem without fear of discipline or discharge. Upon admission of an alcohol or substance abuse problem, the Library will provide the employee with information on where he or she may seek counseling and the individual will immediately enroll himself or herself in a rehabilitation program. The costs of counseling may be covered by the employee's medical insurance. If not, the cost of outside services is the employee's responsibility.

An unpaid leave of absence will be granted for rehabilitation and treatment consistent with applicable law. The Library will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem.

It is crucial to note that the accommodations in this section apply only when an employee voluntarily comes forward. If a substance abuse problem is disclosed to the Library only after there has been (1) a drug or alcohol test scheduled, (2) a violation of a Library policy, rule or standard, (3) a violation of law, or (4) a violation of this policy, the Library will not consider the employee to have voluntarily come forward.

Upon return to work, as part of the rehabilitation program, if, following an individualized assessment, follow-up testing is necessary to ensure that the employee poses no safety risk to himself/herself or others in the workplace, the Library may require an employee to submit to follow-up drug and alcohol testing.

As a condition of employment, employees must abide by the terms of this policy and must notify the Library Director in writing of any conviction of a violation of a criminal drug statute whether or not the violation occurred in the workplace no later than five calendar days after the conviction.

Responsibility

The Library Director or designee will be responsible for the overall implementation of the Library's drug and alcohol policy. Among other things, the Library Director or designee will select a qualified laboratory to perform the appropriate drug and/or alcohol screening tests and require drug and/or alcohol screening tests in accordance with this policy.

Workplace Violence

The Library recognizes that workplace violence is a growing problem nationally that needs to be addressed by all employers. Consistent with this policy, acts or threats of physical violence, including

intimidation, harassment, and/or coercion which involve or affect the Library or which occur on Library property will not be tolerated.

Threats or Acts of Violence Defined

“Threats or acts of violence” include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the Library, or to create a hostile, abusive, or intimidating work environment for one or more Library employees.

Examples of Workplace Violence

General examples of prohibited workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on Library property, regardless of the relationship between the Library and the parties involved in the incident.
- All threats or acts of violence not occurring on Library property but involving someone who is acting in the capacity of a representative of the Library.
- All threats and acts of violence not occurring on Library property involving an employee of the Library if the threats or acts of violence affect the legitimate interest of the Library.
- Any threats or acts resulting in the conviction of an employee or agent of the Library, or of an individual performing services on the Library’s behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the Library.

Specific Examples of Prohibited Conduct

Specific examples of conduct which may be considered “threats or acts of violence” prohibited under this policy include, but are not limited to:

- Hitting, fighting, pushing, shoving or causing physical injury to an individual or throwing objects;
- Threatening to harm an individual or his/her family, friends, associates, or their property;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of physical injury to another person or subject another individual to emotional distress;
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the Library or another employee;
- Making harassing or threatening telephone calls, letters or other forms of written or electronic communications;
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the Library;
- Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate,” without regard to the location where such suggestion or intimation occurs;
- Committing acts motivated by, or related to, harassment based on a protected class, including sexual harassment, or domestic violence;
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Library property.

Application of Prohibition

The Library’s prohibition against threats and acts of violence applies to all persons involved in the Library’s operation, including but not limited to Library personnel, contract and temporary workers, and anyone else on Library property. Violation of this policy by any individual on Library property, by any individual acting as a representative of the Library while not on Library property, or any individual acting off of the Library property when his or her actions affect the public interest or the Library’s business interests will be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination.

Warning Signs, Symptoms and Risk Factors

The following are examples of warning signs, symptoms, and risk factors which may indicate an employee's potential for workplace violence:

- Dropping hints about a knowledge of firearms;
- Making intimidating statements like: "You know what happened at the Post Office," "I'll get even" or "You haven't heard the last from me."
- Possessing reading material with themes of violence, revenge and harassment;
- Physical signs of hard breathing, reddening of complexion, menacing stare, loudness, fast profane speech;
- Acting out either verbally or physically;
- Disgruntled employee or ex-employee who is excessively bitter;
- Being a loner;
- Having a romantic obsession with a co-worker who does not share that interest;
- History of interpersonal conflict;
- Intense anger, lack of empathy;
- Brooding, depressed strange behavior, "time bomb ready to go off."

Supervisors should be alerted to and aware of these indicators. If an employee exhibits such behavior the employee should be monitored, such behavior should be documented, and the Human Resources Consultant and/or the Library Director should be informed.

Procedures for Dealing with Acts of Workplace Violence

When a violent act occurs in the workplace:

- If a violent act or altercation constitutes an emergency, call 9-1-1. In instances that are not emergency situations, contact the Human Resources Consultant or the Library Director.
- If possible, separate the parties involved. If the parties cannot be separated, or if it would be too dangerous for the employee to separate the parties, call 9-1-1, and contact the Human Resources Consultant or the Library Director. The Human Resources Consultant or the Library Director will take responsibility for coordinating a response to the incident.
- In instances that involve criminal situations, the Human Resources Consultant or the Library Director will contact the Hoboken Police Department for assessment, and if necessary, a criminal investigation.

Employee Reporting Obligations and Procedure

Each Library employee and every person on Library property is encouraged to report incidents or threats or acts of physical violence of which he or she is aware. In cases where the reporting individual is not a Library employee, the report should be made to the Hoboken Police Department.

In cases where the reporting individual is a Library employee, the report should be made to the employee's supervisor, Human Resources Consultant or Library Director. Each supervisor will promptly refer any such incident to the Human Resources Consultant or Library Director. The Library will promptly and thoroughly investigate all reports of threats of (or actual) violence and/or suspicious individuals or activities. Any individual determined to be responsible for conduct in violation of this policy will be subjected to disciplinary action up to and including termination of employment, arrest and prosecution.

Confidentiality and Retaliation

This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort to the extent practicable will be made to protect the safety and identity of anyone who comes forward with concerns about a threat or act of violence.

Employees shall refer any questions regarding his or her rights and obligations under this policy to the Human Resources Consultant.

Smoking in the Workplace

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Library has adopted a smoke-free policy for its buildings (both at its main branch and any temporary popup branches). Library facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in any Library buildings.

Employees are permitted to smoke only outside Library facilities and such locations as not to allow the re-entry of smoke into building entrances. Smoking near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

Communication Media Policy

The availability and use of Communication Media, access to the internet and use of e-mail within the work environment has provided many opportunities to enhance productivity and effectiveness. These technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can have damaging effects on the Library and employees using these electronic systems. The goal of this policy is to provide the availability and use of such technology in a manner that protects the Library's data and software from accidental or intentional unauthorized disclosure, modification or loss. Therefore, all Library employees must abide by the guidelines set forth in this policy when using Library personal computers, services of external databases and information exchange networks, voice mail and related electronic messaging devices.

Definition

Communication Media: Communication Media includes all electronic media forms provided by the Library such as telephones, cellular telephones, smart phones, personal computers, electronic tablets, electronic mail systems, voice mail systems, paging systems, text messaging systems, instant messaging systems, electronic bulletin boards and internet services, intranet, facsimile transmissions or any other communication media devices.

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

General Principles

1. Use of any Communication Media provided by the Library for personal use is prohibited during work time. It is permitted only during on an employee's personal time such as while on lunch break or before or after work.

2. All Communication Media, including e-mail, voicemail and any technology-based messaging, are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act (OPRA). Employees should always ensure that the business information contained in Communication Media is accurate, appropriate, ethical and lawful. Employees are required to use their assigned Library email account for all Library business and correspondence.
3. All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by the Library. Certain data, or applications that process data, may require additional security measures as determined by the Library. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.
4. Transmission of electronic messages and information on Communication Media provided to employees must be treated with the same degree of propriety and professionalism as official written correspondence. Library supplied e-mail accounts and internet IDs must not be used for anything other than Library-sanctioned communications.
5. Correspondence via e-mail is not guaranteed to be private and is not private to the individual. Confidential e-mails should not be sent without encryption or password protection. If the Library determines that encryption software is appropriate, encryption software must be provided or approved by the IT Manager and/or the Library Director. The IT Manager and/or the Library Director must be given a copy of all passwords, and encryption and decryption "keys." The existence of passwords does not restrict or eliminate the Library's ability or right to access electronic communications. The Library, however, will not require an employee to provide a password to his or her personal account.
6. Use of Communication Media will be monitored for security and/or management reasons. Users are subject to limitations on their use of such resources.
7. The distribution of any information through Communication Media is subject to all policies and procedures applicable to dissemination of information by non-electronic means. The Library reserves the right to determine the suitability of this information.
8. No employee shall access any file or database unless they have a need and a right to such information. Additionally, personal identification and access codes must not be revealed to an unauthorized source.
9. To avoid any breaches of security, employees must log off any personal computer which has access to the Library's computer network, electronic mail system, the internet or sensitive information whenever they leave their work station.
10. Employees are expected to operate care in the use of Communication Media to avoid damage to any Library equipment or software.

Usage Rules

The Library prohibits any employee using Communication Media resources from:

1. Viewing, downloading and/or transmitting materials that is defamatory, obscene, or harassing or in violation of any Library rule or policy. Examples of forbidden transmissions or downloads include, but are not limited to, sexually-explicit images or messages, unwelcome propositions; ethnic or racial slurs or any other message that can be construed as harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under

- federal, state or local laws, regulations or ordinances, whether or not a recipient has consented to or requested such material;
2. Violating policies prohibiting harassment, workplace violence or sexual harassment;
 3. Sending or receiving e-mails that are unrelated to Library business activities;
 4. Soliciting business for personal gain or profit or gambling;
 5. Soliciting for religious, political, charitable or other causes, unless the employee conducts such solicitation as part of his/her job responsibilities;
 6. Using Communication Media to invade the privacy of others;
 7. Using Communication Media for any illegal or fraudulent purpose;
 8. Representing personal opinions as those of the Library;
 9. Making or posting defamatory, vulgar, obscene or threatening remarks, proposals, or materials;
 10. Uploading, downloading, or otherwise transmitting commercial software or any copyrighted materials belonging to parties outside of the Library, or licensed to the Library. Employees must observe the copyright and licensing restrictions of all software applications and must not copy software from internal or external sources, unless legally authorized. The Library may remove any software for which proof of licensing (original disks, original manuals and/or license) cannot be provided;
 11. Downloading or installing any software or electronic files (including sound and video files and files attached to e-mail messages), software, fonts, templates, scripts or other materials from the internet or other external sources onto any computer without the prior approval of the IT Manager or the Library Director. After receipt of approval from the IT Manager or the Library Director, and before being entered into any personal computer, drive and/or shared system, material installed/downloaded must be scanned for viruses with virus protection software approved by the Library. In no case shall external materials or applications be downloaded directly to any shared (network) drive without consulting the IT Manager or the Library Director;
 12. Making any hardware modifications to Communication Media without the prior approval of the IT Manager or the Library Director. The Technology and Network Department is responsible for determining proper installation procedures, if approved;
 13. Modifying workstation settings and configurations or network settings without prior approval of the IT Manager or the Library Director in consultation with the Technology and Network Department.
 14. Intentionally interfering with the normal operation of the Library's computers and/or network, including the propagation of computer viruses and sustained high volume network traffic, which substantially hinders others in their use of the network;
 15. Revealing or publicizing confidential Library information either through Library Communication Media or an employee's personal Communication Media. Confidential, proprietary or sensitive information may be disseminated only to individuals with a need and a right to know and

when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes but is not limited to the transmittal of personnel information, such as social security numbers, medical records/documents, internal reports, Library records or documents or similar confidential, proprietary or sensitive information. Employees are also prohibited from revealing and publicizing any internal work documents.

16. Examining, changing or using another person's files, output, or user name without explicit authorization;
17. Sending anonymous e-mail messages;
18. Refusing to cooperate with a security investigation;
19. Attempting to break into the computer system of another organization or person;
20. Sharing or stealing passwords or permitting unauthorized persons to use the Library's electronic mail system;
21. Sending or posting messages that defame or slander other individuals;
22. Misrepresenting, obscuring, suppressing or replacing user's identity on any Communication Media;
23. Sending unsolicited advertising.
24. Wasting time on non-Library business, including playing games on the internet, shopping or "surfing" the Web on Library time;
25. Use of personal Communication Media, such as private e-mail accounts, cell phones and smartphones for Library business. (Notwithstanding the prohibition against using personal Communication Media for Library business, any work-related business on personal Communication Media is subject to the provisions of the Open Public Records Act);
26. Performing any other inappropriate uses.

No Expectation of Privacy

Employees shall use computer equipment and on-line access for Library purposes only. The Library reserves the right to monitor, obtain, review and disclose all e-mail messages, computer files, voice mail, internet messages on Library Communication Media as deemed necessary and appropriate. Communication Media and its contents, and all information gathered via on-line resources belong to the Library. Additionally, all information stored on Library computers and any other Library Communication Media, belongs to the Library. Personal material and electronic data must not be created or stored on the Library's computers or Communication Media.

The Library may access and review (1) all communications using the Library's computers or Communication Media, even if not connected to the Library's internet service system and even if using a personal e-mail account; and, (2) all communications using the Library's e-mail system, even if created on a non-Library owned computer or Communication Media. The Library may inspect all computers and Communication Media and information at any time as necessary for the conduct of its business.

The Library retains the right to monitor all on-line communications to ensure that employees pursue only appropriate business purposes. Monitoring may include, but is not limited to, review of data, including e-mail content and attachments, e-mail addresses, tracking internet sites visited by each user, the frequency and time spent on the internet by each user, blocking access to certain types of sites, and ensuring compliance with this policy. Employees must have no expectation of privacy in use of Library provided Communication Media equipment.

By using Library Communication Media, each user agrees that the Library has unrestricted access and the right to disclose all information communicated or stored on Communication Media for any security, health, employment or other legitimate business reasons. Legitimate reasons also include, but is not limited to, systems maintenance, message routing, retrieval of business information, troubleshooting hardware and software problems, preventing system misuse, protecting confidential proprietary information, insuring compliance with software license policies and complying with legal and regulatory requests for information.

Additional Restrictions

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people, or job related incident or occurrence taken with the Library's Communication Media to any person, entity, business or media or internet outlet whether on or off duty, without the expressed written permission of the Library Director. Except in "emergency situations," employees are prohibited from taking digital images or photographs with media equipment not owned by the Library. For the purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flight from accidents or crimes and the employee does not have access to the Library's Communication Media. If such situation occurs, employee agrees that any images belong to the Library and agrees to release the image to the Library and ensure its permanent deletion from media device upon direction from the Library.

Reporting Violation of Policy

Employees learning of any misuse of the Library's Communication Media shall notify the Library Director or the Human Resources Consultant. Users who violate this policy may be subject to disciplinary action up to and including termination of employment. The Library also retains the right to report any illegal violations to the appropriate authorities.

This policy will not be enforced in a manner that interferes with an employee's right to engage in protected concerted activity. Nor will it be enforced in any manner that is contrary the New Jersey Workplace Democracy Enhancement Act.

Social Media

The purpose of this policy is to provide employees with guidance concerning their personal web pages, websites and electronic social networking activities on their own time using their own facilities hereafter referred to collectively as "social media". Examples of social media include, but are not limited to, Twitter, Facebook, LinkedIn, MySpace, YouTube, blogs, etc. This policy will be enforced in accordance with applicable laws, rules and regulations. It is not intended to interfere with any rights an employee may have pursuant to law. This includes, but is not limited to, an employee's right to engage in protected concerted activity. Nor is this policy intended to unlawfully restrict the flow of information among employees.

Adherence to Workplace Policies and Rules

Employees must not make comments or otherwise communicate about coworkers, supervisors, members of the governing body, vendors, suppliers, residents or any other third party with whom they interact in the course of the work day in a manner that violates Library personnel policies or that is vulgar, obscene, threatening, intimidating, harassing, libelous, or discriminatory.

Guidelines for communicating through social media are the same as the values, ethics, confidentiality and workplace policies employees are expected to abide by whether talking to or communicating with other employees, supervisors, members of the governing body, vendors, suppliers, residents or any members of the public. Employees are expected to abide by all workplace policies and rules when engaging in social media communication. Library reserves the right to investigate any communication, private or public, that violates workplace policies and rules, including but not limited to, the prohibition of harassment and discrimination on account of any protected classification, where such postings are lawfully made available to Library by other employees or third parties. Employees are not required to provide to the Library passwords to their personal accounts.

Common Sense as a Guide

Employees should use common sense in all forms of communication when engaged in social media activities.

Employees should also be mindful that personal communication through social media channels are not truly private. What an employee posts or publishes may go beyond its intended recipient(s) and remain in the social media domain. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

Employees are accountable for their actions and statements, which could have an impact on others. Employees should refrain from posting statements or images of others (i.e., employees, supervisors, members of the governing body, citizens) without their consent. By posting to any social media site the poster is representing that he/she owns, has the right to lawfully use the content or is permitted to post the statement or image.

Personal communication through social media can result in disciplinary action if the commentary, content, images, pictures, video and the like adversely reflects on the employee's fitness for duty or constitutes a violation of any Library rule or policy.

Personal Opinions Not Endorsed by Library

Misrepresenting that an employee's personal opinions are endorsed by the Library or any of its employees is strictly prohibited. The Library's name and/or identifying factors may not be used to endorse any opinion, product, private business, cause, or political candidate. Employees who identify themselves as Library employees, or if they discuss matters related to the Library on a social media site, the site must include a disclaimer on the front page, stating that it does not express the views of the Library, and the employee is expressing only his/her personal views. Employees are prohibited from representing themselves as a spokesperson for the Library. For example: "*While I am an employee of the Hoboken Library, comments made on this account are my own and not that of the Library*". Notwithstanding, employees are encouraged to exercise extreme caution when posting photographs of themselves in uniform or in situations where they can be readily identified as Library employees. Employees must keep in mind that if they post information on a social media site that is in violation of Library policy and/or federal, state or local law, the disclaimer will not shield them from disciplinary action.

To the extent that an employee appropriately uses social media while engaging in protected concerted activity, employees will not be subject to discipline. For all other communications related to Library matters, the employee must include a disclaimer as described above.

If an Employee Makes a Mistake

Employees should correct any mistakes they have made concerning social media communications. If an employee inadvertently posts or transmits confidential or internal Library information, the employee must immediately contact the Human Resources Consultant or the Library Director so the Library can take the appropriate steps to minimize the impact the communication may have. However correcting a mistake or advising the Human Resources Consultant or the Library Director of an inadvertent posting or transmission of confidential or internal information will not shield an employee from disciplinary action and/or violation of federal, state or local law.

Violations

Any employee who violates this social media policy will be subject to disciplinary action up to and including termination. The employee may also be required to correct, edit or remove a post or statement. Depending on the nature of the conduct, the employee may also be subject to civil or criminal penalties.

Employees must not reveal or publicize confidential Library information, including, but not limited to, personnel information, such as social security numbers, medical records/documents, internal reports, Library records or documents or similar confidential, proprietary or sensitive information. Employees are also prohibited from posting any internal work documents to social media sites. Prohibited social media activities includes but is not limited to posting screenshots of computer stations, pictures of monitors and/or actual documents themselves containing confidential or internal Library information.

An employee's responsibility to comply with these expectations regarding social media activity may apply even after the employee is no longer employed by Library. Employees are personally responsible for the commentary they choose to express and the material that they post in online sites.

This policy will not be enforced in a manner that interferes with an employee's right to engage in protected concerted activity.

Any employee with questions regarding Library's social media policy should contact the Human Resources Consultant.

Video or Audio Recording Devices in the Workplace

The Library seeks to encourage open communication, free exchange of ideas, spontaneous and honest dialogue and an atmosphere of trust. Unauthorized recording of employees is disruptive to employee morale and inconsistent with the respectful treatment of others required of our employees. The Library has a legitimate interest in maintaining the integrity of its operations.

Employees may not record conversations, phone calls, images, or meetings with any recording device on Library premises, unless all of the following criteria are met:

1. A legitimate purpose for the recording exists;
2. The recording device is in plain view of the person being recorded; and
3. The employee who wishes to record obtains written authorization from his or her supervisor to record.

For purposes of this policy, "recording" is defined as the use of any device to capture images or voices by any means (whether in person, by telephone, or by videoconferencing, or screen shots, etc.). The devices used to record via audio or video that are prohibited are inclusive of, but are not limited to, phones, voice recorders of any kind, video cameras of any kind, and microphones.

The transmission or publication of an unauthorized recording is also prohibited. Transmission or publication via the internet, social media, electronic communication, or in print or hard copy, or via any other medium is included within this prohibition. Authorized recordings made when reasonable

expectations of privacy exist may not be transmitted, as defined above, without the express permission of the other party or parties who were recorded.

A violation of this policy may result in disciplinary action, up to and including termination of employment.

Nothing in this policy is intended to prevent employees from making recordings for protected concerted activity purposes or as otherwise protected by law.

Employee Discipline Policy

The Library reserves the right to discipline employees for improper behavior or violation of policies and procedures. In addition to this policy, further information may be found in the collective bargaining agreements. The Library will also follow the Civil Service statutes and regulations when administering discipline.

1. Employees may be subject to discipline for any of the following reasons:

- Falsification of public records including attendance and other personnel records;
- Failure to report absence;
- Harassment of co-workers and/or volunteers and/or visitors;
- Theft or attempted theft of property belonging to the Library, fellow employees, volunteers or visitors;
- Failure to report to work the day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
- Fighting on Library property at any time;
- Being under the influence of intoxicants (i.e. liquor) or illegal drugs (e.g. cocaine or marijuana) on Library property and at any time during work hours;
- Possession, sale, transfer or use of intoxicants or illegal drugs on Library property and at any time during work hours;
- Insubordination;
- Soliciting on Library premises during work time. This includes, but is not limited to, distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.;
- Careless waste of materials or abuse of equipment or supplies;
- Deliberate destructions or damage to Library property;
- Sleeping on the job;
- Carrying weapons of any kind on Library premises and/or during work hours;
- Conduct unbecoming a public employee;
- Violation of established safety and fire regulations;
- Unscheduled absence and chronic or excessive absence;
- Chronic tardiness;
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;
- Defacing walls, bulletin boards or any other Library property;
- Incompetence, failure to perform duties, or inefficiency;
- Unauthorized disclosure of confidential Library information;
- Gambling on Library premises;
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Library premises;
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;
- Conviction of a crime or disorderly person offense;
- Violation of any Library policies, procedures and regulations;

- Violation of Federal, State or local laws, rules, or regulations, including Library policy, concerning drug and alcohol use and possession;
 - Misuse of public property, including motor vehicles;
 - Violation of Communication Media and Social Media policies, including unauthorized use of computers, internet, and email;
 - Other sufficient cause.
2. Major disciplinary action includes termination, disciplinary demotion, suspension or fine exceeding five (5) working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five (5) working days or less. Employees who are subject to discipline will be served with a notice of minor discipline or a Preliminary Notice of Disciplinary Action, and where applicable, will be afforded the opportunity for a hearing, if requested.
3. In cases of employee misconduct, the Library believes in corrective action for the purpose of correcting undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances.
4. In order to correct undesirable behavior, supervisors or the Library Director may use the following corrective tools:
- Verbal Reprimand - Depending on the circumstances, the supervisor may verbally notify the employee that his or her actions have been improper and warn the employee against further occurrences. The supervisor will prepare a memorandum to file documenting the verbal reprimand including the date, time and topics discussed. This record will be forwarded to the Human Resources Consultant for review. Such may be shared with the Library Director. After review, a copy of the memo will be placed in the employee's personnel file.
 - Written Reprimand - If the supervisor determines that a written warning is appropriate, the situation must first be discussed with the Human Resources Consultant, and further reviewed with the Library Director. The warning should clearly identify the problem and outline a course of corrective action. The employee should acknowledge receipt of the warning and may include additional comments. A copy of the written warning with the signed acknowledgement and comments will be forwarded to the Human Resources Consultant for placement in the employee's personnel file.
 - Suspension - When an employee is recommended for suspension, the supervisor will make a written recommendation to the Library Director giving the reasons why a suspension is recommended. The Library Director will consult with the Human Resources Consultant, review the circumstances and make the final decision.
 - Demotion - When an employee is recommended for demotion, the supervisor will make a written recommendation to the Library Director giving reasons why a demotion is recommended. The Library Director will consult with the Human Resources Consultant, review the circumstances and make the final decision.
 - Dismissal - Prior to dismissal, a complete review of the employee's entire personnel file and all other facts collected by the Human Resources Consultant will be made to determine if there is sufficient cause for the dismissal. The Library Director will make the final decision regarding dismissal and may seek the advice of the Board Attorney or Labor Counsel.

At the discretion of the Library, action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

5. Neither this manual nor any other Library guidelines, policies or practices create an employment contract. Employment with the Library may be terminated at any time with or without cause or reason by the employee or by the Library except as set forth in the collective bargaining agreement.
6. All documents connected with an employee's disciplinary history shall be placed permanently in the personnel file.
7. An immediate suspension may be imposed prior to a hearing when:
 - The employee is unfit for duty or presents a hazard to any person if permitted to remain on the job or the suspension is necessary to maintain safety, health, order or effective direction of public services. A Preliminary Notice of Disciplinary Action with opportunity for a hearing will be served in person or by certified mail within five (5) days following the immediate suspension; or
 - The employee has been formally charged with a crime of the First, Second or Third Degree or a crime of the Fourth Degree directly related to the employee's job.

Where a suspension is immediate, and is without pay, the employee will first be apprised either orally or in writing regarding the charges, the reason why an immediate suspension is sought, and a general description of the evidence in support of the charges. The employee will be provided an opportunity to respond to the charges before a representative of the Library. The response may be oral or in writing.

Workweek

Schedule

The regular work schedule for full time employees is a 35-hour workweek, Monday through Saturday, including evenings. The Director will approve any variations from this schedule. The Director or an employee's supervisor has the right to schedule working hours to provide efficient service to citizens.

Full-Time vs Part-Time

Any employee scheduled to work 35 hours a week is considered a full-time employee. Any employee regularly scheduled to work less than 30 hours a week is considered a part-time employee.

Meal Breaks

All employees who work 7 or more hours in a given day will have either a one (1) hour or half (½) hour unpaid lunch break on that day. The length of the lunch break and the time it is taken will be subject to the discretion and approval of the employee's supervisor and the Library Director.

Sunday Pay

Full time employees who work on a Sunday in addition to their 35 hours for the week will be paid at their overtime rate.

Overtime

Overtime is earned when a full-time employee is scheduled to work more than 35 hours a week by their supervisor. Any time in excess of 35 hours will be paid at 1.5 times the employee's regular rate. If the employee is salaried, then their weekly salary will be divided by 35 to determine the hourly rate to be used in calculating their overtime.

The 35 hour threshold for overtime is calculated based on hours actually worked. For example, paid time off does not count as hours worked.

Only an employee's supervisor can schedule them for overtime. This scheduling can happen in advance or as an emergency measure to cover unexpected absences or other operational needs. Overtime scheduling will be done using a voluntary list. Once the voluntary list is exhausted, OT scheduling will be done in inverse order of seniority. The two lists may be by-passed in the event of a bona fide emergency that requires a specific employee to be on duty; factors such as location, special skills, etc. will guide this action.

Supervisors who identify a need to have an employee work overtime must request to the Library Director in writing to have overtime pay approved. Department Heads who identify a need for themselves to work overtime, must request the time directly to the Library Director in advance, in writing. Only those Department Heads who are either non-exempt pursuant to law or are entitled to overtime pursuant to their applicable collective bargaining agreement will receive overtime.

Compensatory Time

Compensatory time ("comp time") allows an employee to convert their overtime hours into paid time-off. For example, if an employee works 2 hours of overtime, instead of being paid the overtime, the employee will have the option of taking time-off equivalent to 3 hours (2 x 1.5).

The Library has the option of compensating the employee with compensatory time in lieu of paid overtime. Employees will be permitted to use accrued compensatory time within a reasonable period after the employee submits a request for use, unless the employee's absence will create an undue disruption to the operations of the Library. In the even that compensatory time cannot be scheduled within 90 days of the date it is earned, the employee shall have the option of cashing out the comp. time.

Employees are responsible for monitoring their time-off bank and being aware of all timelines and expiration dates associated with each type of time-off day. If an employee has any questions about his/her time-off days, the employee should reach out to the Human Resources Consultant for clarity as soon as possible.

Tardiness

All staff must be at their duty location ready for work by the scheduled starting time. Late arrival, after lunch will be considered tardiness. Leaving before the scheduled departure time without permission from the employee's supervisor may result in docking of pay. Supervisors must be informed of all tardiness.

Early/Emergency Closings

If the Library closes early Monday through Saturday due to an emergency or inclement weather, employees, who are scheduled to work during this time, will be paid for the hours they lose because of the shortened schedule.

If the Library closes early on a holiday, then only full-time employees, who are scheduled to work on the holiday, will be paid for the lost hours.

If the Library closes on a Sunday due to emergency or inclement weather, then part-time employees, who are scheduled to work on the Sunday, will be paid for lost hours.

Holidays

Floating Holidays

All employees are entitled to 2 floating holidays. Employees must request the dates for their floating holidays in the same manner as requests for vacation time.

Regular Holidays

All permanent full-time employees are entitled to the following 9 regular holidays:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Fourth of July
Labor Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

Vacation

Most aspects of vacation at Hoboken Public Library are the same for both full-time and part-time employees. The majority of the difference has to do with how vacation is accrued for each group. The description below begins with the aspects that are the same.

Requesting Vacation

An employee must request vacation time at least 30 days in advance. Requests must be made in PrimePoint. A response will be given to the employee within 10 days of submission.

If a request is made less than 30 days in advance, **AND** the schedule with the requested dates has not yet been completed, then the Director/designee may grant an exception.

Requests will be considered with respect to staffing requirements and seniority.

Carry-Over

If an employee is unable to use all of his/her vacation days in the year that it is earned, the employee will be allowed to carry the unused days over into the next year. However, those unused days must be taken within the new year. Accrued vacation cannot be carried over more than one year.

Payouts

When an employee’s employment is terminated either voluntarily or involuntarily, any accrued, unused vacation days will be paid out to the outgoing employee.

If an employee dies while employed at the Library, the unused, accrued vacation days will be paid out to the employee’s estate.

Exhaustion & Overuse

An employee who exhausts all accrued vacation time in one year will not be credited with more paid vacation days until the following calendar year.

An employee who leaves the service of the Library, but has already used unearned vacation time, will be required to reimburse the Library for the unearned vacation time which was used.

Advance Pay

An employee may request to be paid vacation pay in advance of his/her time off. If approved, the payment will be made on the payday preceding the period in which the vacation dates land. The request must be made at least 3 weeks in advance of this payday.

Accrual Full-Time Employees

Vacation accrual at Hoboken Public Library can be understood in terms of three periods of time:

1. Hire Year - the year an employee starts working at the Library
2. First Full Calendar Year - the first year in which an employee works from January to December
3. Anniversary Milestones - mark a certain amount of years of service, usually 5, 10, 15 or 20

Hire Year

During the year in which an employee starts working at the Library, vacation time is accrued at 1 working day per full month worked. The possible exception is the first month of employment.

An employee only accrues 1 full vacation day for the first month of employment if the start date occurs on 1st thru 8th of that month. If the employee’s start date occurs on 9th thru 23rd, the employee will accrue ½ day of vacation for that month. The employee would not accrue any vacation day for that month if the start date is 24th or later.

1st to 8th	9th to 23rd	24th or later
1	½	0

First Calendar Year

An employee’s first calendar year is January 1 to December 31 of the year after the employee is hired. During this year, the employee will earn 1 working day of vacation for every full month worked. The full 12 days will be made available to employees to schedule starting January 1, even though the

employee has not yet earned them. The 12 days are advanced on January 1 with the understanding that the employee will work the full year.

If an employee uses any available, but unearned, vacation days, and ends employment with Library, the outgoing employee is required to reimburse to the Library for those unearned days.

Anniversary Milestone

When employees reach certain work anniversary milestones at the Library, their vacation time will be increased according to one of two schedules, depending on what year they started working at the Library.

All full time employees, who started working at the Library before July 1, 2002, will be granted vacation time for years of service according to the following schedule:

Accrual Schedule Pre-2002

First Calendar Year to 5 Years of Service	5 to 10 Years of Service	10 to 15 Years of Service	After 15 Years of Service
12 Days	15 Days	20 Days	25 Days

All full time employees, who started working at the Library on or after July 1, 2002, will be granted vacation time for years of service according to the following schedule:

Accrual Schedule Post-2002

First Calendar Year to Service	5 Years of Service	5 to 10 Years of Service	10 to 20 Years of Service	After 20 Years of Service
12 Days		15 Days	20 Days	25 Days

It is important to note that any increase in vacation days based on years of service will take effect the next calendar year after the anniversary is achieved. For example, if an employee’s 5 year anniversary is April 5, 2018, the employee will receive 15 vacation days per year starting January 2019.

Accrual Part-Time Employees

Part-times employees accrue 10 vacation days per year starting on their first full calendar year. For their hire year, part-time employees receive a prorated amount of vacation time.

For most part-time employees, the number of hours in a vacation day is proportional to the average number of hours worked in a day.

The same policy concerning reimbursement to the Library of unearned, used vacation time for full-time employees who leave employment with the Library, applies to part-time employees.

Personal Days

Accrual

All full-time employees are entitled to 2 personal days per calendar year.

Sick Leave

Purpose

Sick leave may be used for personal illness or injury, exposure to contagious disease, and care of a seriously ill immediate family member (for a reasonable period of time). For purposes of sick leave, immediate family member is defined as a spouse, domestic partner, civil union partner, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives residing in the employee's household.

Additionally, sick leave may be used by a handicapped employee for absences related to the acquisition or use of an aid to function on the job (reasonable proof may be required).

Accrual

Starting the first full calendar year of employment, full-time employees will be credited with 15 days of sick leave per year. Employees will be given access to all 15 days starting January 1 of that year in anticipation of continued employment for the year.

During the hire year, employees will earn 1 sick leave day for every full month of service, with the possible exception of the first month. An employee only accrues 1 full sick leave day for the first month of employment if the start date occurs on 1st thru 8th of that month. If the employee's start date occurs on 9th thru 23rd, the employee will accrue ½ day of vacation for that month. The employee would not accrue any sick leave time for that month if the start date is 24th or later.

1st to 8th	9th to 23rd	24th or later
1	½	0

Part-time employees shall be entitled to a proportionate amount of sick leave.

Process

An employee must call the Director/designee at least 30 minutes before the time the Library opens. This is not to be confused with 30 minutes before the assigned shift begins. There will be times when the open time and assigned shifts are the same. For those situations, employees are encouraged to give as much advance notice as possible.

If sick leave extends more than 5 consecutive work days, employees must bring a physician's report to the Director/designee.

Employees are prohibited from using sick leave for anything other than for the reason in which it was granted, including but not limited to working at another job or a personal business.

Sick leave does not accrue during leave of absence without pay, or during suspensions.

In order to exhaust vacation time or for other compensatory purposes, an employee may be retained on the payroll after resignation or retirement. However, sick leave will not accrue during this period.

Exhaustion & Overuse

An employee who exhausts all accrued sick leave time in one year will not be credited with more paid sick leave days until the following calendar year.

An employee who leaves the service of the Library, but has already used unearned sick leave time, will have to reimburse the Library for the unearned sick leave time which was used.

Incentive

Employees will receive incentive pay for according to the schedule below:

No Absences From...	Incentive
January 1 thru December 31	\$500
January 1 thru June 30	\$200*
July 1 thru December 31	\$200*

**Any absences totalling days in a calendar year shall render the employee ineligible for this partial period payment.*

Incentive money will be paid in January the following year.

In order to be eligible for the stipend, employees must consistently conform to rules for timekeeping. Consistency shall mean less than 10 working days without failing to punch the time clock when beginning and ending work.

Leave of Absence

Family and Medical Leave

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

Leave that qualifies under the FMLA and the NJFLA will run concurrently under both statutes.

Eligibility for family/medical leave is based on a rolling twelve-month period measured backward from the date an employee uses any leave.

Health and Other Benefits

During the leave period, the employee's health benefits will be continued under the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. If the employee is on unpaid FMLA and/or NJFLA leave, the employee must arrange for payment with the Library to avoid any cancellation of the employee's group health insurance.

The employee will not continue to accrue vacation, sick or personal days for the unpaid period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section.

At the end of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Taking Leave

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

The leave must be supported by a physician's certificate depending on the reason for the leave. Any employee who is unable to return to work following the exhaustion of FMLA and/or NJFLA must advise the Human Resources Consultant and the Library Director prior to the expiration of the leave.

Employees may be eligible to take intermittent leave, reduced leave or consecutive leave.

The Library requires all employees who take FMLA leave for their own serious medical condition to provide the Library with a job related fitness-for-duty certification upon return to work.

Additional information concerning this Policy, eligibility requirements and forms are available from the Human Resources Consultant.

FMLA Leave for Families of Servicemembers

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency.

Employees may also be eligible for leave based on a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling.

A serious injury or illness means an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

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

1. A continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; *or*
2. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; *or*
3. A physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; *or*
4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any *one* of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran, regardless of whether the injury or illness manifested before or after the individual became a veteran.

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

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

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

Employees who request qualifying exigency leave to spend time with a military member on rest and recuperation leave during deployment may take up to a maximum of 15 calendar days. The Library reserves its right to request an employee to provide a copy of the military member's rest and recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Unpaid Leave of Absence

An employee desiring a leave of absence without pay from his/her employment shall secure written approval from the Library's Board of Trustees. The maximum leave shall be 360 days and may be extended for like periods.

All requests for leaves of absence shall be granted or denied in the sole, unreviewable discretion of the Library's Board of Trustees.

Applications for leaves of absence shall be made at least four weeks prior to the date on which the requested leave is to commence, except in cases of emergency. This request is to be made in writing. Leave time shall not accrue during an unpaid leave of absence.

Employees who have exhausted their sick leave and are granted a leave of absence without pay due to personal illness (doctor's certificate required), shall be covered with health benefits for six (6) months under the same terms as if actively working during such time. Thereafter, such periods may be extended for like periods by the Board of Trustees, however the continued coverage of health benefits for like periods by the Board of Trustees shall be in the sole, non-reviewable discretion of the Library's Board of Trustees.

Military Leave

Employees will be granted military leave pursuant to Federal and State law.

Domestic Violence Leave

Employees may be eligible for The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act") which provides protection for employees and family members who have been a victim of domestic violence or sexual assault.

The NJ SAFE Act provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

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

To be eligible for the leave, an employee must meet the following criteria:

- The employee or the employee's child, parent, spouse, civil union partner or domestic partner must be a victim of domestic violence or a sexually violent offense;
- The employee must have worked for the employer for at least twelve (12) months and for at least 1,000 hours during the twelve (12) month period immediately preceding the requested leave; and
- The twenty (20) day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis, but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, an employee seeking leave must provide proof that he/she qualifies for the leave. Such proof may

include restraining order, letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave Act. If so, the Library will treat the leave concurrently with the leave under those statutes. Employees will be required to use accrued paid vacation, personal and sick leave time concurrently with domestic violence leave. The application of paid time to domestic violence leave does not extend such leave.

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

The Library shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

Bereavement Leave

Upon the death of an immediate family member, an employee will be granted time off without deduction in pay.

Bereavement leave shall not exceed five (5) working days. If additional time is necessary, employee may choose to vacation or sick leave to cover the additional days.

For the purposes of bereavement leave, immediate family consists of the employee's spouse, civil union partner, domestic partner, child, stepchild, mother, father, brother, sister, stepmother, stepfather, guardian, mother-in-law, father-in-law, grandmother, grandfather, brother-in-law, sister-in-law and grandchildren.

Reasonable verification of the death may be required.

Jury Duty

When an employee is required to serve jury duty, that employee will be paid for the days served. The payment will be the employee's regular salary, minus the jury duty stipend received from the court.

Employees must immediately notify their department head and the Director when they receive a notice to serve. The notice must be filed in the Director's office.

An employee serving jury duty and released early from service, must report for work. The exception is if the employee would have less than 4 hours left in the shift.

Daily attendance record must be given to the Director at the conclusion of jury service.

Those employees required to appear in court on matters relating to the Library, will be granted time off with pay. A copy of the court letter requesting appearance should be filed in the Director's Office and proof of attendance given to the Director.

Salaries and Longevity

Salaries

The percentage wage increase for employees for calendar years 2016 through 2020 shall be as follows. The schedule applies to both full-time and part-time employees.

When	Percentage Increase
January 1, 2016	2%
January 1, 2017	Great of 2% or NJLA minimums
January 1, 2018	2.25%
January 1, 2019	2.25%
January 1, 2020	2.25%

Longevity

Employees hired before January 1, 2007 shall receive longevity payments according to the following schedule:

Years of Service	Longevity Payment as Percentage of Base Pay
0 to 3	No credit
4 to 6	3%
7 to 9	5%
10 to 12	7%
13 to 15	9%
16 to 18	12%
19 to 21	13%
22 to 24	14%
Beginning of 24	15%
Beginning of 25	18%

Employees hired after January 1, 2007 and before September 30, 2013 shall receive longevity payments according to the following schedule:

Years of Service	Longevity Payment as Percentage of Base Pay
0 to 3	No credit
4 to 6	3%
7 to 9	4%
10 to 12	5%
13 to 15	6%
16 to 18	8%
19 to 21	9%
Beginning of 22	10%

Employees hired on or after October 1, 2013 and before September 30, 2013 shall receive longevity payments according to the following schedule:

Years of Service	Longevity Payment as Percentage of Base Pay
0 to 3	No credit
4 to 6	2%
7 to 9	3%
10 to 12	4%
13 to 15	5%
16 to 18	6%
Beginning of 19	7%

Pensions

Eligible employees are provided with pension benefits through the New Jersey Division of Pension and Benefits.

Pension contributions will continue while an employee is on PAID leave.

Health Insurance

The Library offers employees the same medical, dental and prescription benefits as provided to City of Hoboken employees.

Employees are required to pay a portion of their insurance premiums via payroll deductions, in accordance with P. L. 2011 c. 78.

For more information about coverage, contact HR. For more information about premium payments, contact Accounting.

An employee's health insurance will continue during paid leave or if required by law, in the same manner as if the employee was actively working, with the employee being responsible for making his/her usual employee contributions to the premium as described above.

Retirement

The Library will assist employees with the administrative process of filing for retirement and any retirement benefits for which he/she qualifies to receive.

Terminal Leave

Employees hired before January 1, 2012, will qualify for terminal leave. Employees hired after January 1, 2012 will not qualify for terminal leave.

An employee hired on or before January 1, 2012, who has file for retirement, will be granted paid terminal leave. Terminal leave is equivalent to five (5) days of pay for each year of service.

For every year an employee uses more than ten (10) sick days, terminal leave will be reduced. The reduction will be calculated as ½ a day for every year the employee used more than ten (10) sick days. For example, if an employee used twelve (12) sick days during one (1) year of service, the terminal leave will be reduced to four and one-half (4 ½) days of pay. If the employee used twelve (12) sick days during one (1) year or service and thirteen (13) sick days during another, the terminal leave will be four (4) days.

Exception to the reduction in terminal leave may be made if the employee was hospitalized or the Director chooses to exercise discretion.

When determining years of service, equivalent deductions will be made for unpaid leaves of absences, suspensions, absences without pay, and/or any time periods previously used in calculating terminal leave.

The total amount an employee can be paid out for terminal leave is capped at \$15,000.

Employees will have the option to request terminal leave, earned vacation time and earned compensatory time in either a 100% lump sum payment or in weekly installments.

Dress Code

For some employees of the Library a uniform is mandatory, and for others business casual is expected.

Uniforms

All maintenance and security personnel are expected to purchase and maintain the determined work uniforms, work jackets, work pants, work shirts, work caps, work shoes, etc.

The Library will provide semi-annual allowances for these purchases. For full-time employees, the allowance will be up to \$350 for purchases made from June 1 thru November 30, and up to \$350 for purchases from December 1 thru May 31. For part-time employees the periods remain the same, but the amount will be prorated.

The allowance will not be given in advance of purchases, but will be in the form of reimbursement to uniformed employees for their uniform related purchases. Employees must submit the original receipt for uniform related purchases to Accounting within 1 week of the purchase.

Reimbursements for the June to November period will be made in December. Reimbursements for the December to May period will be made in June.

New hires will immediately receive a \$100 allowance toward their initial uniform purchases. Receipts are to be submitted within one (1) week of purchase in order to receive reimbursement.

Allowances will be prorated for employees working only part of the year.

Business Casual

Non-uniformed employees are expected to wear attire that creates a welcoming and professional environment for patrons and coworkers. Employees' clothing and appearance are to be neat and clean.

Clothing should be selected that is neither distracting to other staff members and patrons, nor unbecoming that of a professional Library employee. Clothing should present a businesslike appearance.

Certain types of clothing are not suitable to wear during work hours, at Library-sponsored events, and while representing the Library:

- Clothing which is torn/tattered;
- Clothing which is revealing, see-through, immodest, or which reveals a bare midriff;
- Clothing which reveals undergarments and/or anatomy which is normally covered by undergarments;
- Clothing which promotes violence, profanity, or is offensive;
- Clothing which violates acceptable safety standards;
- Casual clothing such as athletic clothing, shorts, or baseball caps;

- Footwear must be worn; beach flip-flops are prohibited; and
- Other items of attire that do not present a businesslike appearance.

Extensive, visible body piercings are prohibited.

Tattoos on the face/head are to be covered. Visible tattoos other than on the face/head are permitted, however they must be covered if they are obscene, pornographic, abusive, slanderous, defamatory, harassing, vulgar, or offensive.

An employee should consider personal hygiene an essential part of their work ethic. Hoboken Public Library's expectation for dress code is generous enough to allow for individual expression without sacrificing a pleasant experience for patrons and coworkers.

With the advance approval of the Director, the Library will make reasonable religious accommodations that do not violate safety standards.

The Director has the sole authority to determine when dress and personal appearance does not comply with this Dress Code policy. Employees violating this policy may be sent home to change, with their absence charged against their paid time off.

**ACKNOWLEDGMENT OF RECEIPT OF
EMPLOYEE HANDBOOK**

Employee's Name: _____

This Employee Handbook is the property of the Hoboken Library (the "Library"). I, _____, acknowledge receipt of this handbook on _____, 20____. I understand that this handbook explains the Library's policies and procedures, and that it is furnished to me for my information. I also understand that this handbook supersedes any prior understandings I may have regarding the Library's employment policies. I acknowledge my responsibility to read and become familiar with the contents of this handbook. I agree that if there is any policy or provision in the handbook that I do not understand, I will seek clarification from the Library Director or the Human Resources Consultant.

I understand that the Library may amend, supplement, or terminate the policies stated in this handbook at any time without advance notice to me. I further understand that the language that appears in this handbook is not intended to create nor is it to be construed to constitute a contract between the Library and any of its employees. I also understand that, except as provided by a collective bargaining agreement or applicable law, all employees are employees at-will. This means that either the Library or I may terminate my employment at any time for any reason, with or without cause, and with or without notice.

I further understand that, where applicable, the personnel policies and procedures contained in this handbook are not intended to void, replace, or conflict with negotiated union or association contracts. As to unionized employees, to the extent a collective bargaining agreement conflicts with these personnel policies and procedures, the collective bargaining agreement supersedes and/or modifies these personnel policies and procedures.

Upon separation from employment with the Library, this handbook and any updates shall be returned to the Library.

[Signature of Employee]

Date

[Signature of Employer Representative]

Date