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**FINKELSTEIN MEMORIAL LIBRARY**  
**Personnel Policies Manual 2026**

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**Preamble**

To our valued employees, this Manual will help you in your employment at the Finkelstein Memorial Library. These policies allow you to learn about the Library, to understand the way we do things, what we expect of you, and what you can expect of us.

It is understood that the collective bargaining agreement (the “CBA”) between the Library and the Finkelstein Memorial Library Staff Association, Local 2410 (the “Union”) takes precedence. All other manuals are to be written in conformity and the spirits of these Personnel Policies and as complement of the CBA as written. In the event of a conflict between this Manual and the CBA, the CBA will take precedence. In the event of a conflict between this Manual and any law statute, rule, regulation and/or code, including, but not limited to the Rockland County Civil Service Rules, the provisions of any such law, statute, rule, regulation and/or code will take precedence.

The Library is a civil service library and adheres to all civil service rules and regulations. This Manual sets forth the rules and regulations of the Library. Failure to observe, comply with or otherwise adhere to the rules and regulations set forth in this Manual may result in counselling and/or disciplinary actions. **Employees are also expected to adhere to the Patron Behavior Rules.**

**Mission Statement**

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The mission of the Library is to provide the highest quality service to all the people of the East Ramapo Central School District, regardless of religion, ethnic groups, age, circumstances and interests by:

- (a) selecting, organizing and preserving the records of human experience, knowledge, ideas, culture and entertainment;
- (b) making such materials and resources widely accessible through diverse formats and the latest information technologies;
- (c) and providing educational and cultural programming.

### **Employee Privacy**

Inappropriate disclosure and misuse of other employees' personal information may lead to discipline, including, but not limited to, the termination of employment and referral to law-enforcement authorities. If an employee's personnel file and disciplinary records are requested under FOIL, said employee will be notified prior to any records being released to the requestor. Due to the nature of FOIL, the requester can not be confidential.

### **Organizational Structure**

- The Board of Trustees (the "Board") is the governing body of the Library. The Board manages the affairs of the Library, and along with the Library Director, determines the policies by which the Library operates. There are seven (7) Trustees, one of whom is elected President of the Board by their fellow Trustees.
- Trustees are elected by the voters of the East Ramapo Central School District. The term of office for each Trustee is five (5) years.
- The Board meets monthly during the year. Meetings are usually held on the fourth Wednesday of the month at 6:30 p.m. and are open to the public.
- The Library Director is the principal administrative officer, who is responsible directly to the Board for carrying out Library policy. The Library Director serves as the liaison between staff and the Board.
- The Department Heads are appointed at the discretion of the Library Director, and are responsible for directly managing and supervising the activities of Library personnel in the major service units of the Library.
- The Assistant Director is responsible for addressing personnel issues. The Principal Clerk is responsible for providing information on benefits, salaries and other such matters. All personnel records are maintained by the Human Resources staff (Assistant Director and Principal Clerk). These files are confidential and may only be reviewed by the employee, the Library Director, the Assistant Director and/or the Principal Clerk. Absent good cause, files are not to be removed from the Administrative offices.

### **Exempt Employees**

Exempt employees are defined as those exempt from Union representation, and includes Department Heads and all Administrative staff. The current Union contract will be used to determine benefits for these exempt employees, in addition to non-exempt Union employees. The Board of Trustees will approve a yearly salary increase for FLSA Exempt employees in accordance with the Library's union collective bargaining agreement, pending staff performance review results, before the start of the new fiscal year.

NOTE: "Exempt employees" is generally used to refer to employees exempt from the Fair Labor Standards Act; in this manual, such employees shall be referred to as "FLSA-exempt employees."

### **Customer Service**

It is imperative that every interaction between Library staff and patrons be a positive one. A friendly, helpful manner ensures a positive experience for Library patrons. Each staff member, while at work, is a representative of the Library; accordingly, it is critical that staff convey a positive impression to Library patrons.

- Library staff must provide friendly, efficient and accurate service at all times.
- Patrons and coworkers must be treated respectfully, politely, promptly and with careful consideration.
- Library staff should endeavor to resolve any judgements in favor of the patron and/or provide positive options to a request, unless the patron's individual history warrants a different result.
- Library staff should endeavor to answer or respond to patron requests in a timely, efficient, courteous and substantive manner.
- Library staff must be familiar with Library policies and services, and must be able to articulate and explain them when necessary.
- A patron is the most important person in the Library, regardless of whether the patron communicates with the Library in person, by mail or via electronic means. Accordingly, each staff member is required to take patron requests or issues seriously, and to provide appropriate feedback, comments and/or suggestions when necessary.

### **Dress Code**

As public employees and representatives of the Library, all staff members are to dress neatly in attire that is appropriate for the situation and the job. At all times, hats or hoods should not obstruct the view of the worker. Open-toed shoes are not allowed.

Department Heads will provide clarification after consultation with the Library Director should any questions arise regarding permissible attire. The final determination of what constitutes appropriate attire is at the sole and exclusive discretion of the Library Director.

**ATTIRE WHICH IS NOT PERMITTED:** Unacceptable attire includes, but is not limited to: shorts; tank tops or crop tops; torn, frayed or faded, stained or dirty clothes; shirts with vulgar graphics or slogans; exercise clothing; sweat shirts (not including those provided as FML

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uniforms), sweat pants or sweat suits; flip flops, unsafe shoes or dirty sneakers. Leggings and tights are not to be worn in place of pants.

## Uniforms

Security staff will be provided with a Security logoed jacket and patches. No other uniforms are required.

Uniforms will be provided by the Library to employees in the Buildings & Grounds and Security Departments, and include shirts, sweatshirts, hats, jackets and pants as applicable. Footwear is not provided by the Library, and must be black or brown, and closed-toe shoes. Upon end of employment with the Library, FML logoed apparel must be returned to Human Resources.

## Personal Hygiene

Maintaining a comfortable environment in which all employees can work is important. Staff must come to work having attended to their personal hygiene each day with clean clothes and a body free from unpleasant odors and scents strong enough to be perceived by others. If the lack of personal hygiene is too offensive, the staff member may be asked to go home and remedy the situation.

## Pay Schedule

The work week is Sunday through Saturday. The Library has a biweekly payroll (once every two weeks). There are twenty-six (26) pay dates per year. Salaried employees are paid through the Friday that the check is dated. Hourly-rate employees are paid through the Saturday prior to the Friday the check is dated, since hours worked have to be transmitted to the Library's payroll service the Monday before pay day. Finkelstein Memorial Library (FML) checks are dated for Fridays. Those employees interested in direct deposit should contact the Principal Clerk.

## Pension/Retirement System

Library employees are eligible for membership in the New York State Employees' Retirement System (the "Retirement System"). Membership is mandatory for permanent full-time employees and anyone who is already enrolled in the system. Membership is optional for part-time, provisional or substitute employees. To obtain vested rights, a member must have at least five (5) full years of full-time credited service. Tier V members are required currently to contribute 3% for the term of the membership. Tier VI members are required to contribute a variable percentage of their gross earnings each pay period for the duration of their careers. These contribution requirements may vary and/or be changed in the future by the Retirement System; contact the Principal Clerk for current rates. Anyone interested in becoming a member of the Retirement System must fill out a membership application form. Forms and additional information are available from Human Resources. **Note:** At time of hire, if a non-full-time employee chooses not to join the retirement system, they must complete and sign a form to opt-out. The employee may still choose to join at a later date.

### **403(b) Program**

The Library offers employees the opportunity to increase retirement benefits by offering a program where an employee can elect to make before-tax contributions to a tax deferred 403(b) plan. A before-tax payroll deduction (i.e., money deducted from salary before taxes are withheld) can reduce taxable, gross annual income. Additional information regarding the 403(b) program is available from the Business Manager.

### **475 Plan**

The Library offers a 475 savings plan.

### **Health Insurance**

The Library is enrolled in the New York State Health Insurance Program. Full time employees have the option of joining for individual or family coverage. For current rates or to enroll, please contact Human Resources.

### **Flex Spending Plan (FSA)**

The Library offers a Flex Spending Account (FSA), which allows an employee to pay for medical and dependent care expenses on a pre-tax basis. The employee must be a permanent employee over the age of eighteen (18) years old and work at least fifteen (15) hours per week.

### **Smoking Regulations**

No smoking is allowed on or within 100 feet of library property. Employees are expected to abide by this requirement and assist in enforcing it by sharing any concerns with leadership.

### **Alcohol**

Alcohol is not permitted on site.

### **Contraband**

Illegal substances are not permitted on site.

### **Prescribed Medications**

Employees who need to have prescription medications on site are responsible for the proper securing and use of such materials. Employees who need to lock such materials away can confer with the Director in confidence.

### **Employee Assistance Program**

The Library offers an Employee Assistance Program (EAP) through VCS. This is a third-party provided resource that can offer or connect employees and their family members to mental health

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counseling, financial planning, help with family issues and other important supports. Referral to EAP may be by self or by employer. In-person or virtual appointments available. Call (845) 634-5729 x3018.

### **Food & Drink**

Except for closed containers of water, eating and drinking are not permitted by the staff or patrons at any time in public areas of the Library. Staff who need to have food on hand for disability reasons can request an accommodation, which will be confirmed in a letter.

### **Reporting Accidents or Incidents**

In the case of accidents involving patrons or staff, an "Accident Report" form should be filled out, and the original copy of the Accident Report is to be sent to the Library Director and a photocopy is to be sent to the Head of Security and Assistant Director. If a patron is reluctant to fill out the form, the appropriate staff member and/or security staff member must do so. Upon request made to the Library Director or their authorized designee, the name of the staff person or security staff member completing an Accident Report will not be shared with patrons.

An "Incident Report" form should be used by staff to report disturbances, thefts, vandalism, criminal activity, and similar occurrences. The original copy of the Incident Report is to be sent to the Library Director and a photocopy is to be sent to the Head of Security and Assistant Director. Reports of incidents involving staff must be sent to the staff member's Department Head as well.

All pertinent audio video information must be saved or otherwise preserved and submitted with the Accident Report or Incident Report. Security personnel should be informed in the case of accidents or incidents occurring on library premises, and should take a lead role in the completion of the required documentation. A "Workplace Violence" incident report must be filed with the Library Director, and Head of Security and Assistant Director in all cases of threat of or actual physical harm caused to any person intentionally within the workplace. See Appendix for forms.

### **Security Camera Policy**

The library is committed to both the safety and the privacy of its employees while at the workplace.

Security camera footage that depicts library users accessing library services is considered a confidential library user records and will not be released without written permission of the depicted patron, a subpoena, a duly issued warrant, or a court order.

Camera footage will not be used for employee discipline, discharge, or exoneration unless a charge of misconduct is brought and such footage is determined by the Director or decision to be essential to determining if the charge is accurate.

Saved camera footage will only be assessable/accessible by the Library Director, Assistant Director, Head of Security, and the Assistant Head of Security.

All older footage not being saved for security reasons and/or by or for law or law enforcement will be erased after 3 months. Footage being retained due to a security need will be held for three years after the incident, unless it depicts a minor, in which case it shall be held until such minor is 21 years of age (as required by the LGS 1).

## **Hiring Procedures**

Job notices shall be posted as required by the CBA.

The Library will follow all Rockland County Department of Personnel guidelines for the employment of substitute staff. Substitutes are not hired from a civil service list. They are not permanent employees of the Library and only fill in in the absence of a regular employee.

All job postings and interview proceedings will include information on requesting ADA accommodations.

Upon hire, an employee shall be provided with a letter setting out their start date, job title, job description, compensation, benefits, direct supervisor, pay day, and any other specific information particular to the job.

## **Probation**

### **Permanent Employees**

Every permanent, full-time appointment from a civil service eligible list shall be subject to a probationary term of twenty-six (26) weeks, including any training period, from date of permanent appointment. If the Rockland County Civil Service Rules or other applicable civil service law should change with respect to the duration of the probationary term, then any such change shall be observed by the Library.

The probationary employee's Department Head shall carefully observe their conduct and performance and, at least four (4) weeks prior to the end of the probationary term at 26 weeks, will evaluate, in writing and in a meeting with, the probationary employee and send results to the Library Director. The Department Head shall also, from time to time during the probationary term, advise the probationary employee of their status and progress. Permanent part-time employees are not appointed from a civil service list, but are subject to the same probationary term as stated above.

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If the conduct or performance of the employee on probation is not satisfactory, their employment may be terminated at any time after the completion of the minimum period of service (8 weeks) and on or before the completion of the maximum period of service (26 weeks). A probationary employee whose services are to be terminated shall receive notice at least one (1) week prior to termination, and a copy of such notice will be sent to the Rockland County Department of Personnel. Upon request, the probationary employee shall be granted an interview with the Board and/or its representative.

### **Provisional Employees**

A full-time employee who has not been appointed from a civil service eligible list at the time of hire is deemed to be “provisional” until a test is given and the employee can be hired permanently after having passed such test as set forth below. The civil service test for that title may not be offered for months or even years, and the appointee continues to be considered provisional during that entire time period. At any time during the provisional period, the employee may be terminated, or, if the provisional appointment was a promotion, the employee can be demoted back to a position equal to their last held position.

After successfully passing the test and having a final rating in the examination equal to or higher than the rating of the third-highest ranking test candidate, an employee may then be appointed permanently. The employee is then subject to the probationary period as stated above. For more information about appointments from Civil Service, please contact Human Resources.

### **Performance Evaluations**

Performance Evaluation shall be understood as the process of regular, systematic, written communication between a Department Head and the employee being supervised. Each full-time or hourly employee should know what is expected of them and how well they are meeting those expectations.

### **Permanent Employees**

Newly-hired permanent employees will be continuously evaluated during the twenty-six (26)-week probation period, and at or no later than the 22<sup>nd</sup> week in writing by the applicable Department Head.

### **Provisional Employees**

Provisional appointees are evaluated after they have taken the appropriate civil service test. Thereafter, and until an employee attains permanent status, evaluations may take place at the discretion of the applicable Department Head. At any time during the provisional period, the employee may be terminated.

Generally, all permanent full-time and part-time staff will be evaluated on an annual cycle. The Evaluation Form will be reviewed every five (5) years.

### **Resignation**

Resignation means that an employee voluntarily ends their employment with the Library. We encourage employees to provide at least two weeks written notice before the date they will leave employment. Letter of resignation should be filed with Human Resources. Upon end of employment, employees must return ID badge, keys, radio, FML-logged uniforms, and/or other Library property to Department Head or Human Resources. **Past employees are not permitted to enter areas designated for staff only. Former employees who violated library rules may be subject to further restriction as with any other member of the public.**

### **Confidentiality/Law Enforcement or Media Inquiries**

#### **Guidelines for Staff**

Confidential Library records are not to be released or made available in any format to any third party, including a law enforcement officer or a municipal inspector, or any other person unless a court order in proper form has been entered by a court of competent jurisdiction after showing just cause by the law enforcement agency or person seeking the records. *Internal surveillance video is considered a "patron record" and is also subject to the warrant requirement.*

The Library Director has been designated as the person responsible for handling law enforcement and media requests. All Library staff should refer all requests by law enforcement or the media to the Library Director, or to the he Head of Building in charge of the Library in the Library Director's absence. The Library representative does not need to respond immediately to any request. Please follow the protocol below. The Head of Building should try first to call the Library Director or follow down the current Head of Building list, ultimately handling the situation if the Library Director or Assistant Director/Department Heads are not available.

#### **During a visit from law enforcement authorities:**

Any staff approached by an agent or officer should immediately refer the agent or officer to the Library Director or Assistant Director. Tell the agent or officer requesting records "I do not have the authority to provide library records." Tell the agent or officer demanding access to a restricted area "You are not authorized to go in that area." Any court order, warrant, or subpoena must be reviewed by the Library's attorney for sufficiency prior to access being granted.

### **Americans with Disabilities Act**

It is the policy of the Library not to discriminate on the basis of disability, and reasonable accommodations will be granted to enable employees to perform their essential duties.

Examples of reasonable accommodation may include:

- providing equipment such as magnification screens or amplification devices;
- part-time work;
- flex scheduling;
- possible transfer to another department at the same level of responsibility.

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Employees may initiate an accommodation request by stating a need related to a disability. The Library will evaluate the request, and may ask for more information, including documentation attesting to the need from a medical provider. The documentation from the medical provider does not need to state the medical condition causing the need, just the accommodation needed. The response granting, denying, or granting the accommodation with modifications will be in writing. The records of the request and documentation will be maintained confidentially.

### **Employment of Relatives / Familial Relationships**

Relatives of staff or Board members may not be employed by the Library except under special circumstances when the candidate has been canvassed off an eligible list and is not employed in the same department or in a position supervisory or subordinate to their relative as long as their relative maintains employment at the Library.

There may also be situations where there is a conflict or potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, we may separate the employees by reassignment.

If an employee is in a close personal relationship with another employee (i.e. not just a relative or family member), they should avoid displays of affection or excessive personal conversation at work.

### **Equal Opportunity Employment**

The Library is an equal opportunity employer. The Library does not discriminate unlawfully based on race, creed, age, sex, religion, color, national origin, ancestry, disability, height, weight, marital status, veteran status, sexual orientation, gender identity, genetic predisposition, transgender status, gender dysphoria, and/or any other classification protected by law. The Library expressly prohibits any and all unlawful discrimination, sexual harassment and/or the creation or continuation of a hostile work environment based upon any legally protected category. Any person employed by the Library who engages in, causes or assists in the creation or continuation of unlawful discrimination, sexual harassment or a hostile work environment may be subject to appropriate discipline, including but not limited to the termination of employment.

### **Requests for Time Off**

Requests for time-off must be submitted using the payroll system, to then be approved by the appropriate Department Head. Time-off requests from Department Heads and Administration staff are approved by the Assistant Director. All leave must be requested and approved in advance with the exception of sick leave, family ill leave or personal leave, which can be used in case of emergency when proper call-out procedures are followed. Requesting sick, family ill or personal leave in the payroll system does not constitute sufficient notice; the supervisor or Department Head must be informed at least one hour prior to scheduled shift by phone or text.

Schedule manipulation is expressly prohibited. Improvised or creative changes are not permitted. Example: if you are scheduled to work from 9am – 5pm, and clock in at 9:30am, you cannot work until 5:30pm to make up the time.

### **Personal Leave**

Personal leave may be requested at any time, with the approval of the Department Head. Any employee who takes personal leave must notify their Department Head as soon as possible to allow a review of staffing and to prevent undue strain on remaining staff. The supervisor or Department Head must be informed at least one hour prior to scheduled shift by phone or text if personal time is called in on the day of use. Unused personal leave can be rolled into sick leave at the end of the calendar year upon request of the employee.

### **Vacation Leave**

Requests for vacation leave are to be **made as soon as possible** and at least one week ahead to the Department Head. The Department Head will review time-off requests in the order in which they are received and grant them based on departmental coverage. Plans should not be finalized until the request for vacation leave has been officially approved by the requesting employee's Department Head or the Assistant Director.

Full- and permanent part-time employees are encouraged to schedule their vacation time by September/October of the annual year in order not to lose their time. At the discretion of each Department Head, blackout dates may be assigned where Department Heads can deny time off requests due to low staffing levels.

Unless the Collective Bargaining Agreement provides otherwise, up to three (3) weeks of vacation time may be rolled over to the next annual year. The request for additional vacation time rollover, or any other special scheduling request or accommodation, must be made in writing to and approved by the Library Director.

### **Compensatory Time**

Compensatory (Comp) time for employees must be pre-approved by the Assistant Director at the request of the Department Head prior to the date. Comp time will only be given if time cannot be taken during the same pay period. Comp time cannot be used to create overtime. Comp time has no monetary value, and will not be paid out upon an employee leaving the Library's employment. **Compensatory time must be used within 30-60 days of its assignment and may be requested in advance or used as needed.**

### **Holiday Comp Time**

Holiday comp time, earned by full-time and permanent part-time employees on days specified in the current Union contract, may be used within 30 days (60 days if approved by Department Head) of the day it is earned. Holiday comp time may not be used before it is earned.

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### **Sick Leave**

Sick leave may be ~~requested or~~ used as needed. Doctor's appointments that are scheduled in advance should be submitted in the payroll system and approved by the applicable Department Head as soon as possible. Sick leave should not be taken in lieu of vacation or personal time.

### **Family Ill Leave**

Family Ill leave is for use in the event of an emergency illness or disability of a member of the family (parent, spouse, child, duly registered domestic partner or grandchild) of an employee, which requires the employee's presence, and may be requested or used as needed. Doctor's appointments for applicable family members that are scheduled in advance should be submitted in the payroll system and approved by the applicable Department Head as soon as possible. Family Ill leave should not be taken in lieu of vacation or personal time.

### **New York State Paid Family Leave**

The Library is enrolling in New York State Paid Family leave, available April 2026. Please contact Human Resources for more information.

### **Overtime and Hazard Pay**

Overtime (OT) in excess of 35 or 40 hours per week must be approved in advance of date. Any OT that is requested after the fact will be compensated in Compensatory time. Hazard pay will only be given in unforeseen emergency situations.

### **Medical Leave for Vital Tests**

All full time and permanent part-time employees will be allowed excused time for mammogram, prostate, colorectal and cervical cancer screenings. Leave time shall be up to four (4) hours annually for these tests. This leave time will not be deducted from any other leave time that an employee may have. Employees who undergo screenings outside their regular work schedule do so on their own time, and they will not be granted compensatory time off for screenings that occur on a day off or a holiday. This leave time is not cumulative and expires at the close of business on the last day of each calendar year.

Employees must provide satisfactory medical documentation that the absence was for the purpose of screening for breast prostate, colorectal or cervical cancer, and such medical documentation must be given to Human Resources before the end of the pay period in order to receive the excused time.

### **Jury Duty**

Employee must submit documentation of summons to Human Resources before the end of the pay period in order to receive excused time for jury duty.

**Bereavement**

After two (2) uses of bereavement leave in one (1) annual year, proof may be required.

**Excused Time**

Excused time is given for emergencies only.

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### **Switching Nights / Weekends**

Full- and permanent part-time employees are not required to work more than one (1) night per week and one (1) Saturday ~~per month~~ every four (4) weeks, with the exception of technical services staff. Sabbath observers work one Sunday every four (4) weeks at straight time, as per the Union contract. Paid time off may be taken on your scheduled night up to four (4) times per annual year [except for employees with 5 weeks of vacation per annual year, who may use PTO to take off on their scheduled night five (5) times per annual year.] If paid time off is taken on a scheduled Saturday, the date must be switched for another Saturday during the same month. Switching your night and/or weekend date(s) with a colleague in your department is permissible and may be preferred at the Department Head's discretion for the good of the Library.

### **Work Breaks**

There are two (2) fifteen- minute work breaks that may be used in a seven or eight-hour workday. These work breaks are to be taken in the morning and afternoon, or afternoon and evening if the employee is working an evening schedule. Staff working less than a 7-hour day are not entitled to two (2) such work breaks. After working five (5) hours in a day, an employee is entitled to a one (1) hour unpaid lunch/dinner break. **After working 6 hours, an employee must take a 1 hour meal break.** After working three and one-half (3.5) hours in a day, an employee is entitled to one (1) fifteen-minute break. Employees may not leave the building grounds during their fifteen-minute breaks, and cannot add any work break on to their lunch or to leave early.

If, during the course of a regular work day, any employee, including a Department Head, needs to leave the building (even for Library business), then they must notify their Department Head or the department's second- in-command and then clock out. Department Heads need notify their second- in-command and the Assistant Director or Administration.

### **Prenatal Leave**

**Although not required to offer Prenatal Leave, the Library offers 20 hours for the same terms as provided by private employers. Prenatal leave may be used for fertility treatments and pregnancy-related medical care.**

### **Breastmilk Expression**

Finkelstein Memorial Library is committed to care and respect for its employees. As such, Finkelstein Memorial Library has created this policy to set forth the terms of employee breaks for expression of breast milk.

New York State Labor Law Section 206-c requires employers to provide lactating employees with 30 minutes of paid break time when they need to pump breast milk at work.

These lactation breaks are in addition to any meal time or regular paid breaks employees are entitled to have. If employees need more than 30 minutes for breast milk expression, they may use existing meal time or paid break time for this purpose.

The number of paid breaks is not limited; employees may take a lactation break whenever they reasonably need to. Employees may take advantage of lactation breaks for up to three years after the birth of their children.

Finkelstein Memorial Library will provide a clean, well-lit, private location having a chair, table, nearby access to clean running water and an electrical outlet, where an employee can express breast milk; this location shall not be in the restroom. The location will have a functional lock, or if a lock is impractical, there will be a sign warning the location is in use and not accessible to others.

The lactating employee is responsible for storage of expressed breast milk.

To take advantage of the lactation breaks, employees must notify their supervisors in writing in advance, preferably before they return to work from maternity leave. Employees' notice to Finkelstein Memorial Library must include in their written notification: anticipated return date, details regarding how many breaks they anticipate needing during the workday, and potential preferred times to express breast milk. Upon receiving a request, Finkelstein Memorial Library must respond in writing within five (5) days to the employee.

No employee who chooses to express breast milk in the workplace will be discriminated against. Any employee who feels they have been discriminated against on this basis should contact the Library Director or President of the Board of Trustees.

For more information on this topic, please see the New York State Department of Labor's policy at [on.ny.gov/breastmilkexpression](http://on.ny.gov/breastmilkexpression) and the New York State Department of Health's Breast Feeding Bill of Rights at [health.ny.gov/publications/2028/](http://health.ny.gov/publications/2028/).

### **Absence - Method of Reporting**

The following is the method for reporting absences:

- The employee must speak with their Department Head or supervisor directly at least one hour prior to their scheduled shift; OR, if they cannot get someone in their own department, the employee must speak with Administration directly.
- Requesting leave in the payroll system does not constitute sufficient notice. The supervisor or Department Head must be informed at least one hour prior to scheduled shift by call or text.

Non-legally protected absences taken after all paid time off has been used will be considered unexcused. Non-legally protected absences will be considered an unpaid leave of absence, which will have to be approved by the Board of Trustees, or may be subject to discipline.

The employee should indicate if an absence will be for more than one (1) day and what kind of leave time is to be deducted (sick, family ill or personal). If any employee neglects to inform their supervisor, Department Head or Administration of an absence, or that the absence will be lasting more than one day, they will be considered to be absent without leave.

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NOTE: The Library Director, Assistant Director or applicable Department Head reserves the right to request a doctor's note if an employee has been out ill for three (3) consecutive days or more. A doctor's note prior to returning to work may also be required to confirm that the employee is fit to resume normal duties, or to request light duty, particularly after a surgical procedure or extended medical leave.

If a staff member does not call out and has not shown up for a scheduled shift, department head should make a wellness call after 15 minutes using the emergency phone number list on the s/drive.

### **Time Off Due to Emergency Closing**

Employees are always responsible for working scheduled hours during the time the Library is open. Employees have the option of taking personal leave if they do not wish to come in or choose to leave early during inclement weather.

### **Sick Leave**

If a staff member was ill the day before an emergency closing (i.e., a delayed opening, early closing, or closing for an entire day), and if the employee has requested time off that they will not be at work on the day of the emergency closing, then they will be charged with appropriate sick leave hours according to their regularly scheduled hours for that day.

### **Vacation Leave, Personal Leave, etc.**

Any leave approved prior to an emergency closing, whether a partial closing or closing for an entire day, will **not** be considered as excused leave and will be charged to the proper leave category.

### **Day of Closing**

A staff member who calls in sick or uses other accrued leave prior to any subsequent closing decision will be charged with leave time in the appropriate category for the entire day.

All employees scheduled to work during an emergency in which the Library is closed (excluding employees covered under Sick Leave and Vacation Leave sections of the Prior Approval section as set forth above) will be paid for the time the Library is closed. Substitute staff will be paid for the time they were scheduled to work.

The Library does not require staff to work more than five (5) hours in any work day without a break. Therefore, the following applies: Staff working from 10:00 a.m. to 6:00 p.m. on a day where the Library opens at 12:00 p.m. may be asked to take a lunch break from 1:00 p.m. to 2:00 p.m. Only at the discretion of their Department Head may it be possible that staff work 1:00-6:00 pm.

## **Emergency Closing**

- Human Resources should be notified immediately of any change to an employee's contact information.
- If you suspect that the Library might be closed, but you are unsure, check your work email for a message sent to [fmlstaff@rcls.org](mailto:fmlstaff@rcls.org). You may also call the Library's main telephone number at (845) 352-5700 or check the web site for updates.

If there is any question as to whether the Library may be closed, it is the responsibility of each employee to verify the Library hours before traveling to the Library.

## **Badge**

Badges must be carried by employees at all times during work hours. If a badge is lost, or even misplaced, then the employee must notify the **Head of Security** or their designee immediately. A replacement card will be issued and the employee is responsible for paying a replacement fee of ten dollars (\$10.00). Badges will be re-issued when necessary. Staff are required to make arrangements with the **Head of Security** or their designee to obtain a badge. All staff **MUST** return their badge to the **Head of Security** or designee upon leaving the Library's employ.

## **Time Clock**

Every employee must clock in daily and is expected to be ready to begin work at the time their shift commences. While the library understands that employees may be occasionally late for work for personal reasons, habitual lateness will not be tolerated and chronic offenders will be documented and disciplined. Employees cannot stay late to make up the time without authorization. Staying late does not prevent disciplinary action from being taken for lateness.

## **Use of Telephones and Other Electronic Communications Media**

### **Telephones**

Transaction of personal business including personal telephone calls during the workday should be brief and should not detract from an employee's effectiveness or productivity. Personal telephone calls should not be made from or received at any public service desk. Cell phone use is not permitted in the Library by patrons (except on a limited basis in designated areas). Personal cell phones, if carried by staff, should be placed on vibrate or silent mode during work hours. While in the workplace, please arrange to receive necessary or personal telephone calls through the Library telephone system, or use cell phones on break-time. Repeat offenders will be documented and disciplined.

### **Email/Internet**

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Notice of Electronic Monitoring: All of the technology provided by the Library, including, but not limited to, computer systems, communications networks, Library-related work records, telephone, internet, electronic mail and other information stored or communicated electronically, is the property of the Library. Accordingly, Library employees do not have and should not expect to have any ownership, privacy and/or confidentiality with respect to any email, internet activity and/or electronic communication where Library technology systems are utilized.

The Library reserves the right to review, examine, audit, intercept, access and/or disclose internet activities, email and/or electronic communications created, sent, deleted, transmitted, stored and/or received using the Library's technology systems to ensure that this policy is being observed. By using the Library's technology systems, including, but not limited to, the computer system, employees consent to such examination, monitoring and/or review of all internet activities, email, and/or electronic communications. Deleted messages will be maintained on the system and will be accessible for review.

Generally, the use of Library technology systems should be confined to legitimate Library business purposes; however, nothing stated or contained herein constitutes or should be construed as a limitation on or a prohibition of employee rights under applicable law, including but not limited to any right arising under the National Labor Relations Act.

It is prohibited to use electronic communications for any illegal or illicit purposes, including but not limited to:

- destructive, malicious activity;
- soliciting sex or sending or receiving pornographic material;
- distributing offensive and/or harassing material including but not limited to negative remarks about race, gender, national origin, sexuality, age, disability, and/or religious or political beliefs;
- constructing an electronic communication so that it appears to be originating from someone other than the sender;
- obtaining access to the files or communications of others without authorization and/or without substantial library business purpose;
- recording staff, patrons or others within the library without the knowledge of all parties;
- conducting business for personal gain, including but not limited to financial gain;
- sending chain letters or raising funds for religious or political causes; and/or
- impersonating the Library or its representatives; making statements on behalf of the Library without authorization, and/or making statements that can be construed as establishing the Library's official position or policy with respect to a particular subject or issue.

Email is an essential mode of work communication. All employees are expected to check their work email on a regular basis in order to keep apprised of staff and departmental updates.

Use of employee-owned devices and accounts for work business should be minimized.

## **Computers**

All data is the property of the Library. This includes, but is not limited to, any message created, sent or received on the electronic mail system. Employees may not access and/or attempt to access information contained on Library computers without proper authorization. Your password is your key to the network, its servers, services, and data, so keep it private and safe. Do not post it on your monitor or share it with anyone, except your Department Head, the Head of Information Technology, or the Assistant Director/Library Director, as requested.

The Library reserves the right to review, examine, audit, intercept, access and disclose any and all messages created, received and/or sent over the Library's technology systems or networks, including, but not limited to electronic mail, internet, software or telephone usage. Department Heads, in conjunction with Information Technology staff and the Assistant Director/Library Director, have the right to monitor the system for their respective departments. The Library reserves the right to advise appropriate government officials of any illegal activities.

Notwithstanding the personal use prohibitions contained herein, incidental and occasional personal use of Library technology systems is permissible ONLY during lunch or break periods. Failure to comply with any of the above may lead to disciplinary action, including but not limited to the termination of employment.

## **Headphones**

The use of headphones/ear buds/ear pieces are prohibited during work hours when working with the public or in public areas. This is with the exception of Pages, who may use headphones at a reasonable volume in order to be aware of their surroundings.

## **Bulletin Boards**

Each department shall have a designated space in which to post official notices. It is the responsibility of staff members to regularly check postings. In addition, job notices will be posted on the 3rd floor employment bulletin board or at such other conspicuous location of which staff will be informed, as deemed appropriate by the Assistant Director.

## **Personal Data Changes**

Employees must notify Human Resources of all changes in address, telephone number or emergency contact information so that updated records may be maintained. It is the employee's responsibility to inform Human Resources of status changes that may affect withholding taxes and benefit coverage. It is the employee's responsibility to initiate coverage changes by informing Human Resources.

## **Parking Restrictions**

Library employees are not allowed to park in the lot in front of the Library with the exception of those with handicap placards who may use the spaces designated for that purpose. All other employees should park in the rear lot.

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## **Photography Policy**

Photos may be taken in the Library and at Library programs or events. If a member of the public does not wish to have their photo taken, they may be asked to avoid the camera or tell the photographer. The Youth Services department may utilize photograph release forms for children.

## **Travel for Meetings and Conferences**

The Finkelstein Memorial Library recognizes the importance of attending meetings and conferences to further the library's interests and keep up to date with emerging trends in public libraries. Because it is relevant to determining if Workers Compensation covers an injury during such an event, it is critical to document when an employee is working at such an event, and when they are not. With that in mind, the library will give **leave with pay** to employees who have been approved by the Director to attend meetings, conferences, classes, or other special events, or may require an employee to attend such events on work hours. The library will also provide reasonable reimbursement, based on government rates (which can be found at [www.gsa.gov](http://www.gsa.gov)) for travel, lodging, transportation, registration and meals. Staff are expected to be mindful of the library's budget constraints when booking, and may be expected to contribute to their own expenses if said expenses exceed a reasonable amount based on the GSA.

## **Transportation**

Travelers are expected to use the most economical mode of travel that is suited to the itinerary and the purpose of the trip. For air, train, or bus travel, economy bookings are to be used whenever practicable. When possible, travelers should take advantage of discount rates. If first class air travel used instead of a less expensive alternative, reimbursement will be limited to the cost of the less expensive mode of travel.

Use of personal automobile is allowable where itinerary, number of travelers, accompanying equipment or baggage, or the like support the choice. IRS mileage reimbursement rates apply. Parking and or taxi/rideshare services may also be reimbursed if necessary. If itinerary is altered for personal reasons, the traveler is expected to pay any additional costs incurred.

## **Food and Lodging**

A staff member will be reimbursed for lodging, meals, tips, and related miscellaneous expenses, (*not* including alcohol), while traveling for the library. These expenses will be reimbursed in their actual, reasonable amounts when properly documented with receipts. Accommodations are expected to be comfortable and appropriate to the particular purpose of the trip-not luxurious or extravagant. Wherever available, educational discounts should be used, and the Library's New York State sales tax exemption should be claimed when applicable. If the meeting, conference or class necessitates an overnight stay, hotels should be booked in advance, and the expected amount recorded on the conference request form.

Staff must file a conference report, and describe at least one item to be implemented as a result of attendance.

The library is supportive of staff attending conferences and gaining continuing education, however, some of these expenses that are not within the library's budget may be denied.

### **Volunteer Policy**

Volunteers work to enhance Library staffing by providing special, unusual or supplemental services that would not be provided by the paid staff. The Library values its volunteers and appreciates the time they give so generously. Volunteers must fill out a volunteer application. Volunteers must meet with the Department Head, or the designee in the department in which they wish to work, and undergo an interview. Volunteers over 18 years of age will be required to submit to a background check at their own expense.

Volunteer should be provided with a meaningful work experience that provides assistance to the Library in order to justify the amount of staff time devoted to orientation and training. All departments must keep time sheets for their volunteers. Schedules for volunteers will be set by the applicable Department Head. Volunteers must adhere to the information and guidelines provided upon their acceptance.

### **FML Workplace Etiquette**

The Library can be a better place to work when all employees show respect and courtesy to each other. Sometimes there are problems when employees do not realize that they are bothering or annoying other people. If this happens to you, you should first try to solve the problem by politely telling your coworker what is bothering you. In most cases, if you use common sense, the problem can be fixed.

The following are some guidelines and suggestions for how to be considerate of others at work.

- Return copy machine and printer settings to their default settings after changing them, including the removal of colored or special paper or filling empty paper trays or toner.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- If you use any common areas, you are expected to keep them clean. This means washing any dishes used and properly disposing your trash and recyclables.
- You are expected to keep your own workspace neat and organized.
- Leave meeting rooms in a neat and orderly fashion, returning chairs, etc. to their original positions.

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## **Family and Medical Leave Act (FMLA)**

The Library will provide eligible employees with FMLA leave as defined by-law, which consists of up to twelve (12) work weeks of unpaid leave in a qualifying twelve (12) month period. FMLA leave is provided: (a) for the birth and care of the newborn child of an employee; (b) for placement with the employee of a child for adoption or foster care; (c) to care for an employee's child, spouse or parent with a serious health condition; (d) for an employee's serious health condition, which prevents the employee from performing the functions of his/her position; or (e) for any qualifying exigency arising out of the fact that a spouse, son, daughter or parent is a military member on covered active duty or call to covered active duty status. For an employee to be eligible, he or she must have been employed by the Library for twelve (12) months prior to the commencement of the leave and must have actually worked at least 1,250 hours during the 12-month period immediately preceding the leave (exclusive of time off such as vacation, personal leave or sick leave).

Please note that an eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for a covered servicemember with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the servicemember. This single twelve (12) month period for military caregiver leave is different from the twelve (12) month period used for other FMLA leave reasons.

1. For determining the "12-month period" in which the 12 weeks of leave occurs, the Library shall utilize the 12-month period measured forward from the date an employee's first FMLA leave begins.
2. When both spouses are employed by the Library, they are restricted to a total of twelve (12) work weeks for FMLA leave.:
  - (a) for the birth of a child and bonding with the newborn child;
  - (b) for the placement of a child with the employee for adoption or foster care, and bonding with the newly-placed child; and
  - (c) to care for a parent (but not a parent "in-law") with a serious health condition.

Eligible spouses who work for the Library are also limited to a combined total of twenty-six (26) workweeks of leave in a single twelve (12) month period to care for a covered service member with a serious injury or illness (commonly referred to as "military caregiver leave"), if each spouse is a parent, spouse, son or daughter, or next of kin of the service member. When spouses take military caregiver leave as well as other FMLA leave in the same leave year, each spouse is subject to combined limitations for FMLA leave.

3. Where available, subject to the conditions of the FMLA and when authorized under the provisions of an eligible employee's collective bargaining agreement, the Library may require the employee to use accrued leave (such as vacation, personal, family, and sick leave, child care and sick leave bank) first to cover some or all of the FMLA leave. However, sick leave accruals may not be used for childcare purposes.

4. During the FMLA leave, health benefits are to be provided at the level and under the conditions of coverage that would have been provided had the employee continued in active employment during the period of leave. However, if the employee fails to return from leave, the Library may recapture the health care premiums that it paid during the employee's leave. The Library will not recapture the health care premiums of an employee who fails to return to work because of the onset, continuation or recurrence of a serious health condition of the employee or family member or other circumstances beyond the control of the employee.

5. The Library has a right to receive thirty (30) days advance notice from the employee where practicable. In addition, employees taking medical leave are ~~also~~ required to make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the Library

6. The Library may require an employee to submit certification from their health care provider to substantiate the FMLA leave.

**Failure to comply with these requirements may result in the denial of FMLA leave.** The Library also may ~~also~~ require that the employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition.

## **ANTI-DISCRIMINATION AND ANTI-HARASSMENT**

The Library is committed to maintaining a workplace free from illegal discrimination or harassment. This policy is one component of the Library's commitment to a discrimination-free work environment. All employees have a legal right to a workplace free from unlawful discrimination and harassment, and employees are urged to report unlawful discrimination and harassment by filing a complaint internally with the Assistant Director. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

This policy applies to all employees, applicants for employment, interns (whether paid or unpaid), and certain other non-employee personnel conducting business, regardless of immigration status, with the Library, and all must follow and uphold this policy. This policy will be provided to employees upon hire and will be posted prominently in the workplace.

### **Unlawful Discrimination and Harassment Prohibited**

The Library prohibits all forms of unlawful discrimination by anyone in the workplace (including supervisors, coworkers, consultants, vendors, patrons, and other non-employees) based on any protected classification, including: race, color, sex, gender, national origin, ethnicity, military or veteran status, mental or physical disability, marital status, sexual orientation, genetic information/predisposition or carrier status, age, religion, creed, domestic violence victim status, and any other classification protected by federal, state and/or local law. Any employee or individual covered by this policy who engages in unlawful discrimination, harassment (including sexual harassment) or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

### **What Is Harassment Generally?**

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Unlawful harassment is a form of unlawful discrimination. Unlawful harassment includes, but is not limited to, unwelcome or inappropriate verbal, physical, or other communication or conduct that denigrates or shows hostility or aversion to an individual and/or group and:

- Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; OR
- Has the purpose or effect of unreasonably interfering with the individual’s work performance.

Unlawful harassment may include, but is not limited to: jokes, epithets, slurs, negative stereotyping; threatening, intimidating, or hostile acts; or written or graphic material, including email that denigrates or shows hostility or aversion toward an individual or group on the basis of a protected characteristic. This can include deliberate or repeated misuse of pronouns.

### What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state and/or (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment is offensive, a violation of the Library’s policies, and unlawful. It may subject the Library to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

Sexual harassment includes unwelcome conduct that is either of a sexual nature or directed at an individual because of that individual’s sex when:

- The conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- The conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to: words, signs, jokes, pranks, intimidation or physical violence that is of a sexual nature, or that are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone, which are offensive or objectionable to the recipient; cause the recipient discomfort or humiliation, and/or interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called “quid pro quo” harassment.

Any employee, applicant for employment, intern, or non-employee working in the workplace who feels harassed should report the concern so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

## Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another individual's body or poking another individual's body;
  - Rape, sexual battery, molestation, or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually-oriented gestures, noises, remarks, or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones, and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name calling.

## Who Can Be a Target of Sexual Harassment?

Sexual harassment can occur between individuals regardless of their sex or gender. New York State law prohibiting sexual harassment protects all employees, applicants for employment, interns (whether paid or unpaid), contractors, and other non-employee personnel conducting business, regardless of immigration status, with the Library. Harassers can be a superior, a subordinate, a coworker, or anyone in the workplace including an independent contractor, contract worker, vendor, patron, trustee or visitor.

## Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

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## **Retaliation Prohibited**

No person covered by this policy shall be subject to adverse action because he or she reports an incident of discrimination or harassment, provides information, or otherwise assists in any investigation or a discrimination or harassment complaint. The Library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected discrimination or harassment. Any employee of the Library who retaliates against anyone involved in a discrimination or harassment investigation will be subjected to disciplinary action, up to and including termination. All employees or others who are covered by this policy who believe they have been subjected to such retaliation should inform a supervisor, Department Head, Assistant Director or Library Director, and may also seek relief in other forums, as explained below.

Under New York State law, an individual is protected from retaliation if that individual engages in “protected activity.” Protected activity occurs when a person has:

- Made a report of discrimination or harassment, either internally or with any anti-discrimination agency;
- Testified or assisted in a proceeding involving discrimination or harassment under the Human Rights Law or other anti-discrimination law;
- Opposed discrimination or harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or Department Head of harassment;
- Reported that another employee has been the target of discrimination or harassment; or
- Encouraged a fellow employee to report discrimination or harassment.

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a claim of unlawful discrimination or harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful harassment (e.g., threats of physical violence outside of work hours).

Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination, including harassment. Individuals who knowingly bring false charges of discrimination, including any form of harassment, against another Library employee or other individual in the workplace shall be subjected to disciplinary action, up to and including termination.

## **Reporting Discrimination and Harassment**

Preventing discrimination, including harassment, is everyone’s responsibility. The Library cannot prevent or remedy discrimination or harassment unless it is aware of it. Any employee or other individual covered by this policy who has been subjected to behavior that may constitute discrimination or harassment is encouraged to report such behavior to a supervisor, Department Head or the Assistant Director. Anyone who witnesses or becomes aware of potential instances of

discrimination or harassment has a responsibility to promptly report such behavior to a supervisor, Department Head or the Assistant Director.

Reports made under this Policy may be made formally or informally and can be made orally or in writing. Employees are not required to report within their chain of command. Individuals are encouraged to report incidents of discrimination and harassment, including sexual harassment, using the Complaint Form provided at the end of this policy.

All employees, including supervisors and Department Heads, who receive a complaint or information about suspected discrimination or harassment; observe what may be discriminatory or harassing behavior, or for any reason suspect that discrimination or harassment is occurring, **are required** to immediately report all formal and informal complaints to the Assistant Director. In addition to being subject to discipline if they engage in discriminatory or harassing behavior themselves, supervisors and Department Heads will be subject to discipline for failing to report suspected discrimination or harassment or otherwise knowingly allowing discrimination or harassment to continue.

Supervisors and Department Heads will also be subject to discipline for engaging in any retaliation.

### **Investigation Procedure**

**All** reports or information about discrimination or harassment will be investigated, whether that information was reported in oral or written form.

The investigation of any report, information, or knowledge of any discrimination or harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including those making a report, witnesses, and alleged harassers, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

All employees, including managers and Department Heads, are required to cooperate with any internal investigation of discrimination and/or harassment. The Library will not tolerate retaliation against employees or others who file complaints; support another's complaint, or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations of discrimination and harassment will generally be conducted by the Library in accordance with the following steps:

- Upon receipt of the report, the Assistant Director will conduct an immediate review of the allegations and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant) as appropriate. If the report is oral, an individual may be asked to complete the Complaint Form in writing. If he or she refuses, a Complaint Form will be prepared by the Assistant Director based on the oral report.
- If documents, emails or phone records are relevant to the investigation, steps to obtain and preserve them will be taken.
- All relevant documents, including all electronic communications, will be requested and reviewed.
- All parties involved, including any relevant witnesses, will be interviewed.

A written documentation of the investigation will be created and may contain the following:

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- A list of all documents reviewed, with a detailed summary of relevant documents;
  - A list of names of those interviewed, with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the report, together with any corrective action.
- The written documentation and associated documents will be kept in a secure and confidential location.
  - The individual who reported and the individual(s) against whom the report was made will be notified of the final determination, and any corrective actions identified in the written document will be implemented.
  - The individual who reported will be informed of the right to file a complaint or charge externally as outlined below.

Any individual determined to have engaged in unlawful discrimination, harassment (including sexual harassment) or retaliation will be subject to discipline, up to and including termination.

### **Legal Protections and External Remedies**

Discrimination and harassment is not only prohibited by the Library, but is also prohibited by federal, state, and where applicable, local law.

Aside from the internal process at the Library, individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the advice of an attorney.

#### **New York State Human Rights Law**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns, and certain non-employees, regardless of immigration status. The HRL's prohibitions against discrimination and harassment based on other protected classes apply to employers in New York with four or more employees. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the alleged discrimination or harassment. If an individual did not file at DHR, he or she can sue directly in state court under the HRL, **within three years** of the alleged discrimination or harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Library does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of discrimination or harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination or harassment, including sexual harassment, has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination or harassment, including sexual harassment, is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov). Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The web site has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### Title VII of the Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the discrimination or harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### Local Protections

Many localities enforce laws protecting individuals from discrimination and harassment, including sexual harassment. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th

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Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## **Anti-Bullying Policy**

### Bullying

Bullying is unwelcome or unreasonable behavior that demeans, intimidates or humiliates people, either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It may be carried out by an individual, or can be an aspect of group behavior. Some examples of bullying behavior are: (a) the use of abusive and offensive language; (b) insults; (c) teasing; (d) spreading rumor and innuendo; and € playing practical jokes. Context is important in understanding bullying, particularly with respect to verbal communication. There is a difference between friendly insults exchanged by long time work colleagues and comments that are meant to be, or are taken as, demeaning.

### Mobbing

Mobbing is a particular type of bullying behavior carried out by a group rather than an individual. Mobbing is the bullying or social isolation of a person through collective unjustified accusations, humiliation, general harassment or emotional abuse. Although it is group behavior, specific incidents such as an insult or practical joke may be carried out by an individual as part of mobbing behavior.

### Responsibilities

The responsibilities of Department Heads and Supervisors with respect to bullying are as follows: (a) ensure that those working under them are aware of this anti-bullying policy and its procedures; and (b) ensure that any reported incident of bullying, or circumstance where bullying behavior is observed is brought to the attention of the Library Director, the Assistant Director or, if applicable, a member of the Library's Board of Trustees. Any such reported incident is to be dealt with promptly, sensitively, and confidentially. With respect to bullying, Library employees: (a) must be familiar with and behave in accordance with this policy; and (b) should report incidents of bullying, to which they are subjected or that they witness, to their Department Head, Supervisor, the Assistant Director, the Library Director, or to a member of the Library's Board of Trustees, as set forth below.

**IF YOU THINK YOU HAVE BEEN BULLIED:**

Any Library employee who feels that they have been bullied, or any employee who has witnessed the bullying of another, should report the matter immediately in accordance with the following procedures:

a) If a complaint of bullying involves a coworker or a nonemployee, then the employee should report the matter immediately and directly to their Department Head, who shall notify immediately the Library Director of the complaint; or

b) If a complaint of bullying involves someone in the employee's direct line of command, such as their Department Head, or if the complaint involves the Assistant Director, then the employee should report the matter immediately and directly to the Library Director, who shall notify immediately the Board of Trustees; or

c) If a complaint of bullying involves the Library Director, then the employee should report the matter immediately and directly to the Assistant Director (who shall notify immediately the Board of Trustees) or to a member of the Library's Board of Trustees; or

d) If a complaint of bullying involves both the Library Director and the Assistant Director, then the employee should report the matter immediately and directly to a member of the Library's Board of Trustees.

Complaints of bullying *may not* be submitted under any other complaint or grievance procedure, but *must* be submitted in accordance with the procedure set forth in this policy.

All complaints of bullying will be investigated as expeditiously as possible. The existence and nature of any such complaint will be treated as confidential to the extent possible within the limitations of conducting an adequate investigation. In all cases, the person who initiated the complaint procedure will be informed of the findings and the disposition of the matter at the conclusion of the investigation. Further, the Library will take appropriate steps to ensure that there is no coercion, retaliation, intimidation or harassment directed against any employee who registers a complaint or serves as a witness on behalf of another employee.

The Library prohibits any form of retaliation against any employee who files a *bona fide* complaint under these procedures or who assists in a complaint investigation. However, if after investigating any complaint of bullying, the Library determines that the complaint is not *bona fide* or that an employee has provided false information regarding the complaint or in connection with the investigation, then disciplinary action (including, but not limited to seeking the termination of employment) may be taken against the individual who filed the complaint or who gave the false information.

### **Whistleblower Policy**

The Library requires its Trustees, Library Director, Assistant Director, employees and volunteers, as well as all persons who provide the Library with contracted services (each of which is referred to hereinafter as a "Protected Person"), to observe high standards of business and personal ethics in the performance of their duties on the Library's behalf. As employees and representatives of the Library, Protected Persons are expected to practice honesty and integrity in fulfilling their responsibilities and are required to comply with all applicable laws and regulations.

The objectives of this Whistleblower Policy are to encourage and enable Protected Persons, without fear of retaliation, to raise concerns regarding suspected unethical and/or illegal conduct or practices on a confidential and, if desired, anonymous basis so that the Library can address and

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correct inappropriate conduct and actions. Any provisions of the Library's personnel policies which address the reporting of employment-related concerns are incorporated herein by reference. The procedures detailed herein are not intended as a vehicle for reporting violations of the Library's applicable human resources policies, problems with coworkers or managers, or for reporting issues related to alleged employment discrimination or sexual or any other form of unlawful harassment, all of which should be dealt with in accordance with the Library's Personnel Policies and Procedures, as laid out above.

The Board may delegate to an Audit Committee, which shall be composed of independent trustees, to comply with tis policy. The chairperson of said committee will be the compliance officer.

### Reporting Responsibility

It is the responsibility of all Protected Persons to report in good faith any concerns they may have regarding actual or suspected activities which may be illegal or in violation of the Library's policies with respect to, without limitation, fraud, theft, embezzlement, accounting or auditing irregularities, bribery, kickbacks, misuse of the Library's assets, as well as any violations or suspected violations of high business and personal ethical standards, as such standards relate to the Library (each of which is referred to hereinafter as a "Concern"), in accordance with this Whistleblower Policy.

### No Retaliation

No Protected Person who in good faith reports a Concern shall suffer intimidation, harassment, retaliation, discrimination or an adverse employment consequence because of such report. Any employee of the Library who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including the termination of employment. Notwithstanding anything to the contrary stated or contained herein, this Whistleblower Policy is not an employment contract and does not modify the employment relationship between the Library and its employees, nor does it change the fact that employees of the Library are subject to the New York Civil Service Law and/or a collective bargaining agreement (if applicable). Nothing stated or contained herein is intended to provide any Protected Person with any additional rights or causes of action, other than those provided by law.

### Reporting Concerns

Any Concerns should be reported as soon as shall be practicable to the Chairperson of the Library's Audit Committee (the "Compliance Officer"). Any questions with regard to the scope, interpretation or operation of this Whistleblower Policy should also be directed to the compliance Officer.

### The Compliance Officer

The Compliance Officer is responsible for investigating and resolving all reported Concerns, and shall advise the Audit Committee (and, if the Compliance Officer deems it appropriate, the

President of the Library's Board of Trustees) of all reported Concerns. The Compliance Officer shall report on compliance activity to the full Board of Trustees (the "Board") at each of its regularly scheduled meetings.

#### Accounting and Auditing Matters

The Audit Committee shall address all reported Concerns regarding accounting practices, internal controls or auditing ("Accounting Concerns"). The Compliance Officer shall notify immediately the Audit Committee of any Accounting Concern and shall work with the Audit Committee until its resolution. Promptly upon its receipt, the Audit Committee shall evaluate whether a Concern constitutes an Accounting Concern and, if so, shall promptly determine what professional assistance, if any, it needs in order to conduct an investigation. The Audit Committee will be free, in its sole discretion, to engage outside auditors, counsel or other experts to assist in the investigation and in the analysis of results.

#### Investigations

The Compliance Officer may delegate the responsibility to investigate a reported Concern, whether an Accounting Concern or otherwise, to one or more employees of the Library or to any other individual, including persons not employed by the Library, selected by the Compliance Officer; provided that the Compliance Officer may not delegate such responsibility to an employee or other individual who is the subject of the reported Concern or in a manner that would compromise either the identity of an employee who reported the Concern anonymously or the confidentiality of the complaint or resulting investigation. Notwithstanding anything stated or contained herein, the scope, manner and parameters of any investigation of a reported Concern shall be determined by the Audit Committee in its sole discretion, and the Library and its employees shall cooperate as necessary in connection with any such investigation.

#### Acting in Good Faith

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing that the information disclosed may indicate a violation of law and/or ethical standards. Any allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

#### Confidentiality

The Library takes seriously its responsibility to enforce this Whistleblower Policy and therefore encourages any person reporting a Concern to identify himself or herself so as to facilitate any resulting investigation. Notwithstanding the foregoing, in reporting a Concern, a Protected Person may request that such report be treated in a confidential manner (including that the Library take reasonable steps to ensure that the identity of the reporting person remains anonymous). Concerns may also be reported on an anonymous basis. Reports of Concerns will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

#### Handling of Reported Concerns

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The Compliance Officer will acknowledge receipt of each reported Concern within five business days, but only to the extent the reporting person's identity is disclosed or a return address is provided. All reports will be investigated promptly; the scope of any such investigation being within the sole discretion of the Audit Committee, and appropriate corrective action will be taken if warranted by the investigation.

### Records

The Audit Committee will retain, on a strictly confidential basis for a period of seven years (or otherwise as required under the Library's record retention policies in effect from time to time), all records relating to any reported Concern and to the investigation and resolution thereof. All such records are confidential to the Library and such records will be considered privileged and confidential.

### Distribution

The Library shall distribute a copy of this Whistleblower Policy to all Protected Persons.

## **CONFLICT OF INTEREST POLICY**

### ARTICLE I - PURPOSE:

The purpose of this policy (the "Policy") is to protect the interests of the Library when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a Trustee/Library Director, Officer, or Key Employee of the Library, as defined herein. The Library will not enter into any such transaction or arrangement unless it is determined by the Library's Board of Trustees (the "Board"), in the manner described below, to be fair, reasonable, and in the best interests of the Library at the time of such determination. This Policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to non-for-profit and charitable organizations.

### ARTICLE 2 - RELATED PARTY TRANSACTIONS AND DUTY TO DISCLOSE:

A Related Party Transaction, as defined herein, is not necessarily a prohibited transaction. Under this Policy, if the Library contemplates entering into a Related Party Transaction, the Board must determine if the transaction is fair, reasonable, and in the best interests of the Library at the time of such determination. If at any time during their term of service, a Related Party (as defined herein) acquires any Financial Interest (as defined herein), and/or when any matter for decision or approval comes before the Board in which a Related Party has a Financial Interest, any such Financial Interest and/or potential Related Party Transaction must be promptly disclosed in writing to each member of the Board, together with all material facts. The Board will then follow the procedures set forth in this Policy. The failure to disclose to the Board a known Financial Interest and/or a known potential Related Party Transaction, may be grounds for removal from the Board and/or the termination of employment (if applicable).

### ARTICLE 3 - DISCLOSURE AND VOTING:

#### Disclosure:

Any Related Party shall disclose in good faith to the Board all material facts of their Financial Interest.

#### Non-Participation and Review:

All transactions, agreements or any other arrangements between the Library and a Related Party, and any other transactions which may involve a potential conflict of interest, shall be reviewed by the Board. All Related Parties with a Financial Interest shall leave the room in which such deliberations are conducted. The Board will then determine whether the contemplated Related Party Transaction is fair, reasonable, and in the best interests of the Library at the time of such determination. The Library will not enter into any Related Party Transaction unless it is determined to be fair, reasonable, and in the best interest of the Library at the time of such determination.

#### Consideration of Alternate Transactions and Comparability Data:

If the contemplated Related Party Transaction pertains to compensation for services, the transfer of property, or other economic benefit to a Related Party, the Board must determine that the value of the economic benefit provided by the Library to the Related Party does not exceed the value of the consideration received in exchange by obtaining and reviewing appropriate comparable data prior to entering the transaction. In those cases where the contemplated Related Party Transaction does not involve compensation, a transfer of property, or benefits to a Related Party, the Board must consider alternative transactions, to the extent possible, prior to entering into any such transaction. When considering the comparability of compensation, the types of relevant Comparability Data which the Board may consider include, but are not limited to: (a) compensation levels paid by similarly situated organizations, both exempt and non-exempt; (b) the availability of similar services within the same geographic area; (c) current compensation surveys compiled by independent firms; and (d) written offers from similar institutions competing for the same person's services.

When the transaction involves the transfer of real property as consideration, the relevant factors include, but are not limited to: (a) current, independent appraisals of the property; and (b) offers received in a competitive bidding process.

#### Voting:

The Board shall, after considering alternate transactions and/or comparability data, determine in good faith by vote of the Board whether the transaction or arrangement is fair, reasonable, and in the best interest of the Library at the time of such decision. The transaction shall be approved by not less than a majority vote of the Board members present at the meeting. In conformity with the above criteria, the Board shall make its decision as to whether to enter into the transaction or arrangement and shall document the meeting contemporaneously in connection with this Policy. Any Related Party with a Financial Interest must not be present for deliberations and voting on the transaction or arrangement in which he or she has a Financial Interest. However, Related Parties are not prohibited from providing information regarding the transaction to the Board prior to the Board's deliberations. No Related Party shall vote, act, or attempt to influence improperly the deliberations on any matter in which he or she has been determined by the Board to have a Financial Interest. Any attempt by a Related Party to vote, act, or improperly influence deliberations on any matter with which such person has a Financial Interest may be grounds for removal from the Board and/or the termination of employment (if applicable).

#### Compensation:

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A voting member of the Board or an Officer who receives compensation directly or indirectly from the Library for services, or a Trustee serving as a voting member of any Committee whose jurisdiction includes compensation matters, is precluded from voting or acting on matters pertaining to the compensation of that Trustee or Officer. A voting member of the Board or of any Committee whose jurisdiction includes compensation matters, and who receives compensation from the Library, directly or indirectly, either individually or collectively, is not prohibited from providing information to the Board or to any Committee regarding compensation.

#### ARTICLE 4 - AUDIT OR OTHER COMMITTEE REVIEW:

The Board may delegate to an Audit or other Committee, which shall be composed solely of Independent Trustees, the adoption, implementation of and compliance with this Policy. The Board may delegate to the Audit or other Committee the review and approval of any Related Party Transaction involving a Related Party and the Library, as contained in this Policy; provided that if the Related Party Transaction is of a magnitude that would otherwise require full Board approval, the Committee shall submit the Related Party Transaction to the Board for consideration, providing its recommendation as to whether or not to approve it. If the Board delegates the review and approval of Related Party transactions to a Committee, all references to the Board in this Policy shall be deemed to refer to such Committee and all references to a majority of the Board shall be deemed to refer to a majority of such Committee. Notwithstanding anything to the contrary stated or contained herein, the Board reserves full discretion and authority to retain jurisdiction to review and approve any and all Related Party Transactions and to adopt, implement and effectuate compliance with this Policy.

#### ARTICLE 5 - RECORDS OF PROCEEDINGS:

The Minutes of all meetings of the Board and all Committee meetings at which a Related Party Transaction is considered shall contain:

1. The names of the persons who disclosed or otherwise were determined to have a potential or actual Financial Interest and/or conflict of interest, the existence and nature of the potential or actual Financial Interest and/or conflict of interest, any action taken to determine whether a Financial Interest and/or conflict of interest exists, and the Board's decision as to whether a Financial Interest and/or conflict of interest exists.
2. The names of the persons who were present for deliberations and votes relating to any determinations under this Article, including whether the Related Party, and any Trustees who are not considered to be Independent Trustees, left the room during any such discussions, the content of such deliberations, including consideration of alternative transactions, and whether or not the transaction with the Related Party was approved by the Board.
3. The Minutes shall document contemporaneously the deliberations and determination regarding any Financial Interest or conflict of interest.

#### ARTICLE 6 - INITIAL AND ANNUAL WRITTEN DISCLOSURES:

Prior to the initial election of any Trustee to the Board, or prior to the employment by the Library of an Officer or Key Employee, and thereafter on an annual basis, all Trustees, Officers, and Key Employees shall disclose in writing to the Clerk of the Board:

- (a) Any Financial Interest such person may have in any Related Party Transaction, including any transaction with a Library, organization, partnership or other entity which provides professional or other goods or services to the Library for a fee or other compensation; and
- (b) Any entity in which such person or a Relative of such person has a Substantial Financial Interest and with which the Library has or is considering a Related Party Transaction. A copy of each disclosure statement shall be kept in the Library's files and made available to any Trustee, Officer, or Key Employee upon request.

#### ARTICLE 7 - ANNUAL STATEMENTS:

Each Trustee, Officer, and Key Employee shall sign and submit annually to the Clerk of the Board a statement which affirms that such person: (a) has received a copy of this Policy; (b) has read and understands this Policy; and (c) has agreed to comply with this Policy.

#### ARTICLE 8 - DEFINITIONS:

**1. Affiliate.** An affiliate of the Library is a person or entity that is directly or indirectly, through one or more intermediaries, controlled by, in control of, or under common control with the Library .

**2. Board of Trustees.** The body responsible for the management of the Library.

**3. Trustee or Library Director.** Any voting or non-voting member of the governing board of a Library, whether designated as a Trustee, Library Director, manager, governor, or by any other title.

**4. Financial Interest.** A person has a Financial Interest if such person would receive an economic benefit, directly or indirectly, from any transaction, agreement, compensation agreement, including direct or indirect remuneration, as well as gifts or favors that are not insubstantial or other arrangement involving the Library. As used herein, the term "Substantial Financial Interest" includes all forms of direct or indirect financial interests, which in the discretion of the Board constitutes a substantial interest, given due consideration to the material facts and circumstances of the interest as disclosed to the Board.

**5. Independent Trustee.** A member of the Board of Trustees who:

(a) Is not and has not been an employee of the Library or of an Affiliate of the Library within the last three years;

(b) Does not have a Relative who has been a Key Employee of the Library or an Affiliate of the Library within the last three years;

(c) Has not received and does not have a Relative who has received more than \$10,000 in compensation directly from the Library or an Affiliate of the Library in any of the last three fiscal years (other than reimbursement for expenses reasonably incurred as a Trustee or reasonable compensation for services as a Trustee as permitted by the Nonprofit Revitalization Act of 2013);

(d) Does not have a substantial Financial Interest in and is not a current employee of, and does not have a Relative who has a substantial Financial Interest in or who is a current Officer of, any entity that has made payments to or received payments from, the Library or an Affiliate of the Library for property or services in an amount which, in any of the last three fiscal years, exceeds the lesser of:

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(i) \$25,000 or (ii) 2% of the Library's consolidated gross revenues. For purposes of this definition, "payment" does not include charitable contributions;

(e) Is not in an employment relationship under control or direction of any Related Party and does not receive payments subject to approval of a Related Party;

(f) Does not approve a transaction providing economic benefits to any Related Party who in turn has approved or will approve a transaction providing economic benefits to a Trustee.

**6. Key Employee.** A Key Employee is a person who is or who has been in a position to exercise substantial influence over the affairs of the Library. This includes, but is not limited to:

(a) Voting members of the Board;

(b) Presidents, chief executive officers, chief operating officers, or an employee of any other title with similar responsibilities;

(c) Treasurers and chief financial officers, or an employee of any other title with similar responsibilities; or

(d) A "highly compensated" employee, within the meaning of section 4958 of the Internal Revenue Code and guidance issued by the Internal Revenue Service, who is in a position to exercise substantial influence over the affairs of the Library.

**7. Officer.** A person who has the authority to bind the Library as designated in the bylaws of the Library.

**8. Related Party.** Persons who may be considered a Related Party of the Library or an Affiliate of the Library under this Policy include:

(a) Trustees, Officers, or Key Employees of the Library or an Affiliate of the Library;

(b) Relatives of any Trustee, Officer, or Key Employee;

(c) Any entity in which a person identified in Article 8, Section 8(a) or 8(b), has a 35% or greater ownership or beneficial interest or, in the case of a partnership or professional Library, a direct or indirect ownership interest in excess of 5%;

(d) Founders of the Library;

(e) Substantial contributors to the Library (within the current fiscal year or the past five fiscal years);

(f) Persons owning a controlling interest (through votes or value) in the Library;

(g) Any non-stock entity controlled by one or more Key Employees.

**9. Related Party Transaction.** Any transaction, agreement, or any other arrangement in which a Related Party has a Financial Interest, and in which the Library or any Affiliate of the Library is a participant. Any Related Party Transaction will be considered a conflict of interest for purposes of this Policy.

**10. Relative.** A Relative is a spouse, ancestor, child (whether natural or adopted), grandchild, great grandchild, sibling (whether whole or half-blood), or spouse of a child (whether natural or adopted), grandchild, great grandchild or sibling (whether whole or half-blood), or a domestic partner as defined in section 2994-A of the New York Public Health Law.

**11. Conflict of Interest.** A situation or set of circumstances in which a person is in a position to derive a personal benefit, whether financial or otherwise, from actions or decisions made in their official capacity or by virtue of their connection or relationship to a person in an official capacity.

In the event of any conflict between the definitions set forth herein and the New York

Nonprofit Revitalization Act of 2013 (the “Act”), including any amendment thereto, the definitions set forth in the Act shall control.

### **Workplace Violence Prevention Policy Statement**

Finkelstein Memorial Library (the “Library”) is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our Library, staff, and patrons. Workplace Violence is defined as any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of the employee’s employment, including but not limited to:

- An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- Intentional and wrongful physical contact with a person without the person’s consent that entails some injury;
- Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against Library employees where any work-related duty is performed will not be condoned, and will be thoroughly investigated by the Head of Human Resources with appropriate action taken, including summoning criminal justice authorities when warranted. Disciplinary action up to and including termination may be taken. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors; following all policies, procedures and program requirements; and assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law includes a workplace evaluation that is designed to identify the workplace violence hazards our employees could be exposed to. Authorized Employee Representative(s) will, at a minimum, be involved in:

- The evaluation of the physical environment;
- The development of the Workplace Violence Prevention Program; and
- The review of Workplace Violence Incident Reports at least annually to identify trends in the types of incidents in the workplace and review of the effectiveness of the mitigating actions taken.
- This policy will be reviewed by the board annually at the annual meeting

All employees will participate in the annual Workplace Violence Prevention Training Program. The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification.

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All Library personnel are responsible for notifying the contact person designated below of any violent incidents or threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Name: Beth Zambito

Title: Assistant Director

Department: Administration

Phone#: (845) 352-5700 ext. 369

E-mail: bzambito@rcls.org

*This manual was approved by the Board of Trustees on*

## **APPENDIX**



## Anti-Harassment Complaint Form

If you believe that you have been subjected to discrimination or harassment, including but not limited to sexual harassment, you are encouraged to complete this form and submit it to the Assistant Director. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, the Assistant Director will complete this form, provide you with a copy, and follow the Library's Anti-Discrimination/Anti-Harassment Policy by investigating the claims as outlined at the end of this form.

**For additional resources, visit: [ny.gov/programs/combating-sexual-harassment-workplace](http://ny.gov/programs/combating-sexual-harassment-workplace)**

### COMPLAINANT INFORMATION

Name:

Personal phone:

Job Title:

Email:

Select Preferred Communication Method:

Email  Phone  In person

### SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

### COMPLAINT INFORMATION

1. Your complaint of Discrimination and/or Harassment is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you:  Supervisor  Subordinate  Coworker  Other

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2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) discrimination or harassment occurred:

Is the discrimination or harassment continuing?  Yes  No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

*The last question is optional but may help the investigation.*

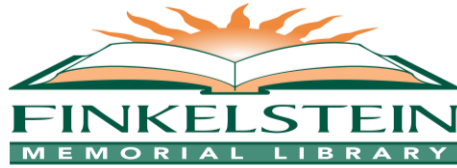
5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

*I request that The Finkelstein Memorial Library investigate this complaint of discrimination and/or harassment in a timely and confidential manner as outlined below and advise me of the results of the investigation.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## ACCIDENT REPORT FORM

Instructions: Please complete this **Accident Report** form to report any accident, injury or illness occurring on Library property. Use the Incident Report to report all other emergencies, disturbances, theft, vandalism and damage. Submit to the Library Director, Assistant Director and Head of Security ASAP, but no later than 12 hours after accident occurs.

Date of accident: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

Nature of accident: (brief description)

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Describe the accident fully. (Indicate what the person was doing at the time of the accident):

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Person(s) involved: (Indicate if employee. Please give name, address and phone numbers of non-employees, if available):

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Emergency/medical services:

Were emergency services called? \_\_\_\_Y \_\_\_\_N If so, which ones?

If Police were called, Officer's name: \_\_\_\_\_

Was the injured person taken to a hospital or other medical service? \_\_\_\_Y \_\_\_\_N If so, please provide the name:

If not, what was the resolution of the matter?

Did the injured party refuse medical attention? \_\_\_\_Y \_\_\_\_N

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Witnesses: Provide the names of witnesses (address and phone numbers of non-employees, if possible):

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Employee(s) involved and job title(s):

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Further comments:

Date of report \_\_\_\_\_ Submitted by \_\_\_\_\_



## Incident Report Form

Submit to the Library Director, Assistant Director and Head of Security ASAP, but no later than 12 hours after incident occurs, including emergencies, disturbances, theft, vandalism and damage.

*For accidents, injuries or illness, use the Accident Report Form*

**Occurrence:**       1<sup>st</sup> Floor       2<sup>nd</sup> Floor       3<sup>rd</sup> Floor

Date: \_\_\_/\_\_\_/\_\_\_

Time: \_\_\_:\_\_\_ AM PM

### Type of incident

Disturbance      Vandalism / Damage      Theft      Other

Name of Library user: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Staff member notified: \_\_\_\_\_

**\*\*Add additional information on back or on another page\*\***

Was bias involved? Explain: \_\_\_\_\_

Name of people involved / witnesses: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Willing to testify? \_\_\_\_\_

### Action Taken

Call to Security

Time call made: \_\_\_\_\_

Call to Police

Time officer arrived: \_\_\_\_\_

Officer's name: \_\_\_\_\_



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Name of Employee Reporting the Incident (Optional)

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Note: Refer to 12 NYCRR Part 800.6 Section (i)(3)(ii) for special instruction on privacy concern cases. Print additional sheets if necessary.

## **Finkelstein Memorial Library Employee Confidentiality Policy**

### **Overview and purpose**

Due to the nature of work in the library, it is essential that all of our employees fully understand how to treat confidential information. Accordingly, this employee confidentiality policy has been crafted and implemented to ensure that everyone who works for us knows and complies with our expectations regarding sensitive information.

We want to make sure that any relevant information pertaining to our library, patrons, and staff is properly secured because it may be:

- Legally binding (such as contractual material)
- Personal and private

### **Scope**

This is a blanket policy. As such, this employee confidentiality policy applies to anyone who works, at the library in any capacity that actually has or could potentially have access to confidential and/or sensitive information, including contract employees, volunteers, friends and Trustees.

### **Confidential and Sensitive Information — Defined**

For the purposes of this policy, confidential and/or sensitive information is defined as:

- Records pertaining to patrons/partners/staff
- Internal library communications
- Patron and/or client lists (existing and prospective)
- Written/electronic documents or similar material entrusted to our library by outside parties
- Any material explicitly marked as confidential

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- Any information/documents provided by the attorneys

Depending on their job title/responsibilities, seniority and other factors, our employees may have differing levels of authorized access to this type of material.

### **Employee Obligations Under this Policy**

In accordance with this policy all employees must:

- Take reasonable steps to ensure that confidential material is never left in plain view or otherwise unsecured.
- Shred confidential material when it is no longer needed.
- Ensure that any confidential information in a digital format is only viewed on secure devices.
- Refrain from making disclosures to coworkers unless absolutely necessary.
- Refrain from taking confidential documents off of company property unless absolutely necessary.
- Surrender all confidential documents and material to the company upon resignation, termination or at any time upon the request of their supervisor.
- Take reasonable steps to ensure that they do not mistakenly disclose any confidential information to any unauthorized persons in or outside the library.
- Report any inadvertent disclosures of confidential information to their direct supervisor as soon as possible.

### **Prohibited Conduct and Activities**

Employees are prohibited from doing the following:

- Using confidential information for financial or personal gain.
- Speaking with the media on behalf of the library, or on library matters, without approval of the Director or Assistant Director.
- Removing or making copies of confidential material; or facilitating the reproduction of confidential material relating to the library in any manner.

### **How we Safeguard Confidential Information**

We take the following steps to safeguard confidential information:

- Store hardcopies in secured filing cabinets.
- Encrypt certain electronic information and have confidential information deleted from computers after use.
- Require senior management to authorize access to confidential information.

### **Exceptions to this Policy**

From time to time, some circumstances may warrant disclosure of confidential or sensitive information. We reserve the right to disclose said information when:

- A regulatory/law enforcement/or other government agency requests it as part of an investigation or audit.
- If we consider a partnership requiring the disclosure some information (within legal parameters).

When this happens, employees who receive such requests or are privy to such considerations should carefully document their disclosure procedure and gather required authorizations. We're legally obligated not to disclose more information than absolutely necessary to accommodate such requests.

### **Additional Requirements for Exempt Employees**

Administration and other exempt staff have additional responsibilities, as they are likely to handle more confidential information. This applies to Security staff, which includes non-exempt employees, as well.

Personnel and payroll information are required to be kept confidential.

Incident and accident reports are confidential except for on a need to know basis.

### **Consequences for Failure to Comply**

Any employee or other such person obligated to comply with this policy who deliberately or unintentionally fails to do so will be disciplined. The type of discipline will depend on the severity and frequency of the violation(s).

This policy is binding even after an employee or a trustee resigns or is otherwise no longer employed by the library.

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**Employee/Trustee to sign and return page 4 to Administration Office.  
Keep pages 1-3 for their records.**

**Finkelstein Memorial Library  
Employee Confidentiality Policy**

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Employee/Trustee signature

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Date

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Employee/Trustee Name (Print)

*Return signed page to Administration office*