

# Bay Shore-Brightwaters Public Library

## Policy Manual

July 2021

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# Bay Shore-Brightwaters Public Library

## By-Laws

The Bay Shore-Brightwaters Public Library, established by the Regents of New York State as a Free Library on 19 December 1901 and chartered as a Public Library on 21 September 1934, shall provide public library service to the inhabitants of this district in accordance with the laws governing school district libraries in New York State.

### Article I

The Library trustees, as agents of the taxpayers, shall maintain library facilities in said district.

Any person who resides in the district is entitled to Library service. Nonresident use of the facilities is established by the regulations of the Board of Trustees.

Any qualified person within the district who provides proof of residence and agrees to abide by Library regulations shall be entitled to Library privileges. These privileges can be denied by the Library to any borrower who does not comply with the rules.

### Article II

The Library Board shall consist of five members, each elected for a five year term. The term of office of one Trustee shall expire each year. When a vacancy on the Board occurs, other than by expiration of a Trustee's term of office, the vacancy shall be filled by appointment of the Board until the next Library election.

The annual election/reorganization of officers of the Board shall take place at the regular July meeting. The Board shall elect from among its members a president, vice-president and secretary. The President shall assume office as of the date of his/her election and the term shall continue until the end of the fiscal year for which he/she was elected to serve or until such time as another member of the Board is elected to that position. It is the President's duty and right to preside at meetings of the trustees during his/her term of office. In the absence of the President, the Vice-President or Secretary will preside at a Board meeting.

The Board will appoint a Library Treasurer, usually the school district treasurer, who shall be responsible for the care and custody of all Library funds and for all official financial records of the Library.

The authority of the Library Board is vested in the Library Board as an entity; no member or members shall act for or on behalf of the Board without express authorization of the Board of Trustees.

No trustee shall accept payment for services. Trustees may be reimbursed for actual expenses necessarily incurred in performance of official Library business.

#### Article II-A

Every officer, director, employee and trustee of the Library shall familiarize himself/herself and shall be bound by the provisions of Article 18 of the General Municipal Law of the State of New York, more particularly section 801 thereof entitled "Conflicts of Interest Prohibited" and section 805-a thereof entitled "Certain action prohibited", including the prohibition of the solicitation, acceptance or receipt of any gift having a value of seventy-five dollars or more, under the circumstances set forth in said section.

#### Article III

Regular monthly meetings of the Board of Trustees will be held on the 4th Monday of each month at 7:00 PM in the Library or at a time and place designated by the trustees.

A special District Meeting (i.e.: "annual vote") will be held on the first Tuesday in April in the Library from 12 noon until 9PM or at a time and place designated by the trustees.

The proposed annual budget will be presented to the taxpayers at the Library Board meeting immediately preceding the annual vote.

Other meetings may be called by the Library Board president.

Notices shall be sent as required by law.

If any trustee shall fail to attend three consecutive regular monthly meetings without an excuse accepted as satisfactory to the Trustees, he shall be deemed to have resigned. Likewise if any trustee moves from the district and is no longer eligible to vote he/she shall be deemed to have resigned.

A quorum for transaction of business shall consist of three members of the Board.

#### Article IV

There shall be no standing committees of the Board. The president of the Board may appoint special committees if needed.

#### Article V

The Board of Trustees will establish and review general rules of operation for the Library. Such rules shall be made for the convenience and in the best interests of the residents of the Bay Shore-Brightwaters Library district.

The Board of Trustees shall employ a Library Director in accordance with Civil Service procedures. The Library Director shall administer the policies adopted by the Board under the direction and review of the Trustees. The Library Director will attend all meetings of the Board of Trustees.

#### Article VI

These By-laws may be amended at any regular or special meeting of the Board by a vote of four of five Trustees provided specific notice of any proposed change shall be given in writing to all members prior to the date of the meeting or by unanimous vote of all Trustees in the absence of prior notice.

#### Article VII

Roberts Rules of Order Revised shall be the authority for all questions involving parliamentary procedure.

#### Article VIII

The Board may establish a meeting agenda which they may, from time to time, amend or dispense with. The usual order of business shall be:

- Call to order
- Reading, amendment if necessary, and approval of minutes
- Financial Report and Approval of Bills
- Director's Report
- Old Business
- New Business
- Review of the date of the next meeting
- Adjournment

Upon motion duly made, seconded and unanimously passed, the Board of Trustees of the Bay Shore-Brightwaters Public Library adopted these By-Laws on the twenty-sixth of June 1995.

Change of name by the New York State Board of Regents Incorporated  
20 September 1996.

Section II-A added by Board action  
30 November 2006

## Mission Statement

It is the privilege of the Bay Shore-Brightwaters Public Library, through its Trustees and staff, to serve the Bay Shore-Brightwaters community, young, old or in-between, white collar or blue, regardless of race, creed, gender, wealth or education, as a cultural and information center for all and a center of life-long learning. All will find at the Library the means to enrich their lives.

## Long-Range Goals

Foster an atmosphere of life-long learning for all, encourage a love of reading (regardless of format) in children and young adults and provide and promote opportunities for personal development at all levels. Celebrate learning of every kind.

Continually listen to the community, identify its unique personality and tailor collection and program offerings to their distinctive needs/wants. In particular, be aware of changes in the composition of the population and new trends as they become visible. In the year preceding the expiration of each Long Range Plan, offer an opportunity for the community to contribute their thoughts and ideas to the process.

In collection and program offerings, take into consideration the broad spectrum of our constituency. The growing Spanish speaking community provides one challenge. Our new teen room offers a particular test as we create collection and programs for this special group.

Make every effort to draw our entire diverse community into making use of the Library facility as a community center. Ensure a safe and clean environment.

Strike a balance in offering traditional Library service for those who wish while at the same time constantly updating technology and electronic resources to better serve our patrons.

Provide as many opportunities for staff enrichment, particularly in new technologies, as possible.

Collect, preserve and provide local information, current and historical.

In light of economic challenges and the “tax cap,” seek to maintain or increase our services to the community. Strive for moderation combined with excellence, practice economies where possible and resist the ephemeral in favor of substance. Investigate any area of cost savings. In particular, investigate opportunities to reduce electric use through conservation, daylighting etc.

In addition to exploring any and all prospects to expand Library parking, prepare to renovate the parking lot, explore the renovation of the second floor office area, investigate the renovation possibilities in the lower mezzanine to offer more space for meeting rooms, consider the addition of a solar array, and otherwise strive to keep the facility in excellent condition.

## Book Selection Policy

The Bay Shore-Brightwaters Library and Board of Trustees subscribes to and re-affirms the attached Library Materials Selection Policy comprised of the current American Library Association's Library Bill of Rights" statement (as reaffirmed January 23<sup>rd</sup> 1996) and the "Freedom to Read" statement (as re-affirmed June 30<sup>th</sup> 2004.)

## Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939.

Amended October 14, 1944, June 18, 1948, February 2, 1961, June 27, 1967, and January 23, 1980;

Inclusion of "age" reaffirmed January 23, 1996

By the ALA Council.

Reviewed 11/30/1992

## The Freedom to Read

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize the propaganda, and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures towards conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

*1. It is in the public interest for publishers and librarians to make available the widest diversity of view and expressions, including those which are unorthodox, unpopular or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept which challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

*2. Publishers, librarians and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral or aesthetic views as a standard for determining what books should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

*3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

*4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised which will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

*A Joint Statement by:*

American Library Association  
Association of American Publishers

*Subsequently Endorsed by:*

American Booksellers Foundation for Free Expression  
The Association of American University Presses, Inc.  
Children's Book Council  
Freedom to Read Foundation  
National Association of College Stores  
National Coalition Against Censorship  
National Council of Teachers of English  
The Thomas Jefferson Center for the Protection of Free Expression

## Board Confidentiality

All matter discussed in an executive session of the Library board of trustees should remain confidential and may only be discussed outside the executive session with the Library Director, legal counsel, persons present during the executive session, or with absent board members, unless otherwise determined by vote of the board of trustees.

Written notes related to executive session discussions are permissible only after the prior approval of the board.

In matters of a sensitive nature, as permitted under New York State Open Meetings Law, such as personnel issues, competitive bids by vendors, and pending or threatened litigation should be considered confidential and discussed only with the Library Director, legal counsel and other staff and advisers whose need for information is required to further the best interests of the Library.

## Open Meeting Policy

Library Board meetings are for the conducting of Library business and as required by the Open Meetings Law are open for observation by the public. They are not public hearings about library affairs. Under the Open Meetings Law provisions for public participation is not required, though the Board sets aside a period for public expression in the agenda. In the interests of time and the effective conduct of business, individual public comment may be limited so that all members of the public attending a board meeting will have an equal opportunity to speak. Under no circumstances shall an individual's opportunity for public expression exceed three to five minutes in length, unless by prior arrangement. Board members are not required to respond to questions or statements made during the public expression portion of the meeting.

## Resident Registration Requirements

A patron requesting a new Library card should be asked if he/she is a resident of the school district and asked for proof of address with a signature.

As proof we accept:

1. A current New York State Driver's license. (If the patron has recently moved, there are instructions on the reverse for changing his/her address.) Patron must change address to receive Library card.
2. A current official non-driver identification card, or recreation card, with address and signature and expiration date.
3. Medicare/Medicaid or other health card that gives address, signature and expiration date.
4. In the absence of any of the above, the Library will accept a current tax receipt or lease giving address. Persons presenting this form of proof of address must also present current proof of identification with signature.
5. Mail or most bills are unacceptable as proof of address.
6. The Library will accept utility bills (telephone, water, gas or electric) in combination with other proof of identification.
7. The Library will accept Medicare cards or car registration without signature if they give address in combination with identification with signature.
8. If a patron presents proof of residence (utility bill, tax bill, etc.) in combination with address ID from another address, that address must be noted as alternate.
9. If one member of a household presents proof of address, the Library will consider other members of that household at that address who have identification but not proof. (i.e. children, retired parents, etc.)

Library cards are issued for three years. Proof of current residence is required to renew a library card. If patron has \$15.00 or more due on their account, their card cannot be renewed until balance is paid.

## Non-Resident Registration Requirements

### Business & Professional Offices

All business and professional offices within the Bay Shore School District may receive a business card. The business then, is responsible for all materials loaned on this card.

The owner of the business or senior member or partner in a professional office must apply for this card. Only one card per business will be issued.

In this case, we must establish identification for ~~both~~ the business (tax bill, official letterhead, business card, etc., and the usual individual ID), verify the applicant's position in the firm (usually on letterhead, etc.) and obtain an alternate address (home address) of the person signing for the card.

Card is to be stamped "Local Use Only".

Card is issued for three years in the name of the business with the responsible person's name in parentheses.

### Coast Guard/National Park Service

Bay Shore-Brightwaters Public Library has an agreement with the Suffolk Cooperative Library System governing service to U.S. Government employees and their families stationed on Fire Island. This includes the National Park Service and the United States Coast Guard.

Government ID must be presented as verification of status.

Full borrowing privileges are granted to such personnel, and they are issued our card.

Cards are issued for three years.

### Property Owners

Persons owning property in the Bay Shore School District who are not otherwise entitled to a Suffolk County Library card will be given a Bay Shore-Brightwaters Public Library card provided a tax bill or deed to the property is presented at the time of registration.

Card is to be stamped "Local Use Only".

## Teachers and Students

Teachers and students in schools and colleges located within the Bay Shore School District may receive borrowing privileges while school is in session. Proper identification establishing permanent residence, as well as verification of employment and/or enrollment must be presented.

Cards are to be stamped “Local Use Only”.

Cards are valid only until the end of the school year. Verification of status must be established each September.

## Transient Patrons

Patrons who are known to live in rooming houses are considered to be transient patrons.

Such patrons frequently lack identification. However, they should be able to present rent receipts, or letters of residence. They must also be able to present proof of identity.

Sometimes a patron will simply tell us that they rent a room in such a residence, not an apartment.

In this case, such persons are given a 1 – Book card, which entitles him to borrow one item at a time. When such item is returned, he or she may take another.

When such patron has shown himself to be a responsible borrower for a period of not less than three months, if he or she requests, we may increase the amount of materials he or she may borrow. This must be approved on an individual basis by the library Director or his/her designee.

Library cards are to be stamped “Local Use Only”.

## Policy on Displays, Exhibits and Use of Bulletin Board

The use by individuals or organizations, of the Library's facilities for displays and/or exhibits, other than those which pertain to the Library, is not a right but a privilege which is subject to review by the Board of Trustees.

The Library Director may grant the privilege of placing exhibits and displays in the Library, subject to the following conditions:

1. No poster, display, pamphlet, brochure, leaflet or booklet shall be exhibited, displayed or placed in the Library for distribution without permission from the Library Director.
2. No outside organization or individual shall be permitted to display or exhibit any materials, leaflets, or posters which advocate the election or defeat of a candidate for public office, or which advocate an affirmative or negative vote for or against proposition, whether political or otherwise.
3. No outside organization or individual shall be permitted to place in the Library any box, receptacle or canister which solicits donations, nor shall any poster or display be permitted which advocates or solicits consideration of any product or item sold by any commercial or charitable enterprise without permission from the Library Director. However, posters announcing bazaars or programs sponsored by any local educational, religious or fraternal organization may be displayed provided there is room for such displays and they are of reasonable size. Such displays shall be on a "first-come, first- served basis."
4. Wherever possible, displays or exhibits shall incorporate books or materials from the Library's collection which have a relationship to the subject of the display.
5. The Library assumes no responsibility for the preservation, protection, or possible damage or theft of any item displayed or exhibited. All items placed in the Library are done so at the owner's risk.

## Piano Policy

The Bay Shore-Brightwaters Public Library owns a Mason & Hamlin BB Piano to be used primarily for Library and Friends of the Library performances. The piano is located on the stage in the East Meeting Room. It will be kept locked and covered when it is not in use.

Guidelines for the use of the piano are as follows:

1. The piano may be used by groups that have booked the meeting room, that have arranged for such use in advance, and where the use of the piano is considered by the Library to be an integral part of their program.
2. Each application for use of the piano will be considered separately and approved by the Director or the Director's designee.
3. Applicants wishing to have the piano tuned for a program beyond the regular tuning schedule may request that the Library employ its regular tuner/technician to tune the piano. The applicant will compensate the Library in advance for this service. The piano must be tuned to equal temperament/standard pitch with no historical (non-equal) temperaments.
4. The piano is not to be used for casual amusement or as a practice instrument for individuals. It may, however, be used for musical recitals or programs where the application has been approved, where no admission fee to such recital or program is required, and where such recital or program is completely open to the public.
5. Professional musicians may reserve the meeting room to practice on the piano before a concert to become familiar with the piano's action and tone based on the availability of the meeting room, otherwise, the piano is not available for practicing or for piano lessons.
6. The cost for any repair for damage to the piano will be the responsibility of the applicant.

## Programs

The Board of Trustees of the Bay Shore-Brightwaters Public Library wishes to affirm its belief in the following basic policies with regard to programs offered by the library to the community:

1. As a responsibility of library service, the subject matter of library programs will be determined with consideration given to the interest, information and enlightenment of all of the people in the community. In no instance will a program be excluded because of the race, nationality or religion of the participants or because of the political views expressed.

2. The administration of the library will take care to present the widest possible variety of views concerning problems and issues of our times, international, national and local. No point of view should lack representation because of partisan or doctrinal disapproval.

3. This policy on the part of the library applies not only to speakers and live productions but also to films or recordings used by the library staff in activities presented by the Library in the public interest.

4. Libraries must challenge censorship of activities in the library just as they protect the printed word against such attacks.

## Public Behavior in the Library

Bay Shore-Brightwaters Public Library has adopted this Public Behavior in the Library Policy for the safety and comfort of all who use the Library. For the purpose of this policy, the Library is defined as the building, grounds and parking lot. Accordingly, the Library Board of Trustees has established procedures and rules, in accordance with Section 262 of the Education Law of the State of New York, by which patrons and visitors may enjoy the Library's facilities and services.

The Board of trustees of the Bay Shore-Brightwaters Public Library views the use of the Library and its facilities as essential to the fulfillment of the Library's mission. As such, the Board subscribes to Article IV of the American Library Association's Library Bill of Rights, which states that facilities should be made available to the public served by the Library on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use. Accordingly, the Public Behavior in the Library Policy and the Rules of Conduct herein should be observed by all Library users and shall be applied without discrimination and in the best interests of all.

Library users who violate the Rules of Conduct may be subject to suspension of their Library privileges, exclusion from the Library, and/or legal action. A copy of the Rules of Conduct is posted on the public bulletin board of the Library.

### **Rules of Conduct**

For the most effective use of the Library, patrons are expected to observe rules of common courtesy. Patrons who are not courteous to others will be asked to stop the discourteous behavior or leave the Library. Discourteous behavior which will not be tolerated in the Library includes but is not limited to:

#### Harmful, Disruptive, or Destructive Behavior:

- Engaging in conduct that interferes with other Library user's ability to reasonably use the Library
- Using loud, abusive, obscene or threatening language or actions
- Interfering with other Library users' reasonable expectations of privacy
- Creating unreasonable noise such as loud, boisterous talking or using personal electronic equipment without headphones or at a volume that is audible to others
- Cell phones should be on vibrate mode or turned off when entering the building. Talking on cell phones should be limited to the lobby or outside the main entrance
- Throwing, running, climbing or playing sports
- Using Library materials, equipment, furniture, fixtures or the facilities in a destructive, abusive or potentially damaging manner, in a manner likely to cause personal injury to any person or in any other manner inconsistent with the customary use thereof
- Carrying weapons or weapon-like items on the Library premises
- Using skateboards, bicycles, or rollerblades in the building, on the sidewalks or in the parking lot
- Soliciting, petitioning, or distributing materials or canvassing on Library premises
- Disobeying the reasonable direction of the Library Director or the Director's designee

### Illegal Activities:

- Committing or attempting to commit any activity that constitutes a violation of any federal, state or local statute or ordinance
- Engaging in sexual conduct or indecent behavior on Library premises, as defined under New York Penal Law
- Using controlled substances on Library premises
- Smoking or other use of tobacco inside the Library
- Consuming alcoholic beverages on Library premises

### Other inappropriate behavior:

- Bringing animals, other than service animals, inside Library buildings without the prior permission of Library staff
- Prolonged or chronic sleeping
- Using Library restrooms for bathing, shaving, washing hair, or other matters of personal hygiene
- Entering the building without shirts and/or shoes
- Exhibiting personal hygiene which disrupts others from using the Library
- Loitering on Library grounds
- Parking vehicles on Library premises when not using the Library
- Exhibiting any other condition or action which in the judgment of the Director disrupts the operation of the Library or its use by others or which endangers the health, safety, or welfare of Library users or employees

### **Response to Infractions**

The Library Director or the Director's designee shall be responsible for the enforcement of these Rules of Conduct. Unacceptable behavior on the part of the Library user can result in loss of Library privileges. Depending on the severity of the violation, the Library will institute discipline ranging from a verbal warning, through denial of specific privileges, such as use of Library computers, to denial of the right to use the Library for a specified time period.

The Director or the Director's designee may either direct the trespasser to cease and desist the violation or vacate the premises. Upon the refusal of such person to obey the directive, the Director or the Director's designee is hereby authorized and directed to make a complaint to the appropriate law enforcement agency and to sign any information as necessary charging said trespasser with the appropriate violation of the Penal Law. In situations where the Director or the Director's designee feels that the health, safety, or security of Library users is threatened, any and all appropriate action may be taken including, but not limited to, calling the police for assistance. In the event of inappropriate behavior by a minor, the child's parent or guardian may be notified by the Library at the discretion of the Director. At the first opportunity, the Director or the Director's designee shall follow the established procedures for recording the facts and circumstances surrounding the enforcement of this policy by completing an Incident Report Form.

The Library shall indemnify and save harmless the Library Director or the Director's designee, and any Library personnel, from any action, claim or proceeding instituted against such person arising out of the enforcement of these rules and regulations by such Library personnel.

In addition to all of the foregoing summary remedies against the trespasser and/or person in violation of law and these rules and regulations, the Library Director may thereafter, in his/her sole discretion, take the following action with respect to the following categories of persons:

- District residents may have their privileges to use the Library's facilities and/or services suspended for a period not to exceed one year. All other Library users may be subject to the same restrictions. The Library Director may, at his/her discretion, notify other agencies of actions taken.
- Employees are subject to the provisions of this policy, applicable portions of the Civil Service Law, New York State "employment law"; the Education Law; and pertinent personnel policies adopted by the Library's Board of Trustees and may be disciplined, censured, suspended without pay or discharged accordingly.

### **Appeals Procedure**

Appeals relating to suspension of Library service privileges and/or revocation of their privileges to enter upon Library premises shall be made to the Board of Trustees. Appeals by Library staff subject to the provisions of the Civil Service Law, Education Law and personnel policies, to the extent relevant, may be made to the Board of Trustees.

Each person, not an employee of the Library, shall have the right to submit a written notice of appeal to the Board of Trustees within thirty (30) days of any action taken by the Library Director which suspends borrowing privileges or revokes the right to enter the Library premises. The board of Trustees, or their designee, shall convene a hearing within thirty (30) days of submission of such a notice of appeal, at which time and place the aggrieved shall be afforded the opportunity to present evidence, testify and cross examine witnesses. Within fourteen (14) days of such a hearing, the Board of Trustees shall render a decision in writing.

## Rules Governing Public Use of Library Facilities

It is the desire of the Library Board of Trustees that Library facilities have the widest possible use of citizens of the District without interfering in regular Library operation. Programs are to be of community interest, generally and broadly educational, cultural or recreational, wholesome in nature and in strict compliance with provisions of all federal, state and local laws as well as regulations of the police, health and fire departments for the use of public halls and fields.

1. Library sponsored programs and activities shall have precedence in assignment of facilities.

2. Organizations meeting regularly in the Library building must renew their reservations annually before June 30<sup>th</sup>; otherwise they will not be carried on the reservation chart for the ensuing year.

***ALL MEETINGS MUST BE OPEN TO THE PUBLIC.***

The name of a responsible Library district resident who is at least 18 years of age and a member of the organization must appear on every application in the event that the officers are not local residents.

***Any request for use of Library facilities must be received at least 48 hours in advance during regular business hours.***

Groups using the meeting room must guarantee an average attendance of 15 persons at each meeting and are limited to meeting once a month. If the group's attendance falls below the minimum for three consecutive sessions, its contract may be cancelled. The right to revoke at any time is reserved by the Library Board and its representatives.

Organizations shall immediately notify the Meeting Room Secretary in the event they decide to cancel or postpone. Such notification should be received no later than 5 P.M.

***No reservations are final until the application is approved by the Library Board or Director or the Director's Designee and returned to the applicant.***

3. Library facilities are available between 9:30 a.m. and 9 p.m. Monday through Thursday, Friday 9:30 a.m. to 5:00 p.m., as well as Saturday from 9:30 a.m. to 4:00 p.m. Use is contingent upon other events scheduled and Library staffing.

4. The Library board of Trustees assumes no responsibility for personal property left on the premises or for any personal injuries received.

5. Organizations receiving permission to use the Library Building or grounds must be responsible for the conduct of members, presenters, participants and spectators attending functions under their sponsorship. The applicant and his group will be financially responsible for any damage or loss that may accrue from use of facilities by his organization.

6. Organizations composed of minors must have at least one adult supervisor in complete charge at all times.

7. Each organization meeting regularly in the Library is requested to submit a complete list of officers each year as soon after their election as possible, giving names, addresses, telephone numbers and the beginning and termination of the term to be served.

8. Individual organizations are responsible for compliance with the Americans with Disabilities Act. Qualified interpreters, auxiliary aids and other accommodations must be made available when requested.

9. Smoking is strictly forbidden in the Library building and within 100 feet of any doorway. It is expressly forbidden to bring onto or consume within Library premises any intoxicating beverage or illegal substance. Individual organizations are responsible for policing themselves.

10. Any Library equipment (audio-visual, coffee pots, etc.) needed for a particular meeting must be requested at the time of application or no later than 48 hours prior to the meeting. The use of any other equipment, electrical or otherwise, by an organization must be checked with the Library Facility Manager in advance of the meeting.

11. The Library building and grounds may not be used for private commercial ventures of any kind. Admission may not be charged by any group meeting in the Library nor may fundraising take place. Nothing may be sold, given away, exhibited or posted without permission. Nothing may be hung on walls, doors, etc.

12. Organizations are expected to assist in the general cleaning up of rooms used by them. Any equipment must be left in running order. Kitchens, when permission is granted for use, must be left as found. Any furniture moved should be returned to its usual place. All litter must be picked up. In general, Library property should be left in order for the next group.

13. ***Announcement of any meeting in the Library must neither affirm nor imply that the Library is sponsoring the meeting.*** Publicity, other than that circulated to organization members, must be reviewed by the Library administration before distribution. Use of the Library's meeting rooms does not mean endorsement by the Library or the group using it or of the program presented.

## Unattended Children Policy

For your children's safety and comfort, the Library asks that all children below the age of 10 be accompanied and supervised by a parent or responsible caregiver (age 12 and over) while using the Library.

- Parents or caregivers, NOT the Library staff, are responsible for the behavior and supervision of their children while using the Library.
- The Library does not assume responsibility for children's safety or behavior when they are in the Library. Children must obey all Library rules. Parents should be aware that children age 10 and over exhibiting disruptive behavior may be told to leave the Library.
- Libraries have sudden emergencies that cause them to close without advance warning or programs may be canceled or end early. Parents should advise their children on what to do in these unexpected circumstances.
- Parents should be aware of Library hours and program ending times.
- Library staff will attempt to contact parents or responsible caregiver if children under age 10 are left unattended. If parents or responsible caregivers are unavailable, proper authorities will be contacted.
- Teenagers are considered adult users. However, they are the legal responsibility of their parent/legal guardian and should have an emergency contact available.

In any situation involving the safety of children and specifically whenever the parent/caregiver or police are contacted, staff will complete an Incident Report.

## Children's & YA Department Computer Use

- Please be reminded that the Bay Shore School District's Code of Conduct applies to all students who utilize the Bay Shore-Brightwaters Public Library.
- Students receive 1 hour of computer time. If there is no wait to use the computers, the student may have more time added. Students working on school work will take priority over a computer used for gaming.
- Students are expected to use the public computers in a proper manner for their school projects and recreational activities. It is unacceptable to display audio-visual materials or print that is considered offensive to others.
- An adult may use a computer ONLY if accompanied by a child.
- Unacceptable use of the Library's computers by an individual will result in a loss of computer privileges.
- Please speak with the Children's Services or Young Adult Librarians if there are any additional questions regarding public computer use.
- There is No eating or drinking at the computers. Patrons should be directed to the gallery for snacks and drinks other than water.

## CIPA Compliance Statement

Recognizing that the Internet represents an important and vital electronic resource to ideas, information and commentary from around the world, the Bay Shore-Brightwaters Public Library is pleased to provide access to Library users as part of its collection and resources.

Because the Internet provides easy access to a diverse array of resources, the Library does not endorse the viewpoints nor can it vouch for the accuracy, authority, timeliness or usefulness of all the information found on it. The Bay Shore-Brightwaters Public Library is not responsible for the content of sites on the Internet.

The Library offers a home page with recommended sites selected by librarians using standard evaluation criteria for electronic sources. Since not all sites on the Internet are accurate, current or complete, users must exercise critical judgment to evaluate the validity and appropriateness of the information found. In providing public access to the Internet, the Bay Shore-Brightwaters Public Library shall be in compliance with the Children's Internet Protection Act (CIPA). Per this compliance:

- As required the Library would, to the extent practical, block access to visual images that are defined by law as "obscene," "child pornography".
- Subject to staff supervision, filtering will be disabled for those over 18 years of age, only for bona fide research or other lawful purposes.
- Users are reminded that the Library's ability to restrict access to images and information covered by CIPA is subject to the limitations of filtering software. The Library's above stated policy to comply with provisions of CIPA shall not relieve parents and legal guardians of their ultimate responsibility to monitor and guide their own children's use of all library resources, including the Internet. Parents are encouraged to take an active role in their children's use of the Internet and to talk about their personal values and expectations for their children's use of this resource.
- This policy will go into effect beginning fiscal year 2004-2005 and will be reviewed each year.

## Wireless Terms of Use

The purpose of this system is to provide free wireless access to the Library's Internet connection and all services and information sources included therein. The following guidelines are presented in order to facilitate access with as few limitations as possible.

1. Use of the Library's wireless network implies acceptance of these Terms of Use, as well as our General Internet Policy (see below) and any other applicable policies.
2. Any use of this service for unlawful purposes is prohibited.
3. Using this service to harass or interfere with the work of others is prohibited.
4. Each user of our wireless network is responsible for any traffic or activity that originates from, or is destined for, their device(s) at all times.
5. Deliberate attempts to degrade or disrupt system performance are prohibited.
6. Any user's traffic that crosses another network may be subject to that network's terms of use.
7. The use of the Library's network for commercial purposes is prohibited.
8. Using this service to copy commercial software may violate both Library policy and copyright law.
9. The distribution of unsolicited e-mail ("spam) through the Library's network is not permitted.
10. The Library must comply with federal law regarding exposure to certain explicit images and materials. The Library's network may not be used to view material that is sexually explicit or otherwise in violation of these laws.

The Library reserves the right to revoke the access of any user who does not follow the Terms of Use.

### Disclaimer:

The Library exercises no control over the content of the information passing through this system and assumes no responsibility for the content, accuracy or quality of information obtained. Use of any such information is at your own risk. No participant in this system will be responsible for any other damages incurred, including loss of data resulting from delays, non-deliveries, or service interruptions. Also, please be aware that while explicit-content filtering is enabled for this system, filtering is not foolproof and users may still be able to access "objectionable" material. All parents should closely monitor the activities of their children if they are using our network.

As is the case with most public wireless systems, there is a chance that network traffic can be captured and analyzed by a malicious party. We recommend using discretion when viewing or transmitting any potentially sensitive personal information on our wireless network. The Library is not responsible for any information that may be captured and/or abused by a third party while using our network.

Patrons wishing to use the Library's wireless network must provide their own equipment (specifically a wireless-enabled portable computer) to do so, and must be reasonably familiar with this equipment. Library staff may not be able to aid in setting up a wireless connection

since methods for configuring wireless connections vary among computers. For all intents and purposes, the Library is responsible solely for providing the wireless network.

## General Internet Policy

As one of the Library's key goals is to provide a wide range of information to our patrons, we pride ourselves on our ability to do so with as little censorship as possible; however, for legal and ethical reasons, there are certain sites and activities that we cannot permit on our network. Therefore, in addition to the basic access guidelines set forth in our Terms of Use, the Library's public-access computers and Internet connection cannot be used for the following:

- Viewing sites that are pornographic or otherwise sexual in nature.
- File sharing, P2P, Bit Torrent, or any other site or system used primarily for unlawful downloading or sharing of software, music and other copyrighted material.
- Accessing sites that distribute spyware, malware, hacking tools, etc.
- Viewing sites with obscene depictions of mutilation, torture, and other grotesque subjects.
- Accessing or using proxy or anonymizer systems.

Attempts to circumvent the Library's filtering will result in a loss of access privileges. However, we do acknowledge that content filtering is an inexact science, and there may be an occasional false positive (blocked site that should not necessarily be blocked). If something you need to access is being blocked, and you are certain it does not fall into one of the above categories, please let Library staff know and your situation will be reviewed; if the staff agrees, we may be able to override the filter for you.

## Credit Card Policy

The Library has established credit card accounts in the name of the Bay Shore-Brightwaters Public Library with American Express and Lowe's. All monthly statements and correspondence will be sent to the Library's address at One South Country Road, Brightwaters, NY, 11718.

The American Express card will be held by the Director, and the Lowe's card will be held by the Facilities Manager.

Credit cards will be used primarily for travel expenses to conferences and/or workshops and meetings, and for payment of materials when required by a vendor. Credit cards may not be used for personal expenses.

The use of credit cards does not replace any established procedures for requisitions and/or purchase orders.

Payment of the monthly statement must be made in a timely fashion so that finance charges are not incurred. Timely payment requires that properly completed transactional paperwork related to the Library's accounting functions is submitted as soon as possible to the accounting staff. Account statements and invoices are available for review by the Board of Trustees at their monthly meeting.

## Fines and Fees

<u>Type of Material</u>	<u>Limit</u>	<u>Loan Period</u>	<u>Fine (per day)</u>	<u>Maximum Fine</u>
<b>Books</b>				
Non-Reserve Book	6 per subject	28 days	\$0.05	\$3.00
Reserve Book		14 days	\$0.05	\$3.00
Paperbacks	None	28 days	\$0.05	\$3.00
Children's Book	6 per subject	28 days	\$0.05	\$3.00
Holiday Book	2	14 days	\$0.05	\$3.00
Children's Holiday Book	5	28 day	\$0.05	\$3.00
Magazines	10 (4 if same title)	14 days	\$0.05	\$2.00
Children's Magazines	6	14 days	\$0.05	\$2.00
<b>Videos</b>				
DVDs	5 per family	7 days	\$1.00	\$10.00
Non-Fiction DVD's	5 per family	28 days	\$1.00	\$10.00
Reserve DVD		3 days	\$1.00	\$10.00
<b>Audio Books</b>				
Adult and Junior Audio Book	5 per person	28 days	0.05	\$3.00
Junior Book & Audio CD	2 per person	28 days	0.05	\$3.00
Adult and Junior MP3 Audio Book	5 per person	28 days	0.05	\$3.00
Adult and Junior Playaways	2 per person	28 days	0.05	\$3.00
Playaway Bookpacks	2 per person	28 days	0.05	\$3.00
<b>CDs</b>				
Adult and Junior CD	5 per person	28 days	0.05	\$3.00
<b>Electronic Devices</b>				
Bluetooth speakers	1 per family	7 days	\$1.00	\$10.00
Cassette converter	1 per family	14 days	\$1.00	\$10.00
Document/photo Scanner	1 per family	14 days	\$5.00	\$50.00
DVD player	1 per family	7 days	\$1.00	\$10.00
I Pad	1 per family	14 days	\$5.00	Replacement cost
Launchpad Tablet	1 per family	7 days	\$1.00	\$10.00
Smart Projector	1 per family	14 days	\$5.00	Replacement cost
Streaming Stick	1 per family	7 days	\$1.00	\$10.00
VHS converter	1 per family	14 days	\$5.00	Replacement cost
Wi-Fi Hotspot	1 per family	7 days	\$5.00	***

\*\*Maximum fine equal to replacement cost: \$100.00 per device, \$10.00 per charger, \$5.00 per cable

### **Inter-library Loans**

Dependent on lending library

### **Video Games**

PlayStation, Wii & Xbox Console Games	1 per person	7 days	\$1.00	\$10.00
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### **Realia**

Realia	2 per person	14 days	\$0.05	Replacement cost 3.00 Small/5.00 large
Realia Bags				

### **Museum Passes**

Museum Passes	1 per person	3 days	\$20.00	\$200.00 or replacement cost (whichever is greater)
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### **Other**

Fax policy:

1st page	\$1.50
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Additional pages	\$1.00
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International calls are not permitted

Lost Card replacement fee	\$2.00
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Photocopy or printer copies: black and white	\$0.10
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Printer copies - color	\$0.25
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June 2, 1004

Amended September 26, 2016

Amended February 27, 2017

Amended April 2, 2018

Amended March 12, 2020

400-10

## Fund & Minimum Balance Policy (GASB 54)

When an expense is incurred for purposes for which both restricted and unrestricted net assets are available, the Library's policy is to apply restricted net assets first. The Library Board of Trustees accepts the following asset spending order, as defined in the GASB 54:

*Restricted* – Fund balance amounts that can be spent only for the specific purposes stipulated by external resource providers, for example, grant funds. Restrictions may be changed or lifted only with the consent of the resource providers.

*Committed* – Fund balance includes amounts that can be used only for the specific purposes determined by the Library Board of Trustees as the highest level of decision-making authority. Commitments may be changed or lifted only by the Library Board of Trustees taking the same formal action that imposed the constraint originally.

*Assigned* – Fund balance comprises amounts intended to be used by the Library for specific purposes. Intent can be expressed by the Library Board of Trustees or by an official or body to which the Library Board of Trustees delegates the authority. Assigned fund balance represents the amount that is not restricted or committed.

*Unassigned* – Fund balance is the residual classification for the general fund and includes all amounts not contained in the other classifications. Unassigned amounts are technically available for any purpose.

### *MINIMUM BALANCE*

The Bay Shore-Brightwaters Public Library is committed to maintaining a prudent level of financial resources to protect against the need to reduce service levels because of temporary revenue shortfalls or unpredicted expenditures. The Library's Minimum Fund Balance Policy requires a Reserve for Economic Uncertainties, consisting of unassigned amounts, equal to no less than four months of general fund operating expenditures, or 33 percent of general fund expenditures and other financing uses.

Unassigned Fund Balance may be accessed in the event of unexpected expenditures up to the minimum established level upon approval of a budget amendment of the Library Board.

Any budget amendment that will result in the Unassigned Fund Balance dropping below the minimum level will require the approval of a majority of the Library Board.

In the event that the balance drops below the established minimum level, the Library Board of Trustees will develop a plan to replenish the fund balance to the established minimum level within two years.

## Gifts and Donations Policy

The Bay Shore-Brightwaters Public Library welcomes financial and material donations.

### Financial donations:

All gifts will be used at the Library's discretion unless the donor requests a special usage agreement. For donations of \$1,000 or less this agreement can be made between the donor and the Director. For gifts of more than \$1,000 the Board of Trustees must approve the agreement.

### Materials donations:

The Library may accept donations of library materials. The Library will choose to accept materials based primarily on the condition of the item, the popularity of the item, the accuracy and currency of the information contained in the item and whether the item compliments the current holdings in the Library's collections.

The Bay Shore-Brightwaters Public Library retains full control over all donated materials. Donated items are added to the Library's collections, given to other institutions or disposed of in other ways at the sole discretion of the Library. No agreement will be made to waive this control.

The Library does not provide pick-up service for donated materials and all deliveries of donations must be arranged in advance with the Director, or his/her designee.

The Library will acknowledge all donations in writing. It is the responsibility of the donor to have materials appraised before donating them to the Library. Only in the case of financial gifts will monetary values be assigned.

# Investment Policy

## Scope

This investment policy applies to all monies and other financial resources available for investment by the Bay Shore-Brightwaters Public Library on its own behalf or on behalf of any other entity or individual.

## Objectives

The primary objectives of the Bay Shore-Brightwaters Public Library's investment activities are, in priority order,

- 1) to conform to all applicable federal, state and other legal requirements (legal),
- 2) to adequately safeguard principal (safety),
- 3) to provide sufficient liquidity to meet all operating requirements (liquidity) and
- 4) to obtain a reasonable rate of return (yield.)

## Delegation of Authority

The Board's responsibility for administration of the investment program is delegated to the Library Director and/or his designees and the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and to regulate the activities of subordinate employees.

## Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Bay Shore-Brightwaters Public Library to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

## Diversification

It is the policy of the Bay Shore-Brightwaters Public Library to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

### Internal Controls

The Director is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and managed in compliance with applicable laws and regulations.

### Designation of Depositaries

The banks and trust companies authorized for the deposit of monies are:

The First National Bank of Long Island, Babylon, NY  
Astoria Bank, Bay Shore, NY

### Collateralizing of Deposits

In accordance with the provisions of General Municipal Law, § 10, all deposits of the Bay Shore-Brightwaters Public Library, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- 1) By a pledge of "eligible securities" with an aggregate "market value", as provided by General Municipal Law, § 10, equal to the aggregate amount of deposits from categories designated in Appendix A to this policy.
- 2) An 'irrevocable letter of credit' issued in favor of the Library by a Federal Home Loan Bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100% of the aggregate amount of deposits and the agreed-upon interest rate, if any.

### Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by The First National Bank of Long Island, Astoria Bank and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure The Bay Shore-Brightwaters Public Library deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against pledged securities. In the event that the securities are not registered or inscribed in the name of the Bay Shore-Brightwaters Public Library, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Bay Shore-Brightwaters Public Library or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the Bay Shore-Brightwaters Public Library, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution, or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Bay Shore-Brightwaters Public Library a preferred interest in the securities.

### Permitted Investments

As authorized by General Municipal Law, § 11, the Bay Shore-Brightwaters Public Library authorizes the Director to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- 1) Special time deposit accounts,
- 2) Certificates of deposits,
- 3) Obligations of the United States of America,
- 4) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America,
- 5) Obligations of the State of New York,
- 6) Obligations issued pursuant to Local Finance Law § 24.00 or 25.00 (with approval of the State Comptroller) or by any municipality, school district or district corporation other than the Bay Shore-Brightwaters Public Library.
- 7) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- 8) Certificates of participation (COPs) issued pursuant to General Municipal Law, § 109-b,
- 9) Obligations of the Bay Shore-Brightwaters Public Library, but only with moneys in a reserve fund established pursuant to General Municipal Law, § 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Bay Shore-Brightwaters Public Library within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Bay Shore-Brightwaters Public Library within two years of the date of purchase.

### Authorized Financial Institutions and Dealers

The Bay Shore-Brightwaters Public Library shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Bay Shore-Brightwaters Public Library conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Bay Shore-Brightwaters Public Library. Security dealers not

affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Director is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

### Purchase of Investments

The Director is authorized to contract for the purchase of investments:

- 1) Directly, including through a repurchase agreement, from an authorized trading partner.
- 2) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Trustees.
- 3) By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the Board of Trustees.

All purchased obligations, unless registered or inscribed in the name of the Bay Shore-Brightwaters Public Library, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with the prior written authorization from the Director. All such transactions shall be confirmed in writing to the Bay Shore-Brightwaters Public Library by the bank or trust company. Any obligation held in custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, § 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Bay Shore-Brightwaters Public Library, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of securities. Such agreement shall include all provisions necessary to provide the Bay Shore-Brightwaters Public Library a perfected interest in the securities.

### Repurchase Agreements

Repurchase agreements are authorized subject to the following restrictions:

- 1) All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- 2) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- 3) Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- 4) No substitution of securities will be allowed.
- 5) The custodian shall be a party other than the trading party.

## Appendix A

### Schedule of Eligible Securities

- 1) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- 2) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- 3) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance guaranty.
- 4) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- 5) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- 6) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- 7) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating.
- 8) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- 9) Any mortgage rated securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- 10) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the day they are pledged.
- 11) Zero coupon obligations of the United States government marketed as "Treasury strips".

## Payment by Check

The Library Circulation Desk will accept checks in payment for lost or damaged books as well as for programs.

If a patron is paying by check for a lost or damaged book(s) any outstanding fines may be added to the total.

When accepting checks proper current ID must be shown and telephone number noted on the check.

Please compare ID with registration information.

Anyone accepting a check must examine it to be sure that it is made out properly.

- Check date (may not be post-dated).
- Check amount.
- Check payee (“Bay Shore-Brightwaters Public Library”).
- We do not accept second party checks.
- Check signature.
- If the address shown on the check is different from that of ID shown this information must be entered into the patron’s registration record on the computer as an alternate address.
- A Library Card is not considered proper ID for this purpose.
- The address printed on the check is not considered to be identification.

The Clerk accepting the check will note their initials on the fine sheet next to the check amount.

A Senior Clerk may waive ID requirements in certain circumstances (i.e. a well know patron of long standing, a Library trustee, etc.).

## Payment of Bills

The Board of Trustees of the Bay Shore-Brightwaters Public Library will review and approve bills incurred by the Library by Board motion at each regular Board meeting as is appropriate in a manner prescribed by the Library Board.

In the event that no regular meeting is scheduled, the Library may pre-pay bills which carry a significant penalty for late payment. Standard bills such as utility invoices, payroll and payroll related disbursements, insurance premiums, and service contracts will be paid by check and signed by the Treasurer or authorized Board member. A report of any such payment will be presented to the Board of Trustees at the next regularly scheduled Board meeting.

## Petty Cash

The Library will maintain an account in the amount of \$200.00 to be used for small incidental cash purchases made by employees.

All cash and vouchers will be held in a locked area with limited access.

For Petty cash purposes employees must:

- Obtain approval for purchase from a supervisor
- Complete a voucher
- Receive petty cash funds for the equivalent of the voucher
- Make the purchase
- Attach the original receipt for the purchase to the voucher

When an approved purchase is made without receiving cash first, employees must submit a completed voucher with the original receipt attached to be reimbursed for the purchase.

The petty cash fund will be reconciled on a monthly basis by the Administrative Assistant, verified by the Director and presented to the Board of Trustees. Following their approval, the petty cash fund will be replenished.

## Procurement Policy

Bay Shore-Brightwaters Public Library shall follow the provisions of New York State Law regarding public work and purchase contracts.

All public work contracts in excess of \$35,000 and all purchase contracts in excess of \$20,000 shall be subject to competitive bidding. The Director is authorized to approve purchases that do not exceed \$10,000.

Under normal circumstances, contracts shall be awarded to the lowest responsible bidder. Circumstances under which the contract may not be awarded to the lowest responsible bidder may include, but are not limited to: (1) vender cannot guarantee delivery of goods or services within the time frame or under the conditions established by the Library; (2) vendor's terms of payment are disadvantageous to the Library; (3) vendor cannot comply with the full specifications set forth in the bid; and (4) vendor's after purchase support services are deemed inadequate.

For all materials and services not subject to competitive bidding, the Library will solicit at least three competitive quotations for public works and purchase contracts. Such price quotes will be either written or verbal based on the following criteria:

1. Procedures for procurement of purchase contracts not subject to competitive bidding:

<u>Dollar Limit</u>	<u>Procedure</u>
Under \$1,500	Discretion of authorized staff
\$1,500 - \$4,000	Documented verbal quotes from at least three separate vendors (if available)
\$4,001 - \$20,000	Formal written quotes from at least three separate vendors (if available)

2. Procedures for procurement of public works contracts not subject to competitive bidding:

<u>Dollar Limit</u>	<u>Procedure</u>
Under \$2,500	Discretion of Authorized Staff
\$2,500 - \$10,000	Documented verbal quotes from at least three separate Vendors (if available)
\$10,001 - \$35,000	Formal written quotes from at least three separate Vendors (if available)

In emergency situations, verbal quotes should be obtained in so far as practical under the circumstances.

Reasons to dispense with competitive bidding or quotations may include: true leases, professional services, sole source procurements, and federal, state, county, town, BOCES and Suffolk Cooperative Library System contracts, articles manufactured in state correctional institutions or from agencies for the blind and severely disabled. The process of soliciting competitive quotations, as long as the procurements are below the bid thresholds, is not necessary if the

procurement adds to an existing system, and it is in the Library's best interest to deal with one vendor for a particular system.

The procurement Policy shall be reviewed annually by the Board of Trustees.

# Annual Leave Policy for Full-time Employees

The following describes our current policy  
With regard to vacation of full-time staff:

## ANNUAL LEAVE

Full-time professional staff members are entitled to 22 working days annual leave per calendar year (January-December). In the calendar year following the completion of five years full-time employment, these employees will be granted an additional 2 days per year annual leave.

Full-time non-professional staff members are entitled to 10 days annual leave per calendar year (January-December). Upon completion of five years of continuous service, 15 days annual leave will be granted. After ten years of continuous service 22 days annual leave will be given and after twenty years, the annual leave allowance will be 24 days per year. The additional days will be granted beginning in the calendar year following the completion of 5, 10, or 20 years.

The current full-time custodian receives 10 days annual leave per calendar year, rising to 15 days after five years, 22 days after ten years and 24 days after twenty years.

As a general rule only one professional staff member in each department will be granted annual leave at one time.

Also, only one clerical staff member may take leave at a time with the exception of the last two weeks of June, the months of July and August and September, prior to Labor Day when two staff members will be permitted concurrent leave. Aside from this, exceptions may be made for quiet periods and for incidental single days when more than one staff member requires time off. Full-time custodial employees will have their leave approved by the Director.

Annual leave for the calendar year requested before April 15<sup>th</sup> will be granted in order of seniority; after April 15<sup>th</sup>, annual leave requests will be honored in order of date of request with no preference given to senior staff members.

Annual leave may be taken in any month of the calendar year, but such leave must be requested of the department head at least two weeks in advance on the appropriate forms.

Because it is often necessary to rearrange schedules or award extra hours to part-time staff, a staff member must give adequate notice of the cancellation of leave. (In general, this will be five working days).

Annual leave may not be carried over from year to year but must be used in the calendar year in which it is earned. An exception may be made for a particular employee who requests that a certain amount of annual leave be deferred for a particular reason (such as attendance at a course or an extended trip). Such requests must be submitted to the Library Director no later than June 30<sup>th</sup> of the year in which the annual leave is earned. The Library Board will approve such requests.

No annual leave can be taken during the probationary period. All annual leave must be earned before it can be taken.

Annual leave earned but not used during a particular calendar year is forfeited as of January 1<sup>st</sup> of the next year unless arrangements to carry over the days have been made with the Library director and Board as described above.

### BUSINESS DAYS

Full-time staff members are entitled to three Business or Personal leave days per year. (January 1 – December 31) These days are intended for personal business (appointments, religious holidays, etc.) but may be added to leave time. Business days may not be carried from year to year. Guidelines and procedures are the same as those outlined above for annual leave except that only 1 week notice need be given in requesting and only 1 day notice in canceling.

Approved September 15, 1986  
Revised April 25, 1998  
Revised November 28, 2016  
500-00

## Bereavement Leave

A full-time staff employee will be allowed up to five days due to the serious illness and/or death of particular member of his/her immediate family.

Immediate family will be defined to include husband, wife, children, parents, brothers, sisters, grandparents and parents-in-laws as well as persons residing in the same household and anyone for whom the employee is the nearest responsible blood relation.

One working day will be permitted to attend the funeral of other relations by blood or marriage such as aunts, uncles, cousins, in-laws, etc.

Leave beyond that described above will be deducted from vacation or made up at the discretion of the Library Director, who also has the final say in any "special circumstances" that may be brought to his/her attention.

Part-time employees attending the funeral of an immediate relation as defined above will be paid for the day of the funeral.

## Annual Leave Bonus Day

Effective July 1, 1997, full time employees will earn an extra day of annual leave or cash reimbursement for that day at 75% of the employee's current rate of pay for each four month period free of days lost due to illness.

The annual leave bonus day may be used in the current or next subsequent annual leave year.

Cash reimbursements will be paid in the next paycheck issued after October 31, February 28<sup>th</sup> or 29<sup>th</sup> and June 30<sup>th</sup>.

The current rate of pay per day will be determined by multiplying the annual gross salary by 1/261.

Annual salary \$10,000.00

$10,000 \times 1/261 = \$38.31$

After the first year the Library will budget an allotment for such reimbursement based on experience.

It is the intention of the Library Board to reward those employees who have good attendance.

## Contribution of Leave Time in the Event of Catastrophic Family Situation

Library Staff is to be commended for their concern for one another especially in time of hardship. The Staff has requested that some framework be established whereby co-workers may contribute leave time to a colleague who may have exhausted his/her own time. The Library policy shall be:

- Affected staff member must have exhausted his/her own earned annual leave, business and “bonus” days.
- Employees wishing to contribute a day to assist the affected employee must do so in writing. Time donated must have already been earned. Initially only one day will be accepted per employee. No employee can be compelled to participate. No list will be published.
- The Library Director will inform the Board at the next regular meeting of the circumstances and the staff involvement. The Library Board will determine if circumstances warrant the continuing past one day per employee.
- In the event that all of the time contributed is not needed it will be returned to all staff participating on a pro-rated basis (i.e. 7 employees each contribute a day of 7 hours in aid of a fellow employee. Only 6 days are needed. One hour is returned to each employee.)

# Code of Ethics Policy

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Trustees promulgates these rules of ethical conduct for the officers and employees of the Library. These rules shall be in addition to any prohibition of Article 18, Sections 800 to 807, of the General Municipal Law or any other general or special law relating to ethical conduct and interest in the contracts of municipal officers and employees.

## 1. Definitions

- a. "Officer" or "employee" means an officer or employee of the Library, whether paid or unpaid, including members of the Board of Trustees and their appointees.
- b. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

## 2. Standards of Conduct

Every officer and employee of the Library shall be subject to and abide by the following standards of conduct:

### a. Gifts

An officer or employee shall not directly or indirectly solicit or accept or receive any gifts, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

However, nothing herein would be construed as prohibiting the traditional exchange of holiday gifts provided discretion is used to ensure that gifts of value are not accepted by staff employees or officers. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

### b. Confidential Information

An officer or employee shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

### c. Representation before the Board

An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered, or the buying and selling of products, in relation to any matter before the Library which creates a conflict of interest.

### d. Representation before the Board for a Contingent Fee

An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Library, whereby the compensation is to be dependent or contingent upon any action by the Library with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

- e. Disclosure of Interest in Matters Before the Board  
To the extent that he/she knows thereof, a member of the Board of Trustees and any officer or employee of the Library, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such matters.
- f. Investments in Conflict with Official Duties  
An officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his/her official duties.
- g. Private Employment  
An officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his/her official duties.
- h. Future Employment  
An officer or employee shall not, after termination of service or employment with the Board appear before the Board or any panel of committee of the Board, in relation to any case, proceeding, or application in which he/she personally participated during their period of his/her service or employment or that was under his/her active consideration. This shall not bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the Library on his/her own behalf or on behalf of any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.
- i. Family Members as Employees  
A member of the Board of Trustees who is an immediate family relative to an employee of the Bay Shore-Brightwaters Public Library must abstain from sitting in on any action directly relating to said employee, such as contract negotiation, or any act specifically involving said employee.

### **3. Distribution of Code of Ethics**

The Library Director shall cause a copy of the Board's Code of Ethics to be distributed to every officer and employee of the Library. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering the duties of his/her office or employment. In addition, the Library Director shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the Library's jurisdiction in a place conspicuous to the Library's officers and employees.

#### **4. Penalties**

In addition to any penalties contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's Code of Ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

## Confidentiality of Patron Records

The Bay Shore-Brightwaters Public Library adheres to the following guidelines concerning the disclosure of information about Library users.

No information regarding or including: patron's name, address, telephone or fax number or email address, Library circulation records, borrower's records, number or character of questions asked by a patron, frequency or content of a patron's visits to the Library and/or any other information supplied to or gathered by the Library shall be given, made available or disclosed to any individual, corporation, institution, government agency or other agency without a valid process order or subpoena. The Library Director is the only person authorized to release any information regarding a patron.

The Library reserves the right to utilize its collected records while in the course of its operations and in cooperation with other public libraries in Suffolk County.

The Director may authorize the release of certain records to the parent or legal guardian of a Library patron seventeen years of age or younger in order to facilitate the collection of fees.

All Library employees (and any volunteers who work on its behalf) are required to comply with this policy.

# Conflict of Interest Policy

## 1. **Obligation of Trustees and Employees**

Trustees and employees of the Library have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Library wishes to operate. The purpose of these guidelines is to provide general direction so that employees and Trustees can seek further clarification on issues related to the subject of acceptable standards of operation.

## 2. **Duty to Disclose**

If an employee or Trustee has any influence on transactions involving purchases, contracts or leases from which he/she may gain financially in a material amount, he/she has a duty to disclose to the President or other officer on the Board, the existence of any actual or potential conflict of interest in writing.

## 3. **What Constitutes Conflict of Interest**

An actual or potential conflict of interest occurs when an employee or Trustee is in position to influence a decision that may result in a personal gain for the employee or Trustee or for a family member as a result of the Library's business dealings. For the purposes of this policy, a Trustee or employee has an interest in a proposed transaction if he/she has a financial interest in it in a material amount, or has a financial interest in any organization involved in the proposed transaction, or holds a position as Trustee, Director, or principal officer in any such organization or receives any indirect remuneration or gifts or favors.

## 4. **Determining Whether a Conflict of Interest Exist**

- a. A prospective Trustee or employee shall complete an application which requests information regarding past or present business dealings with the Library. If the applicant responds in the affirmative, the Board shall be notified by the President or Director prior to appointment.
- b. After disclosure by a current Trustee or employee of an interest in a proposed transaction, the interested person shall leave the board or committee meeting while the nature and amount of the financial interest is discussed. The remaining disinterested Board of committee members shall determine by a majority vote if a conflict of interest exists.

## 5. **Procedures for Addressing the Conflict of Interest**

- a. If it is decided that a conflict of interest exists, the Board shall determine by a majority vote of the disinterested Trustees whether the transaction is in the Library's best interest and is fair and reasonable to the Library. The Board shall also make its decision as to whether to enter into the transaction or arrangement in any event.
- b. If the Board determines that the transaction is not in the Library's best interest, members of the Board may explore an alternative arrangement which would not give rise to a conflict of interest.

- c. The official minutes of the Board of Trustees shall reflect that the conflict of interest was disclosed and the interested person(s) did not participate in the final discussion or vote, and did not vote on the matter.

## **6. Violation of the Conflicts of Interest Policy**

If the Board has reasonable cause to believe that a Trustee, officer or employee has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for its belief and allow the person an opportunity to explain the alleged failure to disclose.

## **7. Annual Statements**

Each Trustee shall annually sign a statement which affirms that such person has received a copy of the conflict of interest policy; has read the policy and has agreed to comply with the policy.

## Extended Medical Leave for Full-time Staff

Leave for full-time staff suffering severe illness or injury will be limited to one month per full year of service to the Library, with a cap of 12 months. Any remaining partial year of service may be pro-rated.

Medical certification will be required.

Annual leave will not accumulate during extended medical leave.

Upon expiration of this period the employee may use any accumulated leave time.

Disability payments from our coverage during both periods (above) will come to the Library. With the expiration of paid leaves any remaining disability payments will go directly to the employee.

The provisions of FMLA remain in force and any leave under this law will run concurrently with paid leave as described above.

The Library Board reserves the right to exercise discretion in the event of unusual circumstances.

This policy will take effect on August 1<sup>st</sup> 2008 and does not apply to anyone currently on extended medical leave.

## Family Medical Leave Act

The Family and Medical Leave Act of 1993 "FMLA" which takes effect on August 5, 1993 may require that the Bay Shore-Brightwaters Public Library provide its employees with twelve (12) weeks of unpaid family and medical leave in certain situations. During such leave the Library will maintain the employee's health coverage under any group health plan as if the employee continued to be employed. The employee is entitled to be restored to the same or an equivalent position following return from FMLA leave.

Those employees who have been employed for a total of twelve (12) months and who have provided at least 1,250 hours of service (approximately 25 hours per week) during the twelve (12) months before leave is requested are eligible for leave. The law provides an exception with regard to reinstatement for "key employees", i.e. those within the highest 10% of all employees based on year to date earnings. For the purposes of calculating FMLA leave the Library will use a rolling 12 month period measured backward from the date an employee uses any FMLA leave.

Eligible employees are entitled to twelve (12) work weeks of unpaid leave during any twelve (12) month period for the birth of a child to an employee or the placement for adoption or foster care of a child with the employee. The FMLA requires that employees who take such leave must do so within twelve (12) months of the arrival of the child.

Leave is also available to care for a son or daughter, spouse or parent who has a serious health condition. In addition, leave may be taken by an employee where a serious health condition renders the employee unable to perform the functions of his or her position.

In cases of other than the employee's own serious illness, the Library requires that any accumulated paid leave be taken during the FMLA leave period if such leave exceeds 5 working days.

An employee must provide the Library with at least thirty (30) days written notice of his/her intention to take leave where the need for such leave is feasible; in emergency situations, the Library is entitled to receive "such notice as is practicable."

In situations relating to an employee taking medical leave either for her/his own or a family member's serious health condition medical certification is required within 15 days of the request for leave and recertification every 30 days thereafter. Certification is also required that the employee is able to resume work.

In other situations the employee will report in writing each 30 days giving date, status of leave, expected date of return and signature.

A Family Relations Form is optional. Medical Certification forms are provided.

## Health Insurance

The Bay Shore-Brightwaters Public Library participates in the New York State Government Employees' Health Insurance Program. The Library also provides Excess Major Medical Insurance, Dental and Life Insurance.

Only full time salaried employees are offered health insurance, dental and life insurance as well as excess major medical benefits. Reaffirmed June 24<sup>th</sup> 1996.

Until January 31<sup>st</sup> 1996 the Library paid 100% of individual or family plan for both full-time employees and all retirees. As of February 1<sup>st</sup> 1996 all current employees began contributing 10% of the cost of their coverage. Those already retired were not affected. The rate of contribution for new employees hired on or after January 1<sup>st</sup> 2003 is 10% for those enrolling in individual coverage and 25% for those wishing family coverage. All employees hired on or after February 1<sup>st</sup> 1996 continue to make the same contribution in retirement as they did while working, should they otherwise qualify for coverage. Rates of contribution during both employment and retirement will be determined by the date of employment even should the employee's circumstances require an enrollment change at a later date from individual to family or vice versa.

On June 24<sup>th</sup> 1996 it was resolved that any health insurance benefits offered to retiring employees be limited to full time employees who have been employed by the Library not less than 10 years. The period of employment required to earn health benefits in retirement for employees of the Library was extended to 15 years of full-time service effective July 1<sup>st</sup> 2002 and, effective July 1<sup>st</sup> 2007, the period of required full-time employment is 20 years.

On September 30<sup>th</sup> 1996 the Library Board voted to pay 100% of the cost of health coverage for any employee retiring after 30 years of service.

Effective July 1<sup>st</sup> 2002 employees and retirees who also enjoy health insurance coverage from another source may voluntarily waive Library coverage. Reimbursement is to take place on or about the 15<sup>th</sup> of December each year. The amount of the reimbursement will be adjusted periodically.

On September 24<sup>th</sup> 2001 the Library Board voted unanimously to offer surviving spouses and dependents of employees the option to continue in the Library's health insurance group at their own expense.

Effective December 1<sup>st</sup> 2006, any enrolled employee who terminates his or her employment before retirement age may continue coverage under the State Health Insurance Program if he or she has terminated employment within five years of the date upon which he or she is entitled to receive a retirement allowance.

Library Board approved  
Thursday, November 30<sup>th</sup> 2006  
Amended May 22, 2017  
500-90

## Health Insurance Buy-Out

All full-time employees, as well as retirees, are presently entitled to individual or family health insurance coverage under the New York State Department of Civil Service Employee Benefits Division.

Employees and retirees who also enjoy coverage through their spouse, previous or subsequent and/or other circumstances may voluntarily waive coverage.

Effective 1 July 2004 employees who voluntarily waive Library coverage will be reimbursed by the Library as follows:

Employees waiving family coverage will be paid a lump sum based on an annual basis of \$2,000.00 (166.67 per month). Those choosing individual coverage in place of family coverage to which they might be entitled and anyone waiving individual coverage will be reimbursed \$1,500.00 (\$125.00 per month) on the same basis. No employee will be entitled to both payments.

Reimbursement will take place on or about 15 December each year for the previous 12 months or part thereof.

Should it become necessary for an employee/retiree to re-enroll in the Health Plan due to unavailability of other coverage the Library will permit such re-enrollment, subject to the Plan's regulations and waiting period.

All employees should take note that in order to preserve their right to health insurance at any time in retirement they must be enrolled in the Health Insurance Plan at the time of their retirement though they may cancel and rejoin (after a three month waiting period) in retirement.

Employees/retirees shall be offered this option each year.

## Job Abandonment Policy

The Bay Shore-Brightwaters Public Library expects employees to report for work on time for every scheduled shift. An employee who is unable to report to work at the designated time is required to notify his or her supervisor in accordance with the sick leave policy. Employees who fail to report to work for three consecutive scheduled shifts without notifying the Library of the absence will be considered as having voluntarily resigned as a result of job abandonment.

If the employee is unable to contact the Library for any absence, he or she should ask a representative (such as a family member or friend) to do so on the employee's behalf. If the employee or representative is unable to contact the Library due to extreme circumstances (such as a medical emergency or natural disaster that prohibits the employee or his or her representative from contacting the Library within three days), the employee or his or her representative must contact the Library as soon as practicable to explain the situation. In extreme circumstances, the employer will consider the explanation and its timing before determining if the voluntary resignation will be upheld.

## Jury Duty

As regards compensation for jury duty service, the Library complies with applicable New York State Laws as stated below:

New York State Consolidated Laws-Judiciary Law Article 16 §521, the State will pay jurors (except in town and village courts) a fee of \$40.00 (eff. Feb. 15, 1998) for each day of physical attendance with the following exceptions:

1. Jurors who are employed cannot be paid a jury fee for any day(s) on which they receive regular wages unless their regular wage is less than \$40.00. In that case, the state will pay the difference between the juror's wage and the \$40.00 fee.
2. Jurors who work for an employer with more than 10 employees must be paid by their employer either \$40.00 or their regular daily wage, whichever is less, for each of the first three days of service. If a juror's daily wage is less than \$40.00, the state will pay the difference between the juror's wage and the \$40.00 fee for the first three days of service.

The obligation of the employer to pay only applies if the juror is serving on jury duty on a regular scheduled work day. If not, the state pays the daily fee of \$40.00 on any scheduled days off.

In practice, full time employees are paid while on jury duty. Part time employees are paid a maximum of \$40.00 for the first three days of service.

Proof of service from the court should be submitted to the Business Office.

## Nepotism

In order to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruptions exist, it is the policy of the Bay Shore-Brightwaters Public Library not to employ or consider for employment any immediate relative of the Library's Board of trustees or any employee of the Library, except where this policy would violate Civil Service regulations. Immediate relative is defined as spouse, domestic partner, child, parent, brother, sister, in-law or step family member (father, mother, brother, sister) grandparent, or grandchild.

The Library will allow existing employment relationships to be maintained with current employees who are related under the following circumstances:

- The relationship does not create an actual or perceived conflict-of-interest;
- A supervisor/subordinate relationship with a family member does not exist;
- The relationship does not create an adverse impact on work productivity or performance.

This policy should be considered when hiring, promoting or transferring any employee.

Employees who marry or become related by marriage while the Library employs both employees may seek approval from the Director for an exception to the policy. The Library reserves the right to exercise appropriate managerial judgment to take such actions as may be necessary to achieve the intent of this policy. The Library reserves the right to vary from the guidelines outlined in this policy to address unusual circumstances on a case-by-case basis.

It is the responsibility of every employee to identify to the Library's administration any potential or existing personal relationship that falls under the definitions provided in this policy. Employees who fail to disclose personal relationships covered by this policy may be subject to disciplinary action.

## Part-time Employee Information

### ATTIRE

All employees are expected to wear proper business clothing. When in doubt, please discuss with your supervisor. Improperly dressed employees will be restricted to non-public work areas or sent home to change, at the discretion of their supervisor.

### BEREAVEMENT LEAVE

Part-time employees attending the funeral of an immediate relation will be paid for the day of the funeral.

Immediate family will be defined as husband, wife, children, parents, brothers, sisters, grandparents and parents-in-law, as well as persons residing in the same household and anyone for whom the employee is the nearest responsible blood relation.

### BONUS TIME

Effective January 1, 2018, part time employees working a minimum of ten hours per week will earn time off for each four month period free of days lost due to illness. The amount of time earned will be based on the previous years' average weekly hours. Time will be computed as 1 hour of time off for each 85 hours worked within a four month period.

### HOSPITALIZATIONS

Part-time employees who have worked for the Library at least five years and who work no less than 15 hours per week will be paid for their regularly scheduled hours when hospitalized. These hours will cover only time spent in the hospital, not recovering at home, and will not exceed 20 work days per year.

### JURY DUTY

Part time employees who are called for jury duty on their regular scheduled workdays will be paid \$40 per workday for the first three workdays of jury duty. Thereafter schedules will be arranged, if the part time employee desires and if possible, in order that they can continue to work while on jury duty. If a part time staff member wants to be paid for such time spent on jury duty, any payment received for jury duty, other than travel expenses, must be remitted to the Library.

All employees must provide written confirmation of jury duty summonses and service.

### NOTICE/RESIGNATIONS

Part-time employees are expected to give two weeks notice and a written letter of resignation.

### PAYDAYS

All employees are paid on Friday on a bi-weekly basis.

## PAYROLL DEDUCTIONS

Part-time employees are entitled to join the Credit Union, the New York State Retirement System, and tax-sheltered annuities which the Library currently participates in. These are all administered through payroll deductions. For further information regarding any of these programs, employees should see the Payroll Department.

## SCHEDULE

Each employee is responsible for knowing his or her own schedule and for reporting to work promptly, prepared to start at the hour scheduled.

Any employee unable to report to work should telephone his or her supervisor before the hour due at work and inform the supervisor of the reason for their absence. Repeated absences without proper notice or for other than serious reasons will be grounds for dismissal.

## EMERGENCY CLOSINGS

The Library maintains an automated service whereby all staff members will be notified by text or recorded message of any emergency closing.

If it becomes necessary to close the Library later in the day because of the weather, all staff in the Library will be dismissed and those who are scheduled to report later will be notified to stay home. Employees who worked during the hours that the Library was open will be paid for hours worked. All will be paid for regularly scheduled hours during the time that the Library is closed if they are notified of a closing less than 48 hours in advance.

Should conditions improve, it may be possible to reopen the Library later in the day. In that case a skeleton crew will be called to staff the Library. These employees will be paid for hours worked (part timers), in addition to what is due them as described above.

In the absence of a call advising that the Library is closed all employees are expected to report at their regularly scheduled time. Part-time employees who do not, will not be paid for any part of the time.

## ANNUAL LEAVE

Part-time employees are eligible for annual leave after they have completed one year of employment.

Annual leave will be computed as 7 hours of time off for each 200 hours worked. After completing 5 years of employment, leave is then computed as 7 hours of time off for each 140 hours worked, and after 10 years of employment, leave will be computed as 7 hours of time off for each 120 hours worked.

The previous calendar year will be used for computing annual leave. Thus the total number of hours worked from January to December will determine the amount of time allotted during the following year.

Leave will be pro-rated for the first year annual leave is given.

Example: Employee starts April 1, 2016  
1<sup>st</sup> year – April 1, 2016 – March 31, 2017  
1<sup>st</sup> year of leave January 1, 2018 – December 31, 2018  
Leave is based on hours worked from April 1, 2017 to December 31, 2017

Retired employees working part time may begin accumulating annual leave immediately after the date of retirement which may be used after January 1 following their retirement. Time will be computed as 7 hours of time off for each 120 hours worked.

All leave must be taken at the convenience of the Library and cannot accumulate from year to year. It is the individual employee's responsibility to see that time due him/her is used before the end of the fiscal year.

As a general rule no more than two part-time staff members will be permitted paid leave at one time.

Leave requested before November 1 for the calendar year will be granted in order of seniority; after November 1 leave requests will be honored in order of date of request, with no preference given to senior staff members.

Leave should be requested in writing at least 10 days in advance.

Adopted November 28, 2016  
Amended December 18, 2017  
Amended April 2, 2018  
500-140

## Dorothy Greenwood Banks Memorial Fund For Professional Development

1. This fund has been established to honor the memory of Dorothy Greenwood Banks, long-time trustee and past President of the Bay Shore-Brightwaters Public Library and devoted friend of the Library for many years.
2. The Trustees of the Bay Shore-Brightwaters Library will also serve as Trustees of the Memorial Fund.
3. Grants from the Fund will be made to assist in graduate studies of Library Science or for professional development.
4. Applications will be considered from:
  - a. Current employees pursuing professional Library Science degrees at accredited Library Schools;
  - b. Current employees wishing to enroll in courses or programs that will increase their knowledge, improve their skills or enrich their perspectives in Library Science or related areas;
  - c. Community members (i.e. School district residents) enrolled in accredited Library Science courses leading to a degree in Library Science; and
  - d. Others at the discretion of the Trustees.
5. Applications should include a letter outlining the plan of study, costs and budget, and benefit to the Library and the community. Applicants may be asked to attach at least one letter of reference and any descriptive literature about the course or program they think helpful.

A transcript verifying grades and course completion should also be attached from those who wish to be reimbursed for a course or program completed within the past thirty days.

Applicants who wish to receive payment for an upcoming class or program will be required to submit proof of enrollment. Checks will be issued jointly to the school and applicant.
6. The proposals will be received by the Library Director and submitted to the Library board with the Director's recommendations.

The Trustees may elect to forego making any grants. In this case the money will accumulate for future awards.

23 March 1992  
Renamed October 2001  
Amended January 30, 2017  
500-150

## **Bay Shore-Brightwaters Public Library**

### **Sexual Harassment Policy**

#### **Introduction**

The Bay Shore-Brightwaters Public Library is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Bay Shore-Brightwaters Public Library has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of Bay Shore-Brightwaters Public Library's commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Bay Shore-Brightwaters Public Library, or with a government agency or in court under federal, state or local antidiscrimination laws.

This Sexual Harassment policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with Bay Shore-Brightwaters Public Library.

Sexual harassment will not be tolerated. Any employee or individual covered by this policy that engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.

**Retaliation Prohibition:** No person covered by this policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Bay Shore-Brightwaters Public Library has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Bay Shore-Brightwaters Public Library who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee working in the workplace who believes they have been subject to such retaliation should inform a

supervisor, administrator, or the Director. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Bay Shore-Brightwaters Public Library to liability for harm to victims of sexual harassment. Harassers may also be <sup>[1]</sup>~~ser~~ individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.

Bay Shore-Brightwaters Public Library will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

All employees are encouraged to report any harassment or behaviors that violate this policy. Bay Shore-Brightwaters Public Library will provide all employees a complaint form for employees to report harassment and file complaints.

Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to the Director.

This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

### **What Is Sexual Harassment?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or

which is directed at an individual because of that individual's sex when:

Such 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 complaining individual is not the intended target of the sexual harassment;

Such 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 consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which 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, which cause the recipient discomfort or humiliation, which 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 who feels harassed should complain 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 assaults of a sexual nature, such as:

Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' 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

victim'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, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.

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, 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 any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer 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 or not

during work hours.

### **What is Retaliation?**

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.”

Protected activity occurs when a person has:

Filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;

Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;

Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;

Complained that another employee has been sexually harassed; or

Encouraged a fellow employee to report harassment.

### **Reporting Sexual Harassment**

Preventing sexual harassment is everyone’s responsibility. Bay Shore-Brightwaters Public Library cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non- employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, administrator or the Director. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, administrator or the Director. Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained

below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

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

### **Complaint And Investigation Of Sexual Harassment**

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

Upon receipt of complaint, the Director will conduct an immediate review of <sup>[1]</sup>the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.

If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.

Request and review all relevant documents, including all electronic communications.  
Interview all parties involved, including any relevant witnesses;

Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

A list of all documents reviewed, along with a detailed summary of relevant documents;

A list of names of those interviewed, along with a detailed summary of their statements;

A timeline of events;

A summary of prior relevant incidents, reported or unreported; and

The final resolution of the complaint, together with any corrective action(s).

Keep the written documentation and associated documents in the employer's records.

Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.

Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

### **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by Bay Shore-Brightwaters Public Library but is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process at Bay Shore-Brightwaters Public Library, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR) The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. <sup>11</sup>Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL,

within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court. Complaining internally to Bay Shore-Brightwaters Public Library does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of 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 has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination 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 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, (718) 741-8400

Contact DHR for more information about filing a complaint.

United States Equal Employment Opportunity Commission (EEOC)

The 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 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.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed.

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 sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

## **Contact the Suffolk County Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the Suffolk County Police Department.

## Standard Workday

### Full-Time Employees

The standard workday for Full-time employees is 7 hours per day, 35 hours per week as scheduled. This does not include a meal hour which must be taken. Employees are entitled to two 15-minute rest periods per 7 hour workday.

Sunday hours are paid at a special rate.

### Full-Time Custodial Employees

The standard workday for Full-time custodial employees is 7 hours per day, 35 hours per week as scheduled. This does not include a meal hour which must be taken. Custodial employees are entitled to two 15-minute rest periods per 7 hour workday.

Hours 36 - 40, when necessary, are paid at a "Standard" rate. Hours from 41 plus are paid a rate of time and one half.

Hours worked on a Sunday, a holiday or when the library is closed are paid a rate of time and one half.

Custodial employees will receive 2 hours of standard pay when responding to an emergency (i.e. Burglar Alarm), and 2 hours of standard pay for doing the book drop on holidays.

### Part-Time Employees

Part-time employee hours are scheduled according to Civil Service regulations. Part-time employees are entitled to one 15-minute rest period for each 3 to 5 ½ hours worked per day and two 15-minute rest periods if working 5 ½ to 7 or more hours in one day.

Sunday hours are paid at a special rate.

Occasionally split days may be arranged for employees when mutually convenient.

Rest periods cannot be accumulated, paid, used at the beginning or end of the day, etc. or added to other paid time off.

## Travel Expense Policy

### Personal Vehicle

Employees may be reimbursed for personal vehicle use while on Library business at the rate per mile established by the Internal Revenue Service. Mileage should be submitted monthly on the appropriate form. Repairs, maintenance and vehicle fluids are not reimbursable.

### Meals and Incidental Allowance

The Library will reimburse employees up to \$64.00 per day for Meals and Incidentals while on Library business.

All amounts are inclusive of tax and tip (18%). Alcoholic beverages are never reimbursed. Any employee whose bill runs over this amount will be compensated only for the maximum amount stated above.

When “entertaining” others the limit applies to staff only.

### Overnight Travel

Overnight travel on behalf of the Library is rare. In the event such is necessary, a dollar amount for the entire trip (including travel, lodging, registrations and meals) is usually set by the Library Board when permission is granted for the trip. Receipts must be submitted. Any expense over the negotiated allotment is the responsibility of the individual employee.

## Whistleblower Policy

If any employee reasonably believes that some policy, practice, or activity of the Bay Shore-Brightwaters Public Library is in violation of law or regulation, a written complaint may be filed by that employee with the Library Director. If the employee believes that the Library Director may be involved in the illegal practice, the employee should file the written complaint with the President of the Library Board.

It is the intent of the Library to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with all applicable laws and regulations. An employee is protected from retaliation if the employee brings the alleged unlawful activity, policy, or practice to the attention of the Library Director and provides the Library Director with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

The Library will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of the Library, or of another individual or entity with whom the Library had a business relationship, on the basis of a reasonable belief that the practice is in violation of law or regulation.

The Library will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy, or practice of the Library that the employee reasonably believes is in violation of the law, or regulation mandated pursuant to law.

# Workplace Hostility and Violence Policy

The Director and Board of Trustees of the Bay Shore-Brightwaters Public Library are committed to actively encouraging the prevention of violence in the workplace and to the promotion of a violence free environment. Any act or threats of violence against employees and/or Library users are unacceptable and will not be tolerated.

The Library, with effective procedures, shall ensure that every reasonable step is taken to promote a safe and comfortable environment that is free from all types of hostile behavior and violence, and one which is in compliance with local state, and federal laws.

## Definitions:

**Hostile Behavior:** Behavior that creates an environment that a reasonable person would find intimidating, menacing or abusive and compromise a person's psychological or physical well-being. Examples include abusive or threatening language, rudeness or discourtesy, and/or malicious gossip toward employees, supervisors, and patrons.

**Violent Behavior:** Behavior that includes but is not limited to, harassment, threats, and physical attack of employee or patrons, damage to or theft of Library, employee's and/or patron's property.

**Physical attack:** This is intentional hostile physical contact with another person such as hitting, fighting and shoving, or throwing objects.

## Procedure for Reporting Threats or Attacks:

Each incident of hostile or violent behavior, whether involving patrons or employees, must be reported to the Library Director. An Incident Report Form is available at all Reference Desks, the Circulation Desk and Personnel Office. An Incident Report needs to be filled out and left with the Library Director. The Director or supervisor-in-charge, will assess, investigate and determine the appropriate action to be taken. In critical incidents in which serious threat or injury occurs, Police, Fire and/or Ambulance personnel will be notified.

## Disciplinary Process:

In an emergency situation involving actual or potential violence, the first priority is to protect the safety and well-being of the people involved. Because each situation involves unique factors, the following guidelines are intended to provide general guidance:

- A patron of the Library who has been found in violation of this policy will be subject to a warning or removal from the Library, and depending on the offense, may also be subject to prosecution by local law enforcement.
- An employee who has been found in violation of this policy will be subject to a verbal or written warning, and/or termination or removal from the Library. Depending on the offense, the employee may also be subject to prosecution by local law enforcement.

## Non-Retaliation:

This policy prohibits retaliation in any form against an employee who brings a complaint of violence, intimidation or harassment.

Policy of the  
Bay Shore-Brightwaters Public Library  
With regard to Retention of  
Library Records

Based on Schedule MI-1 “Records Retention and Disposition for Use by Miscellaneous Local Governments” (State Education Department, 1988)  
Revised 2006

Adopted at a regular Library Board Meeting on  
March 23, 1992.

Mrs. Linda Jellen was appointed Records Retention Officer.

Reviewed at the Reorganizational Meeting of the Board of Trustees on  
July 24, 2017.

Ms. Janet Anderson was appointed Records Retention Officer.

Revised schedule based on the new uniform Retention and Disposition Schedule  
for New York Local Government Records (LGS-01)

Reviewed at a regular Meeting of the Board of Trustees on  
November 30, 2020.

ITEM	DESCRIPTION OF RECORD	RETENTION
<b>GENERAL</b>		
1.	<b>Official minutes</b> includes agenda, list of approved bills, financial reports, official budget, etc.	PERMANENT
2.	<b>Legal opinion</b>	PERMANENT
	a. Agreement	6 years
3.	<b>Grant program file</b>	6 Years
	a. Application, proposal	
4.	<b>Daily, weekly, monthly, quarterly or other periodic fiscal reports</b>	6 Years
5.	<b>Annual report</b> (State Education Department)	PERMANENT
6.	<b>Postal records</b> , including returned registered or certified mail card or receipt, insurance receipt.	1 year
7.	<b>Accident report and related records</b>	6 years, or 3 years after individual attains age 21 whichever is later
8.	<b>Report of incident of theft, arson, vandalism, property damage or similar occurrence</b>	6 years
9.	<b>Local rule, regulation, ordinance, resolution, proclamation, or court order</b>	PERMANENT
10.	<b>Public educational or informational program file</b>	PERMANENT
11.	<b>Internal investigation or non-fiscal audit records</b>	PERMANENT

<u>ITEM</u>	<u>DESCRIPTION OF RECORD</u>	<u>RETENTION</u>
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**ARCHIVES/RECORDS MANAGEMENT**

- |    |  |         |
|----|--|---------|
| 1. | <b>Records disposition documentation</b>   | 6 years |
|    | a. Documentation of final disposition of records, describing records disposed of and manner and dates of disposition |         |

ITEM	DESCRIPTION OF RECORD	RETENTION
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**BUDGET**

1.	<b>Budget preparation file</b>	6 years
2.	<b>Annual budget</b> a. Copy of budget sent to public	Included with minutes
3.	<b>Special budget</b>	PERMANENT
4.	<b>Budgetary change request</b>	6 years

ITEM	DESCRIPTION OF RECORD	RETENTION
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**ELECTION**

- |    |  |           |
|----|--|-----------|
| 1. | <b>Notification and publication of notice of forthcoming election</b>  | PERMANENT |
|    | <ul style="list-style-type: none"> <li>a. Official copy of election notice</li> <li>b. Also, copy of notification of annual vote sent to public</li> </ul> |           |
| 2. | <b>Vote recording and tabulating records</b>   | PERMANENT |
| 3. | <b>Voter registration records</b>  |           |
|    | <ul style="list-style-type: none"> <li>a. Register of voters and poll book</li> </ul>  | 5 years   |

<u>ITEM</u>	<u>DESCRIPTION OF RECORD</u>	<u>RETENTION</u>
<b>FISCAL</b>		
General Accounting		
1.	<b>General ledger</b>	6 years
2.	<b>Subsidiary ledger</b>	6 years after last entry
3.	<b>Journal</b>	6 years after last entry
4.	<b>Accounting register</b>	6 years after last entry
5.	<b>Cash transaction record</b>	6 years
6.	<b>Credit card transaction record</b>	6 years
7.	<b>Daily cash record</b>	6 years
8.	<b>Notice of encumbrance</b> indicating funds encumbered and amount remaining unencumbered	6 years
Audit		
1.	<b>Report of audit financial affairs</b>	PERMANENT
2.	<b>Audit background documentation</b>	6 years
Banking		
1.	<b>Banking communications</b>	6 years
2.	<b>Canceled check</b>	6 years
3.	<b>Copy of check or check stub</b>	6 years
4.	<b>Deposit book for checking account</b>	6 years after date of most recent entry 6 years after cancellation
Claims and Warrants		
1.	<b>Claim for payment</b>	6 years
Purchasing		
1.	<b>Purchase Order requisition</b>	6 years

2.	<b>Purchasing file</b>	6 years after Completion of purchase or final payment
3.	<b>Invoice</b> and invoice register	6 years
	Receipts	
1.	<b>Receipt (received) or copy of receipt (issued)</b>	6 years
	Reports	
1.	<b>Annual or final fiscal reports</b>	PERMANENT
	Bonds	
1.	<b>Master summary record of bonds, notes or securities</b>	PERMANENT
	Grants, Award or Gift	
1.	<b>Master summary record</b> or index of grants, awards or gifts used to track awarding progress, or payments	PERMANENT
2.	<b>Detailed record</b> of grants, awards and gifts	6 years
3.	<b>Universal Telecommunications Information Services (E-Rate)</b>	10 years

ITEM	DESCRIPTION OF RECORD	RETENTION
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**INSURANCE / SELF - INSURANCE**

- |    |   |  |
|----|---|--|
| 1. | <b>Workers' compensation case records (including Volunteer Firefighters Benefit Law)</b> case records   | 18 years after claim allowed, but not less than 9 years after last payment |
| 2. | <b>Insurance policy</b> covering fire, theft property damage, personal injury liability, insurance of life or property, or marine protection and indemnity, when no outstanding claims are involved | 6 years after expiration   |
| 3. | <b>Workers' compensation and employer's liability insurance policy</b>  | 18 years after expiration  |
| 4. | <b>Title insurance policy</b> , when no outstanding claims are involved   | 20 years after expiration  |
| 5. | <b>Certificate of insurance</b> , name of insured   | 6 years after expiration   |

ITEM	DESCRIPTION OF RECORD	RETENTION
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**LIBRARY / LIBRARY SYSTEM**

1.	<b>Incorporation, chartering, and registration records</b>	PERMANENT
2.	<b>Records documenting selection of books</b>	After no longer needed
3.	<b>Library material censorship and complaint records</b>	6 years after last entry
4.	<b>Library card application records</b>	3 years
5.	<b>Patron registration</b>	6 years
6.	<b>Program license</b>	1 year

ITEM	DESCRIPTION OF RECORD	RETENTION
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**PAYROLL**

1.	<b>Payroll</b> a. Year-end or periodic payroll, including same information by pay period as warrant copy, certified by fiscal officer	55 years
2.	<b>Preliminary draft</b> of payroll	6 years
3.	<b>Employee's time cards, sheets or books</b>	6 years
4.	<b>Record of employee absences or accruals</b>	6 years
5.	<b>Employee request for and / or authorization given to employee to use sick, vacation, personal or other leave, or to work overtime</b>	6 years
6.	<b>Employee's voluntary payroll deduction request form</b>	5 years after superseding form is filed, authorization expires, or employment terminated
7.	<b>Direct deposit records</b>	5 years after authorization expires
8.	<b>Summary record of employees payroll changes</b>	6 years after termination of employment
9.	<b>Quarterly report of wages paid</b> prepared for Social Security, and report of any adjustments or corrections	6 years
10.	<b>Payroll report</b> submitted to New York State Employee's Retirement System	6 years
11.	<b>Employer's copy of Annual Federal Tax Return (Form 940), Quarterly Federal Tax Return (Form 941E) and Continuation Sheets (Form 941a), Notice of Tax Return Due (Form TY 14), or equivalent forms</b>	4 years after tax paid

- |     |   |                            |
|-----|---|----------------------------|
| 12. | <b>Employer's copy of: U.S. Information Return for Calendar Year (Form 1099), Withholding Tax Statement (Form W-2) or Transmittal or Wages and Tax Statements (Form W-3), or equivalent forms</b> | 5 years                    |
| 13. | <b>Employee's Withholding Exemption Certificate (Form W-4)</b>  | 5 years                    |
| 14. | <b>Employer's copy of New York State income tax</b>   | 4 years after tax was paid |
| 15. | <b>Accounting and financial reporting for post-employment benefits Other than pensions (OPEB)</b>   | 6 years                    |

ITEM	DESCRIPTION OF RECORD	RETENTION
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**PERSONNEL / CIVIL SERVICE**

Personnel

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|----|---|--|
| 1. | <b>Health and life insurance records</b>      |  |
|    | a. For employee with no dependent survivor    | 3 years after termination of employee's coverage           |
|    | b. For employee with dependent survivor       | 3 years after termination of dependent survivor's coverage |
|    | c. Health and life insurance coverage reports | 6 years  |

Civil Service

- |    |   |   |
|----|---|---|
| 1. | <b>Copy of payroll</b> submitted to civil service office for certification  | 0 month   |
| 2. | <b>Established position record</b> showing a history of each position and names and other pertinent information about persons who occupied it | PERMANENT   |
| 3. | <b>Report of personnel change</b>   | 6 years   |
| 4. | <b>Position duties statement</b>  | PERMANENT   |
| 5. | <b>Personnel requisition</b> made to civil service or personnel office, requesting that vacancy be filled                                     | 0 year after obsolete   |
| 6. | <b>Civil service eligible list records</b>  |   |
|    | a. Certification of eligible list sent to appointing authority  | 4 years after expiration of eligible list                           |
|    | b. Request for certification of eligible list   | 4 year after expiration of eligible list, but not less than 3 years |
| 7. | <b>Application for employment</b> , when applicant not hired  | 4 years   |

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|-----|---|--|
| 8.  | <b>Recruitment</b> , hiring interview and selection records       | 4 years                                  |
| 9.  | <b>Official copy of job posting and position duties statement</b> |  |
|     | a. When described in detail                                       | PERMANENT                                |
|     | b. No detail  | 6 years                                  |
| 10. | <b>Injury record</b>  | 18 years after date of injury or illness |

ITEM	DESCRIPTION OF RECORD	RETENTION
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**PUBLIC PROPERTY AND EQUIPMENT**

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|----|--|--|
| 1. | <b>Real property acquisition or sale file</b> for property owned by local government including but not limited to copy of deed, copy of assessment, copy of site or plot plan, photographs, recommendation or justification for acquisition or sale, approval for acquisition or sale, closing statement, memoranda and correspondence | PERMANENT  |
| 2. | <b>Capital construction or public improvement project file</b>   | 6 years  |
| 3. | <b>Official plans, maps, designs, architectural drawings, and photographs</b> for buildings or other facility owned by local government, and index   | PERMANENT  |
| 4. | <b>Property inventory</b>  | 6 years after replacement, sale, or discontinuance of use of all property listed |