

## **Policy 502: General Library Personnel Policies**

### **502.1 PURPOSE**

The purpose of this document is to set forth the policies by which personnel-related decisions made by either supervisor or employee are to be guided and to express mutual expectations for conduct in the workplace. The Library's ability to manage and provide public services with efficiency and effectiveness is dependent upon the capability and performance of its employees. The Library strives to provide a good working environment which promotes and supports diversity and inclusivity, professional development, open communication, and sensitivity to employee needs.

### **502.2 ADMINISTRATION**

These policies generally cover all Library employees; however, temporary/hourly-pay employees may not be covered by all provisions.

These policies work to ensure decisions will be made consistently and in accordance with overall Library goals regarding employee relations. Questions of interpretation should be addressed to the Library Director, who shall be responsible for final interpretation and application of these policies. The principles expressed herein will be used as a guide regarding issues not specifically addressed in these policies.

This document should be read in conjunction with negotiated labor contracts, administrative regulations and operating policies and procedures published by the Library.

Upon appointment to a budgeted position, all employees of the Library shall be furnished a copy of these policies. Any substantive changes or amendments shall be posted on the Library website. Employees will be notified that updated policies are available online and hard copies will be provided upon request.

### **502.3 EQUAL EMPLOYMENT OPPORTUNITY**

#### **.31 General Policy**

It is the policy of the Library to prohibit discrimination and harassment of any type and to afford equal employment opportunities for all employees or potential Library employees without regard to race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law except where age, sex, or physical ability constitute a bona fide occupational qualification necessary for job performance. This extends to all areas of personnel administration including but not limited to recruitment, employment, promotion, transfer, training, working conditions, wages, benefits, and application of personnel policies, and shall be consistent with all protections afforded by applicable federal and state statutes. No personnel decision, action, term, condition, or privilege of employment shall be unlawfully influenced in any manner by consideration of an individual's protected class.

It is the goal of the Library to guard against illegal discrimination through appropriate review of the Library's Personnel policies, to allow qualified individuals the opportunity to enter non-traditional occupations, and to achieve a diverse work force that reflects the available qualified population.

The Library shall also encourage or require equal employment opportunity efforts from vendors, contractors, consultants, and firms with which the Library does business.

The Library will employ recruitment and selection practices that support this policy by displaying required posters regarding equal employment opportunities in areas visible to employees and by identifying the Library as an Equal Opportunity Employer on job advertisements, postings,

employment application forms, websites, self-service employment opportunities site and online application form, website, and other recruitment sources. The Library will make efforts to inform individuals from historically disadvantaged populations of both employment opportunities and the City's hiring process through targeted distribution of job postings, general recruitment and hiring information and events such as job fairs. The Library will work with the City to implement best practices to promote diversity and reduced implicit bias as appropriate and feasible.. Library personnel who have responsibility for selection and hiring shall be trained in and held responsible for using legal interviewing and selection techniques and criteria.

### .32 Harassment

The Library is committed to providing a work environment in which people are treated with dignity, decency, and respect and which is free of harassment and unlawful discrimination. Harassment and unlawful discrimination may take many forms, including behaviors that are overt or very subtle. Harassment may occur between or among members of the same or opposite sex, employees and the public, co-workers, or subordinates and supervisors. Harassing behavior of any nature, has the effect of creating a hostile or offensive work environment and is prohibited behavior.

#### a. Harassment

For the purposes of this policy, harassment is any verbal or physical conduct that threatens, intimidates, demeans, humiliates, or coerces an employee, co-worker, or any person working for or on behalf of the Library. Verbal taunting that impairs his or her ability to perform his or her job is included in the definition of harassment.

Harassment may take the form of, but is not limited to:

- Comments that are offensive or unwelcome regarding a person's race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law, body or appearance, including epithets, slurs, and negative stereotyping.
- Abusive and offensive language, insults, teasing, name-calling, spreading rumor and innuendo, unreasonable criticism, isolating people from normal work interaction, excessive demands, and practical jokes.

#### b. Sexual Harassment

Sexual harassment is a form of unwelcome conduct that affects terms or conditions of employment (quid pro quo harassment) or creates intimidating, hostile, or offensive work environments. Such harassment is prohibited for all employees, regardless of status, including supervisors, subordinates, administrators, and co-workers. No employee, regardless of gender identity, should be subjected to such conduct. Sexual harassment may also be charged between same-sex employees.

Sexual harassment may take the form of but is not limited to the following and may include more subtle actions:

- Deliberate or repeated unsolicited verbal comments, questions, representations, or physical conduct of either a sexual or non-sexual nature that are unwelcome to the recipient.
- Making or threatening to make decisions affecting an employee's job on the basis of the acceptance or refusal of a request for sexual intimacy.
- Unwelcome sexually explicit, lewd, threatening or vulgar language, sexual jokes, innuendo, or propositions; suggestive comments; lewd gestures; request for any type of sexual behavior (including repeated unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature.
- Distribution, display or discussion or any written, electronic or graphic material, including calendars, posters, cartoons, that are sexually suggestive or show hostility toward an individual or

group because of sex, suggestive or insulting sounds; leering, staring; whistling; content in letters and notes, facsimiles, emails, photos, text messages, internet/social media postings; or other form of communication that is sexual in nature and offensive.

- Unwelcome, unwanted physical contact including touching, tickling, pinching, petting, brushing up against, hugging, cornering, kissing and fondling, and forced sexual intercourse or assault.
- c. Discrimination
- It is a violation of City policy to unlawfully discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person' race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical disability, genetic information, veteran status, or other class/category protected by federal, state, or local law. Discrimination of this kind may also be strictly prohibited by a variety of federal, state, and local laws including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.
- d. Complaint Procedure
- The Library will actively pursue and investigate complaints of harassment, discrimination or denial of civil rights, and appropriate action will be taken. Employees who encounter conduct they believe violates this policy are expected to report it to the Library Director or the City Attorney's office. The Library Director, the City Attorney's office, and/or other administrative staff as appropriate will investigate, including interviews of complainant, respondent, and witnesses as necessary. If it is determined that harassment and/or discrimination in violation of this policy has occurred, discipline will be issued as appropriate. Because discipline is a personnel matter, the Library will not be able to disclose to the complainant any discipline taken against the respondent.
- e. Confidentiality.
- Throughout the complaint process, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person will be protected to the extent possible, while allowing the Library to meet its obligation to investigate such complaints. The expressed wishes of the complaining person for confidentiality will be considered in the context of the Library's legal obligation to act on the charge and the right of the respondent to obtain information.
- f. Retaliation.
- Retaliation against any person for filing or responding to a complaint either formally or informally, for participating in the complaint and investigation process, or for participating as a witness in any investigation, will not be tolerated and will be considered a violation of this policy. The Library will actively pursue and investigate claims of **retaliation**. Any person who is found to have violated this aspect of the policy will be subject to disciplinary action up to and including termination of employment.
- g. Consequences of Harassment or Discrimination
- Harassment and discrimination is unacceptable conduct in any form and can be the basis for a discrimination charge against the Library and/or an individual employee. It is the Library's position that every employee has the right to work in an environment free of any type of harassment or discrimination. Consequently, any employee who engages in prohibited conduct will be subject to disciplinary action, up to and including termination of employment.

All employees have an affirmative duty to prevent harassment and discrimination in the

workplace by producing an environment that exposes and discourages harassment or discrimination of any kind and which promotes and supports diversity and inclusivity in the workplace and community.

#### **502.4 LABOR RELATIONS**

The Library recognizes its duty to bargain collectively with employee organizations certified by the Public Employment Relations Board, as provided by State law. Pursuant to this requirement, the duties, obligations, and rights of the Library and the certified employee organization, American Federation of State, County, and Municipal Employees, (AFSCME), Local 183 are set forth in the collective bargaining agreements mutually entered into by the Library and the employee organization. Please refer to the collective bargaining agreement for specific details. This contract is negotiated jointly with the City's unit of AFSCME, Local 183. The Library Director has the final authority to interpret and administer the contract. (See Section 504 for current contract.)

#### **502.5 EMPLOYEE RELATIONS AND CONDUCT**

The work of every employee is important. On-the-job performance has an effect on the employee's success with the Library, as well as having an effect on the quality of service to the Iowa City community. Employees have a right to expect fair treatment and fair compensation from the Library. In return, employees are expected to work diligently toward providing high levels of public service.

##### **.51 Public Relations**

Providing information and service is the Library's principal task; therefore, it is the first priority of each employee when dealing with members of the public or other employees to act in a courteous, responsive, and prompt manner, to provide accurate responses and/or appropriate referrals, and to be fair and consistent in the enforcement of library rules.

##### **.52 Workplace Violence Prevention**

Providing a safe work environment is essential to the Library. Acts or threats of violence against any Library employee will not be tolerated whether among employees or between one or more employees and the public. Any Library employee initiating a violent act against another Library employee or a member of the public will be subject to disciplinary action, up to and including termination of employment.

Workplace violence includes any act of physical, verbal, written, or electronic aggression and/or intimidation within the work setting, as well as destruction or abuse of property. Workplace violence is generally directed toward physically or psychologically harming an individual or an object. It includes, but is not limited to, hitting, shoving, beatings, stabbings, shootings, rapes, psychological traumas, such as threatening an individual or his/her family, obscene or harassing phone calls or electronic communications, an intimidating presence, as well as harassment of any nature.

Workplace violence also includes actions or threats of violence occurring off Library premises involving an employee acting as, or clearly identifiable as, a representative of the Library.

All reports of violence will be reviewed in a timely manner and perpetrators can expect appropriate action. Generally such reports should be made to the employee's supervisor, who is responsible for informing the Library Director, however the employee may make the report directly to the City Human Resources Administrator or the City Attorney's Office.

##### **.53 Licenses and Certifications/Notice Requirements/Insurability/**

No Library employee may operate a library or city vehicle without proper licensing. Any individual

who operates a library or city vehicle on the public right-of-way without a valid license appropriate to the vehicle being driven will be subject to disciplinary action up to and including termination of employment.

Certain positions within the Library require the possession and maintenance of a specific license or certification. If a position has such a requirement, it will be listed in the job announcement when the job is posted. If the requirement changes while an employee is in a position, the employee will receive notice of such change and will be given a reasonable amount of time to comply with the requirement. If an employee loses or fails to obtain a license or certification required for the position he/she holds the employee may be subject to discharge for failure to meet minimum job requirements.

a. Commercial Driver's License (CDL)

Employees required to possess and maintain a valid Commercial Driver's License must meet the notification requirements established by the Federal Commercial Motor Vehicle Safety Act of 1986.

Under this act an individual with a CDL must:

Notify the Library Director within 30 days of a conviction for any traffic violation, except parking (this includes pleading guilty and paying a fine). This is true no matter what type of vehicle the individual was driving at the time of the infraction or if the infraction occurred off duty.

Notify his/her supervisor if his/her license is suspended, revoked, or cancelled, or if the employee is disqualified from driving. Such notice must be made at the beginning of the first work day following knowledge of the suspension, revocation, or cancellation. Employees must provide such notice to their immediate supervisor (or in his/her absence, to the individual acting in that capacity).

Failure to provide required notice of a traffic violation or license suspension, revocation, or cancellation may result in disciplinary action up to and including termination of employment.

b. Maintaining a Valid License

Employees required to possess and maintain a valid Iowa driver's license, chauffeur's license, or CDL are responsible for checking the expiration date and renewing their license prior to the expiration date. If an employee's license is suspended, revoked, or cancelled, it is the employee's responsibility to notify his/her supervisor at the beginning of the first work day after receiving notice of the action. Employees are prohibited from driving any City vehicle without the appropriate valid license.

The City routinely runs driver's license checks on employees who must have a license as a job requirement, as well as employees who drive Library or City vehicles in the course of their employment. An employee who has a license that is current at the time of the license check, but whose record shows it was suspended, revoked, or cancelled in the period of time since the last check, is subject to disciplinary action if he/she drove a Library or City vehicle during that time and/or failed to notify their supervisor of the suspension, revocation, or cancellation. Employees who are required to have a valid license will be subject to disciplinary action if they allow their license to expire and are unable to perform their work duties.

c. Insurability

Employees required to possess and maintain a valid driver's license must also remain insurable under the City's established standards for insurability.. Failure to remain insurable due to excessive or serious violations will subject an employee to disciplinary action up to and including termination of employment.

A work permit does not meet the City's requirement for a valid license. In no event will the City install an ignition interlock device on any City vehicle to meet the requirements of a work permit.

d. State Library of Iowa Librarian Certification

All budgeted librarians must maintain a current State Library Public Librarian's Certificate Level VI or above.

.54 Weapons

No employee of the Library shall carry a weapon while on duty. Weapons are not allowed on City property nor in an employee's vehicle when parked on City property. Issuance of a weapons permit does not exempt an employee from these provisions. However, sworn officers of the Iowa City Police Department and the Fire Marshal are exempt from this restriction.

.55 Library Owned Computers and Phones

Library computers and phones are provided for use by the employee and are the property of the Library. Such property is subject to recall by the Library at any time. Employees have no right to privacy in information maintained on a Library owned computer, the Library computer system, Library-provided/funded cell phone or other electronic communications device or the Library phone system, whether or not the employee considers such information personal. Staff should refer to the Telecommunications Policy for more specific information.

.56 Appearance-Grooming

Employees are expected to maintain a level of personal appearance and grooming that is considerate of other employees, and projects an image that inspires the confidence of citizens and others with whom the employee must associate in the course of work. Specific rules related to appearance and grooming are referred to in the Library's Employee Manual.

The Library Director will make the final decision if there is a dispute over what constitutes appropriate personal appearance.

Employees are required to adhere to health, safety, and sanitation standards while at work.

.57 Personal Activities

Conducting personal or non-duty related activities is discouraged during work hours, except in emergencies and with the approval of the supervisor. It is preferable that personal calls be made at designated break times or during lunch time. When possible, personal phone calls should be made from a phone away from areas used by the public to conduct business

.58 Supplemental Employment

Supplemental employment outside the employee's assigned Library working hours must in no way interfere or conflict with the satisfactory performance of Library duties. Supplemental employment that either creates or gives the appearance of a conflict of interest is prohibited. No employee is to conduct any supplemental employment during their scheduled working hours unless they are using pre-approved leave. Supplemental employment for fulltime employees is not encouraged.

If an employee is unable to perform his/her job for the Library due to injury or illness, work for another employer is expressly prohibited. A waiver of this provision may be given if the employee presents sufficient evidence to the Library Director from his/her physician that the employee's medical condition would preclude fulfillment of the employee's duties with the Library, but that the nature of the condition would permit work at alternative outside employment. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

.59 Religious Holidays

Every reasonable effort will be made to accommodate employee requests for release from work to participate in bona fide religious holidays or services. Once approved, personal leave days, accrued vacation time, compensatory time, or, in the absence of any of these, unpaid leave may be used to cover such absences.

.60 Education

Advance approval from the Library Director or his/her designee is necessary for an employee to engage in any educational effort during normal assigned working hours, other than that which is provided by the Library as continuing education. Consideration of such requests will be based upon direct benefit to the Library, ability to reschedule said working hours to the Library's convenience, and a demonstrated ability of employees to effectively carry out the responsibilities of their positions. Employees are encouraged to schedule educational programs outside of regular hours whenever possible.

.61 Absence without Leave

Any absence of an employee, including an absence for a single or part of a day, that is not authorized by the employee's supervisor or the Library Director will be deemed an absence without leave. Any such absence shall be without pay and may be subject to disciplinary action.

.62 Medication/Work Restriction Notification

Employees who are required to drive vehicles or operate heavy machinery are required to inform their supervisor when taking over-the-counter or prescribed medication which carries a warning label indicating that the medication may impact the ability to perform those duties safely.

Employees who are issued work restrictions by a healthcare provider, including for conditions which are not work-related, must provide a copy of those restrictions to their immediate supervisor.

Failure to comply with these requirements will be grounds for discipline up to and including termination of employment.

.63 Breastfeeding Breaks

The Library will provide reasonable break time for nursing mothers to express breast milk for her nursing child for one year after the child's birth each time such employee has the need to express the milk. In addition, the Library will provide a private space, other than a bathroom, which may be used by the employee to express milk. If assistance is needed in coordinating the use of private space, employees may contact the Library Director.

.64 Criminal Convictions

Employees in positions which are subject to criminal background checks under the City's administrative regulation on Criminal Background Checks in Hiring, as noted in the job description, are required to notify City Human Resources within ten business days of being convicted of a crime other than a simple misdemeanor traffic offense. Human Resources will

conduct an individualized assessment, consulting with appropriate supervisory staff and the City Attorney's Office as necessary. Convictions which would preclude an applicant from being eligible for hire into a position designated as sensitive under the Criminal Background Checks in Hiring policy, may likewise result in a determination that the employee no longer meets the requirement of the position and is, therefore, subject to discipline up to and including termination of employment.

## **502.6 EMPLOYEE ASSISTANCE PROGRAM**

The Library recognizes that a wide range of personal problems can affect employees' job performance. Examples of problems include marital, family or financial difficulties; physical, mental or personal problems; substance abuse; or alcohol abuse. It is also recognized that while these problems are serious, they can be successfully resolved if identified and treated.

### **.61 Referral Service**

The City sponsors the Employee Assistance Program (EAP) as a means of assisting employees and their family members. It is available as a confidential service for information, short-term counseling, and referral to other community resources. The program is in no way meant to interfere with the private life of the employee. Employees are encouraged to contact the EAP to discuss a personal problem before it affects their work performance. Any voluntary involvement with the EAP will be strictly confidential. Employees may contact the EAP by calling 351-9072. In the event work performance is affected, a mandatory referral may be made by an employee's supervisor. When a mandatory referral is made, the employee is required to be seen by an EAP Counselor, who may report the employee's attendance, ability to work, and completion of any follow-up treatment to the City. The City is not provided a diagnosis, and any discussion between the employee and counselor remains confidential.

### **.62 Substance Abuse**

All Library employees are eligible for and encouraged to seek treatment and rehabilitation for alcoholism, problem drinking, or substance abuse through the City's Employee Assistance Program or other available community resources. Alcoholism or drug addiction are not causes for discipline. However, if they impact job performance, including attendance, work performance, ability to carry out required duties, interpersonal or public relations, etc., disciplinary action may be taken. Nothing in this section relieves employees of responsibility for their own conduct on the job.

## **502.7 DISCIPLINE**

### **.71 Disciplinary Measures**

The responsibility of the Library to maintain efficient operations may occasionally require taking disciplinary action against employees. The objective of disciplinary action is to correct inappropriate behavior and produce efficient Library operations. However, failure of the employee, after notice, to modify behavior may result in further disciplinary action up to and including termination of employment. Furthermore, serious infractions may result in disciplinary action up to and including termination of employment without prior notice.

Employees in the bargaining unit should refer to the AFSCME collective bargaining agreement for further clarification.

### **.72 Causes for Discipline**

It is not possible to list all forms of unacceptable behavior that are in the workplace. The following list is illustrative of, but does not include all, types of behavior for which disciplinary action may be taken.

- a. Insubordination, including Disobedience, disrespect, failure to perform work assignments or duties, or failure to accept direction from authorized personnel.
- b. Theft of Library property or money, or acting in a careless or negligent manner with Library money, property, or vehicles.
- c. Violation of Library rules and policies, including but not limited to Personnel policies, administrative policies, the City of Iowa City Substance Abuse Policy, and or the City CDL policy, violation of department rules, or any other rules, policies, or regulations issued by the Library.
- d. Abusive or improper treatment during the performance of duty to any member of the public, fellow employee or city official, including harassment on the basis of race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, mental or physical handicap or disability or genetic information or any behavior including behavior outside the workplace which has the effect of producing a hostile work environment.
- e. Tardiness, failure to report to work, or failure to maintain a satisfactory attendance record; failure to inform the appropriate person of the inability to report to work or need to leave work for any reason
- f. Failure to satisfactorily and consistently perform the duties of the position; incompetence, inefficiency, or negligence in the performance of assigned duties; unauthorized dissemination of non-public information acquired during the performance of duties for the Library; loafing, loitering, or engaging in unauthorized personal business during work hours; excessive use of personal mobile devices
- g. Violations of the Federal Drug Free Workplace Act, violation of departmental rules, or any other state or federal regulations.
- h. Lying or providing false, inaccurate, or incomplete information either verbally or in writing; falsification, alteration, deletion of required information, or failure to include material information on any application or Library record.
- i. Cheating on an employment-related exam.
- j. Inappropriate use of telephone lines, long-distance service, FAX/photocopy services, computer, cell phones, mobile devices, or other Library-owned property.
- k. Operating Library and City equipment or vehicles without proper license or permit, failure to maintain any required license or permit, or failure to notify the Library of loss of any such license or permit.
- l. Failure to make payment in a timely manner for any employment related charges including costs for return-to-duty or follow-up drug tests.
- m. Illegal activities and/or conviction of a crime closely or directly related to the ability of employees to perform their job effectively, or failure of employees in positions subject to criminal background checks to provide timely notification of a criminal conviction to Human

Resources.

- n. Disregard for safety policies and procedures, including improper use of safety gear, clothing, or equipment; failure to report an injury or illness to supervisory personnel in a timely manner
- o. Failure to provide required notification of over-the-counter or prescription medication that may impact ability to drive or operate heavy equipment (when driving or equipment operation is a required duty of the position); failure to provide copies of any work restrictions applicable to the required duties of the employee's position; failure to comply with work restrictions.
- p. Activity which involves conflict of interest or use of Library employment for personal gain.
- q. Conduct which negatively impacts the Library's ability to effectively conduct its operations; disruptive behavior; sleeping during work hours; engaging in horseplay, roughhousing, or disorderly behavior during work hours or while on work premises.
- r. Revealing confidential Library records or unauthorized use of privileged information.

## **502.8 PERSONNEL TRANSACTIONS**

### **.81 Personnel Files**

The Library considers personnel files to be Library property generated for purposes of conducting business operations. It is the policy of the Library to permit access by all Library employees to their personnel file maintained in the Business Office. Access to these files and the information contained in them is generally limited to the employee (or former employee), appropriate supervisory personnel, appropriate administrative personnel and third parties authorized in writing by the employee (i.e., union stewards, attorneys, etc.). The file information may also be accessed and utilized in situations involving business operations. Information related to education, employment and job performance will be maintained in these files. Confidential medical records and benefits information are maintained separately from an employee's personnel file.

Library employees are permitted access to their personnel files during regular Business Office hours. Employees are permitted to examine, take notes, and make copies of any materials in their file but may not copy tests or interview questions for the purpose of sharing information with job applicants or potential job applicants. Employees wishing to examine their files during work hours must have the permission of their supervisor to leave their work site. A Business Office staff member must be present during this examination. An employee may request correction of any alleged misinformation contained in the file. If this request is denied, the employee will receive an explanation of the reason thereof and will be permitted to place a concise statement of disagreement in the file.

Employees are encouraged to keep their personnel files up-to-date with all job-related information such as degrees obtained, seminars attended, and certificates of completion by providing copies of applicable documents to the Business Office.

In addition, employees are required to update their personnel files when they experience a change of name, address, phone, or emergency contact. Employees may maintain this information through the MUNIS Self-Service portal.

### **.82 Medical Files**

Employee medical records are personal and confidential and will be maintained in a separate medical file. Medical files are subject to the privacy restrictions imposed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

An employee's health information is personal and confidential, and the Library will not release such information without the express written consent of the employee, except as required by law.

#### .83 Public Information

The following employee information is classified as "Public Information" under Section 22.7(11) of the Iowa Code and will, upon request, be provided to any individual or institution by the Business Office:

- Employee name
- Employee compensation including any written agreement establishing compensation or any other terms of employment excludable from public information pursuant to Iowa Code Chapter 22.7, or any other applicable provision of law. Compensation includes any money, thing of value, or financial benefit conferred in return for labor or services rendered by an official or employee plus the value of benefits conferred, , including but not limited to casualty, disability, life, or health insurance, other health and wellness benefits, vacation, holiday, and sick leave, severance payments, retirement benefits and deferred compensation.
- Dates of employment with the Library
- Positions held with the Library
- Educational institutions attended and degrees and/or diplomas earned
- Previous employment information including names of previous employers, positions previously held, and dates of previous employment
- The fact that an individual resigned in lieu of termination, was discharged, or was demoted as a result of disciplinary action, and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion.

Should Iowa Code Section 22.7(11) or other Iowa law be amended to either enlarge or restrict what employee information is classified as "Public Information" under Iowa law, the Library will modify its practices accordingly without further notice to employees.

Information such as address, telephone number, birthdate, social security number, etc. is not public information and will not be released unless requested in writing by the employee.

#### .84 Job Description

Copies of job descriptions are maintained by the Business Office and are available upon request or on the Library's website. Job descriptions are periodically reviewed and updated as job duties change.

#### .85 Position Classification

All positions are classified according to job duties, responsibilities, entry requirements, and departmental needs. A major change in these factors may necessitate a review of job classification. Requests for review of a job classification may be addressed to the Library Director by any employee, by a supervisor, or may be initiated by the Library administration. All position classification review requests will be reviewed in accordance with applicable labor contract provisions.

#### .86 Fair Labor Standards Act (FLSA) Classification

All City positions have been classified as non-exempt or exempt under the Fair Labor Standards Act. Non-exempt positions are eligible for overtime at a rate of one-and-one-half times their regular hourly rate for work in excess of 40 hours in a week. Exempt positions are not eligible for FLSA overtime. To be eligible for FLSA overtime, a non-exempt employee must perform 40 hours of work in a week; paid time off such as sick leave and vacation does not count toward the 40 hours. Overtime is subject to supervisory authorization. Employees who work overtime without appropriate authorization may be subject to disciplinary action.

To maintain exempt status, FLSA requires that exempt employees be subject to disciplinary suspensions of one day or more in duration.

To report a FLSA complaint or violation, employees may contact the Administrative Coordinator, City Human Resources Administrator, Library Director, Human Resources Division staff, or City Attorney's office.

**.87 Performance Evaluation**

An evaluation and appraisal of each permanent employee's work performance shall be conducted at least annually according to procedures and policies approved by the Library Director. These policies, procedures and forms shall be made available to each new employee, and all employees shall be informed of any changes or amendments. On request, employees may receive copies of any document that evaluates their performance and shall have the right to include in their personnel file a written response to the supervisor's evaluation.

**.88 Budgeted Positions**

Generally, part-time employees are limited to holding one budgeted part-time position. However, under certain circumstances an employee may hold a part-time position and work temporary hours. This will only be done if the employee is willing and it is to the benefit of Library operations to allow such an arrangement; all supervisors involved must approve the arrangement. Generally these arrangements should not result in the employee working more than 8 hours per day or 40 hours per week unless both supervisors have approved such hours.

**.89 Employment of Relatives**

**Management Conflict**

It shall be a violation of this policy for the spouse, domestic partner or partner by cohabitation, children<sup>1</sup>, mother, father, son-in-law, daughter-in-law, mother-in-law, father-in-law, step-parent, brother<sup>2</sup>, sister<sup>2</sup>, brother-in-law, sister-in-law, grandparents and grandchildren, foster child, persons who are parents of the same child, and persons with whom the employee is in an intimate relationship<sup>3</sup> of the City Manager, Assistant City Manager, Assistants to the City Manager, City Clerk, City Attorney, Department Directors, Division Heads, or Human Resources staff to be employed by any department of the City.

**Chain of Command Conflict**

It shall be the general policy of the City that no person shall be hired, assigned, promoted, or transferred to a department of the City or to a division there of when, as a result, the employee would routinely be directly or indirectly supervising or receiving direct or indirect supervision from a member of the employee's immediate family. For the purpose of this subsection, "members of the immediate family" include all of the relationships identified under the Management Conflict provision above, and also include aunt, uncle, niece, nephew, and first cousin.

When a prohibited familial relationship is created following employment, reasonable efforts will be made to find an acceptable alternative or to eliminate the situation by transfer or reassignment of one of the employees. Affected employees will first be given the option of

deciding which employee will transfer or be reassigned. If no indication is given, seniority will be the governing factor and the least senior employee will be subject to transfer, reassignment, or termination.

Individuals actively employed by the City in violation of this expanded policy on November 1, 2011 will be grandfathered under the previous policy and allowed to remain City employees.

<sup>1</sup>This includes step-children and children for whom the employee stands in loco parentis (assumes parental responsibility).

<sup>2</sup>Brother and sister are defined to include step-siblings and half-siblings.

<sup>3</sup>An intimate relationship means a significant romantic involvement that need not include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity.

#### .810 Termination of Employment

##### a. Resignation

Every employee is expected to give at least ten (10) working days' notice prior to the effective date of resignation. The notice should be in writing and directed to the immediate supervisor. Generally the termination date shall be the employee's last day in attendance at work, except in cases of medical disability. Resignations must be accepted by the Library to be effective for benefit payment purposes. Generally, employees will be required to be at work on their last day. Extended vacation time will not be approved prior to separation from service.

##### b. Retirement

Employees are eligible to retire in accordance with applicable pension or retirement programs. Library employees will retire under the Iowa Public Employee Retirement System (IPERS).

Because the pension systems will provide information only to the employee, employees must contact the retirement system directly. City Human Resources staff will assist if requested.

##### c. Benefits Termination

Upon notice of resignation, termination, or retirement being received by Human Resources, applicable information regarding continuation of insurance coverage, benefits payout, IPERS benefit or refund, final check, and other information will be forwarded to the employee.

Human Resources will provide information to terminating employees, answer questions, and assist employees; however, it is the employee's responsibility to complete and mail all forms to the applicable agency.

##### d. Exit Interviews

All permanent employees will be provided an exit survey. If an employee wishes to participate in an exit interview in addition to or in lieu of providing feedback via the exit survey, exit interviews will be conducted by City Human Resources or City Manager's Office.

## 502.9 SAFETY

All Library employees are responsible for completion of job assignments in the safest manner possible.

Prime consideration will be given to the safety of the employee and the public. Employees will not be required to work in areas or to operate equipment which is a safety hazard to themselves or the public.

Employees are responsible for implementing established policies and procedures regarding the safety and security of customers and fellow staff members.

Employees will receive appropriate training and are expected to follow appropriate safety standards.

Employees must wear seatbelts in all vehicles that are equipped with seatbelts, as provided by state law.

Smoking, including use of e-cigarettes or other vaping devices is prohibited in all City or Library vehicles, equipment, buildings and grounds.

Employees must wear appropriate safety equipment/clothing, as required.

The Iowa Occupational Health and Safety Administration establishes industrial standards for some Library work functions. The Library is committed to compliance with these and other applicable standards.

Employees will handle property and equipment of the Library with due care appropriate to the nature of the work and equipment employed. Taking one's eyes off the road while driving to write, send, or view an electronic message on a hand-held communication device is strictly prohibited. Employees who act in a manner which endangers the safety of themselves or others are subject to disciplinary action up to and including termination of employment.

Treatment for work-related injuries must be provided by the provider designated by the City. Treatment by another physician will be allowed only upon referral from the City's designated treatment provider. Failure to use the City's designated treatment provider for a work-related injury may result in denial of payment of claims by Worker's Compensation. Worker's Compensation questions should be directed to the City's Risk Manager.

Employees are required to report unsafe working conditions to their immediate supervisor.

## **502.10 CONFLICT OF INTEREST**

Library employees are prohibited from engaging in any conduct which represents, or could be reasonably interpreted to represent, a conflict of interest. Employees must avoid any action which might result in, or create the appearance of using public office for private gain, giving preferential treatment to any person, or losing impartiality in conducting Library business.

If an employee determines that he or she has an outside interest that may be affected by Library or City of Iowa City plans or activities, or result in a conflict of interest or the appearance of such conflict, the employee must immediately report the situation to his or her Supervisor.

Violation of any provisions of this section may be cause for discipline or discharge of the employee.

### **.101 Employment**

Library employees may not work for an outside employer whose interests might conflict with those of the Library and/or City. Library employees may not use their jobs with the City to further their interest on any supplemental job. Library employees may not work for or directly invest in businesses with whom they must deal in the course of their employment with the Library.

.102 Gifts

State law (Iowa Code section 68 B.22, as amended) restricts gifts that can be received by public employees or their families. As the law states, “the acceptance of personal benefits from those who could gain advantage by influencing official actions raises suspicions that tend to undermine the public trust.” Compliance with the law, for the reasons identified therein, is of crucial importance to the City.

There are exceptions to the restrictions, including accepting nonmonetary items with a value of three dollars (\$3.00) or less, or accepting items made available free of charge to members of the general public without regard to their employment. However, before accepting any other gift, employees should consult with the City Attorney’s Office for confirmation of an available exception.

.103 Impartiality

No Library employee may grant or make available to any person any consideration, treatment, advantage, or favor beyond that granted or make available to everyone in the community. This does not apply to fair and reasonable policy interpretation made while performing regular job responsibilities.

Library employees must not secure special privileges or exemption for themselves or their relatives and friends beyond that available to everyone in the community.

.104 Confidentiality of Library Records

All information about what materials and equipment library patrons are using or the content of questions they ask is confidential and may not be revealed to other members of the public or used by the employee in any manner not related to library operations. ALL requests to inspect Library records must be referred to the Library Director. Circulation records and other records identifying specific users are considered confidential, as identified by Library Policy 802. Failure to follow this policy is cause for disciplinary action.

.105 Use of Information

Employees must not use privileged information for their own financial advantage or disclose information that would provide others with advantages. Each employee is charged with the responsibility of ensuring that he or she releases only information that is available to the general public.

.106 Use of Public Property

No Library employee shall request, use, or permit the use of any publicly-owned property, vehicle, equipment, labor, service or supplies (new, surplus, scrap or obsolete) for the personal convenience or advantage of the employee or any other person, except for that use which is generally available to the public. No Library-owned property may be removed from the worksite except for the purpose of conducting Library business. Use of Library or City facilities, supplies, or equipment for supplemental employment is prohibited.

No Library employee shall remove Library materials without proper checkout, change the standard loan period, remove materials not yet processed for circulation, or waive fines for library materials circulated for personal use except as allowed to the general public.

**502.11 POLITICAL ACTIVITY**

Library employees are free to exercise all rights of citizenship. However, in order to obey federal and state laws and to ensure that the Library will operate effectively and fairly, some guidelines are necessary. Therefore the following restrictions have been established:

- a. An employee shall not, while performing official duties or while using Library equipment at the employee's disposal by reason of his/her position, solicit contributions for any political party or candidate or engage in any political activity, including distribution of political messaging or materials. While on duty employees shall also refrain from wearing hats, buttons, or other items with political messaging unless otherwise permitted under Chapter 20 of the Iowa Code.
- b. An employee shall not attempt to influence the vote or political action of another by seeking an appointment, increase in pay, or other business or employment advantage for that person with the Library.
- c. An employee who supervises employees shall not directly or indirectly solicit the persons supervised to contribute money, anything of value, or service to a candidate, a political party, or a political committee.
- d. An employee who becomes a candidate for public office shall, upon request, be given a leave of absence without pay. Such leave shall commence any time within 30 days prior to a primary, special, or general election. An employee who is a candidate for any elective office shall not campaign while on duty as an employee.

.111 Acceptable Activities

- a. An employee is free to express opinions and convictions or make statements and comments concerning wages or other conditions of employment.
- b. An employee is free to participate politically in both partisan and non-partisan activities on off-duty time so long as the restrictions listed above are followed.
- c. An employee whose position is not federally funded is permitted to be a candidate for a partisan or non-partisan office, while a federally funded employee may be a candidate for a non-partisan position only.
- d. An employee has the right to vote as he/she chooses and to express his/her opinions on political subjects and candidates.

**CONFLICT RESOLUTION PROCEDURE**

The following procedure is available to all Library employees for conflicts pursuant to issues addressed in this document. Employees who are members of the bargaining unit will use the grievance procedure in AFSCME contract (Article 20) for issues addressed in that contract.

.131 Definition

A conflict resolution is a process used to resolve a dispute between the Library and a particular employee or group of employees over an interpretation or application of the rules, procedures, or policies promulgated by the Library.

.132 Procedure

For purposes of calculating time period, "working days" shall include Monday through Friday, excepting Library-designated holidays. Parties may also agree to extend time period.

Step 1

The conflict shall be presented in writing by the employee(s) to their immediate supervisor within ten (10) working days of the event giving rise to the conflict. The written document shall identify the document as a grievance, reference the rules or provisions allegedly

violated, and shall state what remedy is desired. The supervisor shall deliver a response to the employee(s) within five (5) working days of receipt of said conflict. If no response is received, the employee(s) may proceed to Step 2.

#### Step 2

If the conflict is not resolved at Step 1, the employee(s) shall, within five (5) working days, present a written copy of the dispute, signed by the employee(s), to the Library Director. The dispute shall contain a statement of the facts and the sections of the rules or provisions allegedly violated, and shall state what remedy or relief is desired. Parties may mutually agree to extend time periods.

The Library Director and the employee(s) will meet within ten (10) working days of receipt of a Step 2 conflict in an attempt to resolve the issue. The Library Director will respond in writing to the employee(s) within five (5) working days after such meeting.

#### Step 3

A conflict not resolved in Step 2 shall, at the option of the employee(s), be submitted to the Library Conflict Resolution Committee. The Library Conflict Resolution Committee shall consist of three voting members, with the City's Personnel Administrator sitting as Chair and ex-officio, non-voting member. The Library Director shall appoint one member. The employee(s) shall appoint one member. Those members shall be current library employees, and they shall appoint the third member, who shall be a member of the Library Board of Trustees.

The Conflict Resolution Committee, at a time mutually convenient to the employee(s), the Library Director, and Committee members, shall receive oral and written testimony and evidence relating to the matter being heard, question witnesses, receive reports, conduct itself as a full hearing board and protect appropriate due process rights of all parties to the conflict. Within ten (10) working days of the conclusion of such hearing, the Conflict Resolution Committee shall issue a written decision sustaining, modifying or revoking the conflict in whole or in part, and specifying the relief to be granted the employee(s).

#### .133 Retaliation

There will be no retaliation for filing a request for conflict resolution, and any such retaliation may be subject for conflict resolution hereunder.

#### .134 Other

Employees who do not wish to exercise formal avenues to achieve resolution of their conflict may appeal informally to appropriate and impartial supervisors or to the Library Director.

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