



*** Confidential ***
MEMORANDUM

TO: Board of Trustees

FROM: Sabrina Strømnes, Human Resources Manager

DATE: October 14, 2019

RE: *Recommended Modification of Personnel Policies and Procedures*

The following modifications to the Library District's Personnel Policies and Procedures are recommended based on review of the current manual, and the need for substantive changes necessary to address the Library District staff's desire to revise policies. A summary of recommended changes is included below:

MODIFIED/UPDATED POLICIES

6.1.1 Equal Employment Opportunity

- Added that the District prohibits unlawful discrimination on the basis of gender identification.

6.2 Harassment Prohibited

- Updated and expanded definitions of harassment.

6.2.1 Categories of Employment

- Clarified language describing exempt and non-exempt employees. Policy did not change.
- *Unclassified Hourly Positions*
Added information about new holiday and personal leave eligibility for unclassified hourly employees.

6.3.1 Recruitment and Selection Process

- Added language regarding job postings when restructure and/or reallocation of resources is necessary, consistent with current practice.

6.3.3 Restrictions on Employment of Relatives

- Added restriction related to staff in a position where access to payroll and personnel records could be accessed by a family member.

- Added that in the event of the formation of relative status after employment in what would be conflicting roles, that one of the staff members would need to transfer.

6.5 Notice of Absence

- Added current practice to formal policy related to absences of 3 days or less and 3 days or more as well as information that the District may require of an employee who is absent from work due to illness or injury.

6.5.1 Personnel Files, Employee Information and Reference Requests

- Added to policy our current practice of requiring a signed release from current/former employees prior to providing an employment reference.

6.5.2 Training, Conferences, and Travel

- Removed policy stating that exempt staff will not receive additional time off for conference attendance that extends beyond normal workweek.

6.16 Short Term Disability Leave

- Added summary of short-term disability policy. Full policy available for reference in City of Fort Collins Personnel Policies and Procedures. The actual policy has not changed.

6.6.8 Unpaid Medical Leave (Not FMLA Eligible or Extended beyond FMLA)

- Language of this policy has been updated, but actual policy has not changed.

6.6.13 Jury Duty

- Language was updated to include new personal leave time for hourly employees who may be called to jury duty and chose to use accrued personal leave time to supplement pay, where applicable.

6.6.15 Time Donations

- A correction was made to show that District employees can donate compensatory time. The policy has not changed.

6.7.1 Conduct and Performance

- Added clarification to “job abandonment” to show the number of days (three) considered to be job abandonment. This is consistent with our current practice.

6.7.3 Anti-Violence

- Added language to clarify that violence and bullying will not be tolerated by the Library District.
- Added “verbal abuse” as a form of abuse under the anti-violence policy.

6.7.9 Confidential Information

- Added statement prohibiting staff use of customer information for personal reasons.

6.7.11 Acceptable Use of District Property and Communication Systems

- Added information about the potential of staff email being considered public record and subject to public disclosure.

6.8.9 Grievance Process

- Added information regarding classified employees being permitted to have one support representative present at a grievance meeting, consistent with current practice.

6.9.1 Resignation

- Modified policy to limit eligibility for rehire of classified employees to a minimum of 6 months after resignation.

Other Changes

- Removed gendered language.

MODIFIED/UPDATED CITY POLICIES

The following policy revisions are from the City of Fort Collins Benefits policy statement that the District follows and are therefore numbered differently from the above.

4.3 Benefits

Removed language related to specific plans and replaced with Benefits policy statement from City of Fort Collins.

6.2 Vacation Time

Replaced policy verbiage with updated City of Fort Collins policy verbiage since we follow their vacation policy. Nothing in the policy related to accrual or usage for classified employees has changed.

NEW POLICIES (see pages 4 – 6 for full policy wording for each listed here)

1. Added Pregnancy Accommodation information required under Colorado state law. (This requirement is currently in practice and just being added to formal policy manual).
2. Added Data Disposal policy as it pertains to employees under Colorado state law. (This requirement is currently in practice and just being added to formal policy manual).
3. Added policy on involuntary relief from duty related to communicable disease, in line with our current practice.
4. Added new policy making unclassified hourly staff eligible for limited holiday and personal leave time.

NEW POLICIES

1. Pregnancy Accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests an accommodation, the Company will engage in a timely, good faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the Company's business operations.

The Company may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their Human Resources representative [or insert name/contact details for appropriate company representative or department].

The Company will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

2. Data Disposal Policy

During the course of your employment, the Company will collect certain information that is classified as "personal identifying information," or PII, under applicable laws. Such information may include, but is not limited to:

Your first and last name or initials;

Username(s) and password(s);

Social security number;

Driver license or other identification card number;

Medical documentation;

Biometric data;

And more.

The Company may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, the Library District will either (a) destroy the records or (b) arrange for their

destruction, e.g. by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

3. Involuntary Relief from Duty during an Outbreak of Communicable Disease

- A. A supervisor shall have the discretion to involuntarily relieve a subordinate employee from duty and direct him or her to leave the work site if:
 - 1. The supervisor reasonably believes that the employee may be contagious due to an illness despite the employee's apparent current ability to perform the functions of his or her job; and
 - 2. A fitness for duty examination from a medical provider is not reasonably available because of the provider's unwillingness or inability to provide an exam or a public health authority has recommended that persons not seek diagnosis or care at a health care facility because of lack of capacity or risk of contagion; and
 - 3. The length of relief from duty imposed by the supervisor does not exceed the time recommended by a health care provider who has examined the employee regarding the contagious condition, whichever is less.

- B. In the event of imposition of involuntary relief from duty based on this policy, an employee with available sick/personal leave will be placed on sick/personal leave. An employee who does not have available sick/personal leave may, at his or her discretion, use any other applicable paid leave pursuant to the provisions of the leave policy and in the absence of such leave will not be paid.

- C. Because of the exigency of the situation, classified employees who have completed their introductory period shall not be eligible for a pre-decision hearing, and shall have the opportunity to grieve the involuntary relief from duty decision pursuant to the provisions of Section 9.3.5 of these policies. All other employees may use the issue resolution process set forth at Section 9.4 of these policies.

4. Personal Leave Time for Unclassified Hourly Staff

6.3 Personal Leave Time

Personal leave time is intended to provide limited paid leave time for any personal reasons, including vacations and illnesses, for eligible hourly employees who do not receive paid time off under other policies in these District Personnel Policies and Procedures.

6.3.1 Eligible Employees

Employees in hourly positions who have worked at least 520 regular hours are eligible to accrue personal leave in accordance with this policy. Returning hourly employees who have previously satisfied this 520 hour requirement will not lose eligibility providing their gap in qualified employment has not exceeded 12 months (365 days). Employees in classified positions, unclassified management positions, and contractual positions are ineligible to accrue or use personal leave time.

6.3.2 Accrual Schedule

Eligible employees accrue personal leave time each bi-weekly pay period in which they work, at the rate of .019 hours of personal leave for each regular hour actually worked (up to 40 hours per week), up to a maximum of 40 hours of personal leave. Once eligible employees reach the cap of 40 hours, they cease accruing additional personal leave time. If the employees later use enough personal leave time to fall below the maximum, they will start accruing personal leave time again from that date forward until they reach the cap of 40 hours.

6.3.3 Use and Scheduling

A. Only employees who are eligible and have accrued personal leave time may use such time. Accrued personal leave time may be used after the bi-weekly pay period in which it was accrued. The District will not advance personal leave time or advance wages to employees in connection with use of personal leave time.

B. Personal leave must be scheduled and approved by the eligible employee's supervisor. Although efforts will be made to accommodate employees' requests to take personal leave at a specified time, supervisors must consider the needs of the department when evaluating personal leave requests.

6.3.4 Payment upon Separation from Employment

All accrued but unused personal leave time is payable upon separation from employment, including the termination of hourly employment to accept employment in another category of employment with the District.

Paid Holiday Time for Unclassified Hourly Staff

6.4.8 Hourly Employees

Employees in hourly positions are eligible to receive four hours of paid holiday time for any designated holiday that falls during a biweekly pay period in which the employee worked or received paid leave for 24 or more hours. If two holidays fall within the same biweekly pay period in which the employee worked or received paid leave for 24 or more hours, the employee is eligible to receive eight hours of paid holiday time.

Eligible hourly employees will be paid for the holidays for the pay period in which they occur and will not be able to bank them.

Board Members, please note: Highlighted policy numbers in this memo are under review for accuracy when we finalize the updated Policies and Procedures manual. Please disregard.