

## 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 Iowa City Public 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 positive working environment which promotes and supports respect, diversity and inclusivity, professional development, open communication, and sensitivity to employee needs.

This policy is not intended to create any contractual rights in favor of the employee or the Iowa City Public Library. The Library reserves the right, at any time, to amend, delete, revise, or add to any provision in its sole discretion.

### 502.2 ADMINISTRATION

These policies generally cover all Library employees and prospective employees. However, not all provisions may apply to temporary or hourly staff.

These policies work to ensure decisions will be made consistently and in accordance with overall Library goals regarding employee relations. Questions of policy 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, non-bargained employee manuals, administrative regulations, and operating policies and procedures published by the Library.

Upon initial 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 to the Library's website. Employees will be notified that updated policies are available online and hardcopies will be provided upon request.

### **502.3 EQUAL EMPLOYMENT OPPORTUNITY**

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 applicants 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, state and local law. No personnel decision, action, term, condition or privilege of employment shall be unlawfully influenced in any manner by consideration of an individual's membership in a protected class.

It is the goal of the Library to ensure equitable and non-discriminatory treatment of all applicants and employees, to remove barriers to employment for underrepresented populations and to achieve a diverse and inclusive work force that reflects the diversity within our community.

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 use recruitment and selection practices that support this policy by displaying required equal employment opportunity posters in areas visible to employees and by identifying the Library as an Equal Opportunity Employer on job advertisements, postings, the City's 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 Library'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 periodically review its outreach efforts and recruitment, hiring, and selection procedures, adjusting as appropriate to ensure best practices to promote diversity and reduce implicit bias are being implemented and used 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.

### **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 Policy 504 for current contract.)

## **502.5 HARASSMENT AND DISCRIMINATION**

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.

### **.51 Harassment**

Harassment may take many forms, including behaviors that are overt or subtle. Harassment may occur between or among members of the same or opposite sex or gender identity, employees and the public, contractors or vendors, co-workers, or subordinates and supervisors. Harassing behavior of any nature can have the effect of creating a hostile or offensive work environment and is prohibited. This can include conduct occurring outside of the workplace which has an impact on the work environment.

For the purposes of this policy, harassment is any verbal or physical conduct that threatens, intimidates, demeans, humiliates, or coerces an employee or any person working for or on behalf of the Library. Verbal taunting that impairs an individual's ability to perform their 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.

## **.52 Sexual Harassment**

Sexual harassment is defined as unwelcome conduct that affects terms or conditions of employment or creates an intimidating, hostile, or offensive work environment. 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 occur between same-sex employees.

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

- A.** Deliberate or repeated unsolicited verbal comments, questions, representations, or physical conduct of a sexual nature that is unwelcome to the recipient.
- B.** 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.
- C.** Unwelcome sexually explicit, lewd, threatening or vulgar language, sexual jokes, innuendo, or propositions; suggestive comments; lewd gestures; requests 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.
- D.** Distribution, display or discussion of 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.
- E.** Unwelcome, unwanted physical contact including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling, and forced sexual intercourse or assault.

## **.53 Discrimination**

It is a violation of Library policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use evaluative standards that discriminate, in whole or in part, based on 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. Discrimination of this kind may also be prohibited by federal, state, and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with these laws.

#### **.54 Complaint Procedure**

The Library will thoroughly pursue and investigate complaints of harassment, discrimination or denial of civil rights and appropriate action will be taken. Conduct which may be in violation of this policy should be reported to a departmental supervisor, the Library Director, the City's Human Resources Administrator, or the City Attorney's office. The Library Director, the City's Human Resources Administrator, the City Attorney's office, and/or other administrative staff as appropriate will investigate, including interviews of complainant, respondent, and witnesses as necessary. If an investigation determines that an employee has violated this policy, appropriate discipline will be issued.

#### **.55 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 complaint and the right of the respondent to obtain information.

#### **.56 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 an investigation is prohibited and will be considered a violation of this policy. Employees who believe they are being retaliated against in violation of this policy should follow the reporting process outlined in Section 5.4. The Library will thoroughly investigate claims of retaliation. Any person who is found to have engaged in retaliation in violation of this policy will be subject to disciplinary action up to and including termination of employment.

#### **.57 Consequences of Harassment or Discrimination**

Harassment and discrimination is unacceptable conduct in any form, and can be the basis for a discrimination claim 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.

### **.58 Duty to Prevent and Report**

All employees have an affirmative duty to prevent harassment and discrimination in the workplace by supporting an environment that discourages harassment or discrimination of any kind and which promotes and supports respect, diversity and inclusivity in the workplace and community. This includes reporting any conduct that may constitute harassment, discrimination, or denial of civil rights to a departmental supervisor, the Library Director, the City's Human Resources Administrator, or the City Attorney's Office. Supervisors are required to forward all reports to the Library Director, the City's Human Resources Administrator, or the City Attorney's Office to ensure appropriate follow-up and investigation.

## **502.6 WORKPLACE VIOLENCE PREVENTION**

### **.61 Policy**

Providing a safe and healthy work environment is essential to the Iowa City Public Library. Violence or the threat of violence by or against any Library employee, or any other person, is prohibited. All reports of violence will be promptly investigated and appropriate action will be taken.

### **.62 Definition**

The Library defines workplace violence as any act of physical, verbal, written, or electronic aggression affecting the workplace. This includes the destruction or abuse of property and any visual, verbal, or physical act, that warns of or expresses an ability or intent to harm or kill; is intended to intimidate or create fear, or has the purpose of unreasonably interfering with an individual's reasonable expectation of a safe, non-hostile, or respectful work environment, whether made in person, by telephone, mail, written or electronic communications, or other means, including conduct that occurs outside of the workplace or during non-working hours.

### **.63 Employee Responsibilities**

All employees are required to refrain from any conduct that violates this policy, to promptly report to a department supervisor, the Library Director, the City's Human Resources Administrator, or the City Attorney's Office any incidents or threats of workplace violence, and to cooperate with any investigation of workplace violence. Employees are also expected to report any situation or threats of violence which may follow them into the workplace or otherwise impact other Library employees.

Supervisors, with assistance from the Library Director and the City's Human Resources

Office, are responsible for ensuring proper response, investigation and follow up on any reported or observed incidents of workplace violence. Violence, the threat of violence or any other conduct that would fall under this policy must be reported to the Library Director and Human Resources as soon as the reporting party becomes aware of it.

### **.64 Investigation and Follow-Up**

Any reported or alleged violation of this policy will be promptly investigated by the appropriate management staff, the Library Director, City Human Resources, and/or the City Attorney's Office. Violations of this policy may result in disciplinary action up to and including termination of employment and/or a report to law enforcement.

### **.65 Confidentiality and Retaliation**

To the greatest extent possible, anonymity will be maintained during the investigation. However, anonymity will be maintained at the discretion of those investigating and resolving the complaint only to the degree that it does not compromise the investigation. There is no right to or guarantee of anonymity.

Any employee who acts in good faith by reporting real, threatened, or implied violent behavior will not be subjected to any form of retaliation or harassment. Any retaliatory behavior resulting from a report of violence must be reported to the Library Director, the City's Human Resources Administrator, or the City Attorney's Office for investigation and appropriate action.

### **.66 Post-Incident Response**

Injured staff will receive prompt medical treatment and appropriate post-incident counsel. The Library Director and the City's Human Resources will assist the supervisor with coordination of appropriate post-incident response which may include a critical incident debriefing session and/or counseling through the Employee Assistance Program.

### **.67 Violence Outside the Workplace**

In order to fulfill its obligation to protect employees from violence, the Library requires that an employee apprise their supervisor, the Library Director, or City Human Resources of any situation involving violence or the threat of violence that may carry over into the workplace such as a restraining order issued for the protection of the employee, harassing or threatening phone calls, email or other electronic messages, being or suspicion of being stalked, and any other circumstance the employee perceives as threatening to the health and safety of the employee or others in the workplace.

### **.68 Workplace Security Suggestions and Recommendations**

Employees are strongly encouraged to offer recommendations for improving safety

within work sites of the Library. These suggestions may be made directly to supervisors and/or the Library Director.

## **502.7 EMPLOYEE RELATIONS AND CONDUCT**

The work of every employee is important. Employee performance and conduct have an effect on the employee's success with the Library and the work environment, as well as effecting 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 and conducting themselves in a manner that positively contributes to a respectful and productive work environment.

### **.71 Employee Conduct and Ethical Standards of Behavior**

Library employees are expected to conduct themselves in a courteous, respectful, responsive manner and in a manner that demonstrates high ethical standards, professionalism, and inspires public trust. These expectations and standards of behavior extend to individuals under consideration for an offer of Library employment, as well. All Library employees are required to:

- Refrain from engaging in conduct which could violate federal, state or local laws and/or reflect unfavorably upon the Iowa City Public Library and City of Iowa City.
- Refrain from engaging in conduct which represents or could reasonably be interpreted to represent a conflict of interest.
- Put forth honest effort in the performance of their duties.
- Carry-out and support the established policies of the Library in the performance of their job duties, regardless of their personal opinions of said policies.
- Decline any extraneous fee or gratuity for work performed on behalf of the Library.
- Refrain from granting or making available to any person, any consideration, treatment, advantage or favor beyond that which is granted or made available to the public.
- Immediately report to their supervisor any outside interests 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.

#### **A. Impartiality**

Employees must:

- Avoid any action which might result in or create the impression of using public office, employment with the Library for private gain, giving preferential treatment to any person or entity, or losing impartiality in conducting Library business.
- Refrain from securing privileges or exemptions for themselves or others beyond that



which would be available to the public at large.

### **B. Use of Information**

Employees may not use confidential information for their own financial advantage or to provide others with financial advantages or information which could be used for financial advantage. Each employee is charged with the responsibility for ensuring that they release or provide only information that should be or already is available to the public at large.

### **C. 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.

### **D. Use of Library and City Resources**

Employees may not use or permit the use of any publicly owned resource (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 other than what is generally available to the public. No Library-owned property may be removed from the workplace except for the purpose of conducting Library business. Use of Library or City facilities, supplies, equipment, or worktime 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.

### **E. 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 Library and 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.

## **F. Employment Conflicts**

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 in 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.

## **G. 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:

**(1)** An employee shall not, while performing official duties or while using Library equipment at the employee's disposal by reason of their position, solicit contributions for any political party or candidate, or engage in any political activity, including distribution of political messaging or materials. Employees shall also refrain from wearing hats, buttons, or other items with political messaging while working, unless otherwise permitted under Chapter 20 of the Iowa Code.

**(2)** An employee shall not attempt to influence the vote or political action of another by advocating for an appointment, increase in pay, or other business or employment advantage for that person with the Library or City.

**(3)** 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.

**(4)** An employee who becomes a candidate for public office may request a leave of absence without pay. An employee who is a candidate for any elective office shall not campaign while on duty as an employee.

## **.72 Discipline**

The responsibility of the Library to appropriately manage its operations may occasionally require it to take disciplinary action against employees. The objective of disciplinary action is to correct behavior that violates Library policies, expectations or is otherwise inappropriate, and maintain efficient Library operations. 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. Each case will be considered on its merits with due consideration as to the nature of the offense, the cause, the background, and the attitude of the employee.

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

### **Causes for Discipline:**

It is not possible to list all forms of employee conduct that are considered unacceptable and impact the workplace. The following list is illustrative of, but does not include all, types of behavior or conduct 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. Deliberately attempting to undermine morale.
- B.** Theft of Library property, money, or services or acting in a careless or negligent manner with Library money, property, or vehicles. Theft of property during the performance of duty or on Library property.
- C.** Violation of Library policies including but not limited to Personnel Policies, Administrative Regulations, violation of department rules, or any other rules, policies, or regulations issued by the Library.
- D.** Abusive or discourteous 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 disability, or genetic information; or any behavior including behavior occurring outside the workplace, which negatively affects the work environment or has the effect of producing a hostile work environment.
- E.** 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 the need to leave work for any reason.
- F.** Working (straight time or overtime) without proper authorization. Failure to accurately and timely report hours worked. Intentional abuse of the Library's time keeping system, including unauthorized punching in/out of another employee.

- G.** Failure to satisfactorily and consistently perform the duties of the employee's position; incompetency, inefficiency, or negligence in the performance of assigned duties; loafing, loitering, or engaging in unauthorized personal business during work hours; excessive use of personal mobile devices.
- H.** Failure to maintain the appropriate qualifications, certifications or licenses necessary for the performance of job duties or failure to report any change or loss of said qualifications, certifications or licenses.
- I.** Unauthorized dissemination of non-public information acquired during the performance of duties for the Library. Revealing confidential Library records or unauthorized use of privileged information.
- J.** Breach of confidentiality.
- K.** Violations of the Federal Drug Free Workplace Act or any other state or federal regulations.
- L.** Lying or providing false or inaccurate information, either verbally or in writing; falsification, alteration, deletion of required information, or failure to include material information on any application or Library record.
- M.** Cheating on an employment-related exam.
- N.** Inappropriate use of telephone lines, long-distance service, FAX/photocopy services, computer or internet usage, cell phones, mobile or electronic devices, or other Library-owned property.
- O.** 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.
- P.** Failure to make payment in a timely manner for any employment related charges including costs for return-to-duty or follow-up drug tests.

- Q.** Illegal activities and/or conviction of a crime that is closely or directly related to the ability of employees to perform their job effectively or is otherwise job related, or failure of employees to provide timely notification of a criminal conviction to Human Resources.
- R.** Disregard for safety policies and procedures, including improper use of safety gear, clothing, or equipment; failure to report a workplace injury or illness to supervisory personnel in a timely manner
- S.** Preventable accidents; conduct resulting in damage to Library or City equipment or property or the injury of others. Willful destruction of property of the Library, the City, or any employee. Failure to report workplace accidents to a supervisor.
- T.** 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.
- U.** Activity which involves conflict of interest or use of Library employment for personal gain.
- V.** Conduct which negatively impacts the Library's ability to effectively conduct its operations; disruptive behavior; sleeping or giving the appearance of sleeping during working hours; engaging in horseplay, roughhousing, or disorderly behavior during work hours or while on work premises.

### **.73 Weapons**

No employee of the Library shall carry a weapon while on duty. Weapons include but are not limited to firearms, knives, explosives, and tasers or other similar electronic immobilizers. 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.

### **.74 Appearance-Grooming**

Employees are expected to maintain a level of personal appearance and grooming and maintenance of their workspaces that is considerate of other employees, and projects an image that inspires the confidence of the community 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.

### **.75 Scented Products**

The Library aims to be sensitive to individuals with perfume and chemical sensitivities. Employees should minimize use of scented products including but not limited to cologne, after-shave, perfume, deodorant, lotions, hair products, air fresheners, room deodorizers or similar products.

### **.76 Personal Activities**

Conducting personal or non-work-related activities is discouraged during work hours, except in emergencies and with the approval of the supervisor. Personal business should be conducted during designated break times or during unpaid lunch breaks. When possible, personal phone calls should be made from a phone away from areas used by the public to conduct business and away from other employees who may be distracted by such personal calls.

### **.77 Supplemental Employment**

Supplemental employment outside the employee's assigned Library working hours must in no way interfere or conflict with the satisfactory performance of an employee's 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 is not encouraged.

If an employee is unable to perform their job for the Library due to injury or illness, work for another employer during what would be the employee's Library work hours is expressly prohibited. A waiver of this provision may be given if the employee presents sufficient evidence to the Library Director from their 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.

## **.78 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, accrued vacation time, compensatory time, or, in the absence of any of these, unpaid leave may be used to cover such absences.

## **.79 Education**

Advance approval from the Library Director or their designee is necessary for an employee to attend or engage in any educational program during normal working hours, other than that which may be provided or directed by the Library. Consideration of such requests will be based upon direct benefit to the Library 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.

## **.710 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. Employees with questions about whether a physical restriction is considered a work restriction should discuss the restriction with City Human Resources before providing the information to the employee's supervisor.

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

## **.711 Breastfeeding Breaks**

The Library will provide reasonable break time for nursing mothers to express breast milk for a nursing child for one year after the child's birth each time such employee has 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 their supervisor and/or the Library Director.

## **.712 Criminal Convictions and/or Conduct**

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 to determine the impact a conviction may have on an employee's ability to continue in their current role and will consult with appropriate supervisory staff and the City Attorney's Office as necessary. Employees in a position designated as sensitive under the Criminal Background Checks in Hiring policy who are convicted of a crime which would have precluded them from being hired into the position, may likewise be determined to no longer meet the requirements of the position and may be subject to termination of employment or other discipline.

Candidates for sensitive positions which are subject to criminal background screenings who have a pending criminal charge for which conviction would preclude them from further consideration for employment may be subject to an individualized assessment. The individualized assessment will be conducted by Human Resources to determine whether behaviors acknowledged or proven by a preponderance of available evidence may disqualify the candidate from further consideration due to the nature of the position for which they are being considered. (For example: an individualized assessment would be required for a pending charge for a crime against a person which could pose a safety risk to vulnerable populations served by the operation).

## **.713 Personal Use of Social Media**

### **A. Scope and definition**

Policies governing appropriate use and administration of authorized Library social media accounts are addressed by the Social Media Posting Guidelines (administrative policy), Social Media Sites Policy (administrative policy), Telecommunications Policy (administrative policy), and Public Relations (Board Policy 702) and Confidentiality and Privacy (Board Policy 802). For the purpose of this provision, social media is defined as any form of online publication or presence that allows interactive communication, including but not limited to, social networking sites such as Facebook, Twitter, Instagram, LinkedIn, YouTube, or similar sites now and in the future. It also includes online forums such as personal web pages, blogs or vlogs, online games, and messages or comments conveyed through any other online forum.

Nothing in this policy is intended to infringe upon any employee's First Amendment rights to engage in speech protected by the United States and Iowa Constitutions, to limit the right to engage in protected concerted activity under the National Labor Relations Act (NLRA), or to express an opinion on a matter of public concern when the statement is not made pursuant to their official duties. Employees are free to express



themselves as private individuals on social media sites. The intent of this policy is to prevent employees from engaging in unlawful speech, improperly impairing the working relationships of and within the Library, or impeding performance of Library duties and/or negatively affecting public confidence in the operation of the Iowa City Public Library or the performance of the individual employee.

As public employees, Library employees are cautioned that speech made pursuant to an employee's official duties is not protected free speech under the First Amendment and may form the basis for discipline.

## **B. Work-related guidelines for employee use of personal social media**

- 1.** Personal accounts may not be designed in such a way as to cause users to believe the account is Library-administered or endorsed by the Library, including unauthorized use of Library logos. Whether or not employees specify on their personal social media accounts that they work for the Iowa City Public Library, they should be mindful that their employment is a matter of public record. Whenever issues are discussed online, whether in a personal or professional capacity, it is possible that comments can be connected to a person's employment with the Library. Employees should consider whether statements they publish may be construed as expressing official Iowa City Public Library positions and whether such statements are accurate representations. If an employee possesses leadership responsibilities or chooses to identify themselves as a Library employee on personal social media, it is recommended that they include a disclaimer such as "The postings on this site are my own and do not necessarily reflect or represent the views of the Iowa City Public Library or City of Iowa City for which I work."
- 2.** Employees are prohibited from disclosing confidential or legally protected information learned through employment with the Library, including personally identifiable patron information, such as check out history or requested information.
- 3.** Employees are prohibited from using the internet or social media to post content that violates the Library's harassment or discrimination policies even if occurring outside work hours, from home and on personal devices. Such behaviors include but are not limited to posting comments or other content that is derogatory with respect 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 classes or categories protected by federal, state, and local law, including epithets, slurs, and negative stereotyping; sexually suggestive, humiliating, or demeaning comments; or other behaviors that could constitute harassment or bullying.

4. Employees are prohibited from using the internet or social media to incite or encourage violence. This includes threats to stalk, haze, or physically harm another employee or member of the public.
5. Employees may not use social media to engage in libelous, defamatory, obscene, or maliciously false behavior directed at the Library, its Board of Trustees, the City and other City departments, elected or appointed officials or other employees or members of the public.
6. While employees may believe a social media post or electronic communication is private, release to the public is always possible. Employees will be responsible for their posted content.
7. Employees are discouraged from posting to personal accounts while using the Library network or Library-owned equipment and should not speak on behalf of the Library using their personal social media accounts.

## **502.8 WHISTLEBLOWER POLICY AND STATE OMBUDSMAN'S OFFICE**

It is the policy of the Library that all employees are encouraged to report information or conduct the employee reasonably believes to be improper governmental actions by any Library or City official or employee, to the extent such a report is not expressly prohibited by law. The Library prohibits reprisal or retaliation against any employee who in good faith makes such a report.

### **.81 Definition of Improper Government Action**

Any action by any employee or official that:

- Is undertaken in the performance of their duties, whether or not the action is within the scope of the employee's or official's employment; and
- Is in violation of any federal, state or local law or rule;
- Is mismanagement;
- Is an abuse of authority;
- Is of substantial and specific danger to the public health and safety; or
- Is a gross abuse of public funds.

### **.82 Complaint Procedure**

The Library, with assistance from the City, will investigate complaints of improper

governmental action. Employees should promptly report information or conduct they reasonably believe constitutes improper government action to their supervisor, the Library Director, the City's Human Resources Administrator, or the City Attorney's Office. Supervisors receiving reports of potential improper governmental action are required to promptly notify the Library Director, the Human Resources Administrator, or the City Attorney's Office of the report to ensure appropriate investigation, documentation and follow-up takes place.

### **.83 Retaliation Prohibited**

The Library may not retaliate against an employee who makes a good-faith report of conduct the employee reasonably believes to be improper governmental action, including an internal report as outlined above or the disclosure of information the employee believes constitutes improper governmental action to a member or employee of the general assembly, an official of or person providing human resources management for that political subdivision or any other public official or law enforcement agency.

### **.84 State Ombudsman's Office**

In addition to the reporting procedure described above, employees may contact the State Ombudsman with reports of improper governmental action. Pursuant to the Iowa Ombudsman Act, Iowa Code Chapter 2C, the State Ombudsman's Office has authority to investigate complaints about improper action or inaction taken by governmental entities. The State Ombudsman's Office is a non-partisan agency and may be reached at 1-888-426-6283.

## **502.9 EMPLOYEE ASSISTANCE PROGRAM**

The City sponsors an Employee Assistance Program (EAP) as a means of assisting employees and their family members with a variety of challenges including marital, family or financial difficulties, physical, emotional or personal problems, and substance or alcohol use. It is available as a confidential service for information, short-term counseling, and referral to other community resources. While 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 and not reported to the City. **Employees may contact the EAP by calling 319-351-9072.** 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 recommended follow-up treatment to the City. The City is not provided a diagnosis and all discussions between the employee and counselor remains confidential.

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 as conditions are not causes for discipline. However, if they impact job performance, including attendance, work performance, ability to carry out required duties, inter-personal or public relations, etc., disciplinary action may be taken. Nothing in this section relieves employees of responsibility for their own conduct on the job.

## **502.10 SUBSTANCE ABUSE POLICY**

### **.101 Policy**

The Iowa City Public Library is dedicated to providing safe, dependable, and efficient services to our citizens. Library employees are our most valuable resource and it is our goal to provide a healthy, satisfying working environment. In meeting those goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and (4) to encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

### **.102 Purpose**

The purpose of this policy is to assure worker fitness for duty and to protect our employees and the public from the risks posed by the misuse of drugs or alcohol or by the use of prohibited drugs while balancing respect for individual privacy. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs, including the federal Drug Free Workplace Act of 1998.

### **.103 Applicability**

This policy applies to all Library employees, as well as contractors or volunteers; when they are on Library property or when performing any Library-related business. This policy also applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Compliance with the terms and requirements of this policy is a condition of employment for all employees.

### **.104 Prohibited Substances/Behaviors**

#### **A. Illegally Used Controlled Substances or Drugs**

Any illegal drug or substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15. This includes, but is not limited to: marijuana, amphetamines, opiates,

phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, or use of illegally obtained prescription drugs.

### **B. Misuse/Abuse of Legal Drugs**

The appropriate use of legally prescribed drugs and over-the-counter medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel and medical advice should be sought by the employee, as appropriate, before performing work-related duties.

A legally prescribed drug means that individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. Legally prescribed drugs must be carried in their original container with a label which indicates the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing Library business is prohibited.

The Library reserves the right to take appropriate action (including relieving the employee from work) if the use of a prescribed or over-the-counter medication is impairing or is deemed likely to impair the employee's faculties or work performance.

### **C. Alcohol**

Library employees are prohibited from consuming alcoholic beverages and from possessing containers of alcoholic beverages with a broken seal while on Library or City premises or on duty.

## **.105 Prohibited Conduct**

### **A. Manufacture, Trafficking, Possession, and Use**

Iowa City Public Library employees are prohibited from engaging in unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances while working, on Library premises, in Library or City vehicles, or while on Library business, or from reporting to work following use of a prohibited substance. Employees who violate this provision will be subject to disciplinary action up to and including termination of employment. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

### **B. Alcohol Use**

No employee shall report to duty or remain on duty when their ability to perform

assigned duties is impaired by alcohol. No employee shall use alcohol while on duty, or during the hours that they are on call. Library employees are prohibited from consuming alcoholic beverages on breaks or at lunch. Violation of these provisions is prohibited and subject to disciplinary action up to and including termination of employment.

### **C. Treatment**

The Library recognizes that drug and alcohol dependency is an illness and a major health problem. The Library also recognizes drug and alcohol abuse as a potential health, safety and security problem. All employees are encouraged to use the Employee Assistance Program (EAP) for treatment of drug or alcohol misuse and/or illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. Any employee who refuses or fails to comply with Library requirements for treatment, after care, or return to duty shall be subject to disciplinary action, up to and including termination of employment. Employees will be allowed to use accumulated sick leave and other accruals as appropriate to participate in a prescribed rehabilitation program.

The EAP provides a constructive way for employees to deal with alcohol or drug-related problems before they interfere with continued employment. However, an employee must continue to comply with Library policies, meet attendance, job performance, and safe and sober behavior standards while seeking assistance from EAP or another treatment provider.

### **D. Notifying the Library of Criminal Drug Conviction**

The Drug Free Workplace Act of 1988 mandates that employees are required to notify the Library and City of any criminal drug statute conviction for a violation occurring in the workplace or off Library/City premises while conducting Library business within five days after such conviction. The Library will take appropriate disciplinary action and/or require the employee to participate in a rehabilitation program within 30 days of receiving notice of any conviction under a criminal drug statute. Failure to comply with this provision shall result in disciplinary action, up to and including termination of employment.

## **.106 Proper Application of the Policy**

The Library is dedicated to assuring fair and equitable application of this substance abuse policy. Supervisors are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or is found to have deliberately misused the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination of employment.

## **.107 Testing Procedures**

### **A. Reasonable Suspicion Testing**

Employees are expected and required to report to work on time in an appropriate mental and physical condition. The Library reserves the right to test employees when there is reasonable suspicion that the employee is impaired, that their work performance or on-the-job behavior has been affected in any way by drugs or alcohol or the employee is otherwise unfit for duty.

Reasonable suspicion testing is drug or alcohol testing based upon the evidence that an employee is using or has used alcohol or other drugs in violation of this policy. This evidence is drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. For the purposes of this policy and procedure, facts and inferences may be based upon, but not limited to, any of the following:

1. Direct observation of alcohol or drug use or abuse.
2. Physical symptoms or manifestations of being impaired while at work due to alcohol or other drug use such as, but not limited to, the smell of alcoholic beverages or drugs emanating from the individual, reddened eyes, dilated or constricted pupils, flushed or pale complexion, extensive sweating or skin clamminess, unfocused/blank stare, disheveled clothing, unkempt grooming, runny or bleeding nose, possible puncture marks, wetting lips frequently, complaining of dry mouth or nystagmus (involuntary jerky eye movement), deterioration of work performance, errors and irregularities in work performance.
3. Unexplained changes in behavior or personality such as, but not limited to, hyperactivity, fidgety, agitated, breathing irregularity or with difficulty, nausea, slow reactions, unstable walking, poor coordination, hand tremors, shaking, sleeping on the job, irritable, moody, suspicious, paranoid, depressed, withdrawn or a lackadaisical attitude.
4. Unexplained changes in speech such as, but not limited to, slurred/slowed, loud/boisterous, quiet/whispering, incoherent/nonsensical, repetitious/rambling, clicking sound with tongue, rapid, excessive talkativeness, exaggerated enunciation or cursing/inappropriate speech.
5. A report of alcohol or other drug use while at work provided by a reliable and credible source.
6. Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred illicit drugs or consumed alcoholic beverages while at work for the Library, or while operating Library or City vehicles, machinery or equipment.

Employees found to be impaired by prohibited substances or employees who fail to pass a reasonable suspicion drug or alcohol test administered under federal or state regulations shall be removed from duty and be subject to disciplinary action, up to and

including termination of employment.

### **B. Post Accident Testing**

The Library reserves the right to test employees for drugs and alcohol after a work-related accident when one or more of the following conditions are present:

- a fatality in which a Library employee was involved;
- any individual suffers bodily injury known at the time of the accident;
- one or more vehicles incur disabling damage and require towing/removal from the scene;
- the accident results in cumulative property damage of \$5,000 or greater as reasonably estimated at the time of the accident\*; or
- the Library employee receives a citation for a moving violation\*.

If none of the above conditions are present, and the employee involved in the accident would like to be tested voluntarily for drugs and alcohol, the employee may submit to testing at the Library's expense.

Following an accident, the employee will be tested as soon as possible, but time elapsed before testing may not exceed eight (8) hours for alcohol and thirty-two (32) hours for drugs. An employee subject to post-accident testing shall remain readily available or may be deemed by the employer to have refused to submit to testing.

### **C. Refuse to Test**

Refusal to submit to alcohol or drug testing is classified as a positive test and subject to the consequences of a positive test.

Refusal to test includes, but is not limited to, such behavior as:

1. Failure to report in a timely manner to a collection site. Once notified an employee is to immediately go directly to the testing site.
2. Failure to remain at the testing site until the testing process is complete.
3. Failure to provide a urine specimen for any required drug test.
4. In the case of directly observed or monitored collection in a drug test, failure to



permit the observation or monitoring of provision of a specimen.

5. Failure to provide a sufficient amount of urine or breath when directed, and it as been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
6. Failure or decline to take a second test the Library or collector has directed them to take.
7. Failure to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) as part of the verification process, or as directed by the Library as part of the procedures for situations in which an employee does not provide a sufficient amount of urine to permit a drug test.
8. Failure to cooperate with any part of the testing process (e.g., refusal to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process) or verbal or written refusal to provide required urine/breath specimen.
9. For an observed collection, failure to follow the observer's instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if there are any types of prosthetic or other devices that could be used to interfere with the collection process.
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
11. Admit to the collector or MRO that the specimen was adulterated or substituted.
12. Failure to sign the certification at Step 2 of the Alcohol Test Form.

### **.108 Consequences for Policy Violations**

Violations of this policy resulting in personal injury, injury to another employee or member of the public or violations resulting in damage to public or private property may result in termination on the first offense.

#### **A. Positive Test Results**

An employee who is in their initial probationary period and receives a positive drug and/or alcohol test result will have their employment terminated. A non-probationary employee's first confirmed positive drug or alcohol test will result in a requirement that the employee be evaluated by an EAP counselor with subsequent referral and aftercare if necessary. Failure to undergo the required EAP evaluation or to comply with the treatment plan, including required testing, will result in termination of employment.

### **B. Second Positive Test Results**

In an employee who has previously tested positive under the Library's drug or alcohol testing program tests positive on a second occasion, the employee will be terminated.

### **C. Refusal Consequences**

An employee who refuses to submit to a reasonable suspicion or post-accident drug/alcohol test will be treated as if the employee had a positive test result. The employee shall not be permitted to finish their shift and shall immediately be placed on administrative leave pending disciplinary action up to and including termination of employment.

### **D. Follow-Up**

Once returned to duty, employees may be required to undergo unannounced follow-up testing. Such testing will take place just before job duties are performed, during job duties, or just after the employee performed job duties. The frequency and duration of the follow-up testing will be recommended by the EAP counselor or treating entity.

### **E. Invalid Drug Tests**

The result of a urine drug test is considered invalid if it contains an unidentified adulterant or an unidentified interfering substance, has abnormal characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

### **F. Violations**

Violations of this policy will result in disciplinary action, up to and including termination of employment.

## **502.11 LICENSES, CERTIFICATION AND INSURABILITY REQUIREMENTS**

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 and will be included in the job description. 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 they hold, the employee may be subject to discipline up to and including termination for failure to meet minimum job requirements.

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.

### **.111 Maintaining a Valid License**

Employees required to possess and maintain a valid Iowa driver's license or chauffeur's license are responsible for monitoring 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 their supervisor at the beginning of the first work day after receiving notice of the action. Employees are prohibited from driving any Library or City vehicle without the appropriate valid license and are required to carry their license with them while operating Library or City vehicles or driving on the behalf of the Library.

The City periodically 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 they 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 up to and including termination of employment if they allow their license to expire and are unable to perform their work duties.

### **.112 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.

### **.113 State Library of Iowa Librarian Endorsement**

All budgeted librarians must maintain a current State Library public library staff endorsement or above.

## **502.12 PERSONNEL TRANSACTIONS**

### **.121 Personnel Files**

Personnel files are the property of the Library. It is the policy of the Library to permit access by all Library employees to their personnel file, which is maintained in the Library's 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. 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. Certification and training records are maintained by the Business Office. Library employees required to maintain endorsements through continuing education and professional development must manage their credit hours through the State Library of Iowa. In addition, employees are required to update personal information when they experience a change of name, address, phone, or emergency contact. Employees may maintain this information through the MUNIS self-services portal.

### **.122 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). The Library will not release such information without the express written consent of the employee, except as required by law.

\*Workers compensation files are maintained by the City of Iowa City's Finance Department and are subject to Finance Departmental policy addressing access and security of those records.

### **.123 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 excluding any information otherwise 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 or wellness benefits, vacation, holiday, and sick leave, severance payments, retirement benefits, and deferred compensation.
- Dates of employment
- 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.

### **.124 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 and requirements change.

### **.125 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.

### **.126 Fair Labor Standards Act (FLSA) Classification**

All Library positions have been classified as non-exempt or exempt under the Fair Labor Standards Act (FLSA). 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 report a FLSA complaint or violation, employees may contact the Administrative Coordinator, City Human Resources Administrator, Library Director, or City Attorney's office.

### **.127 Employment of Relatives**

#### **A. 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, Deputy City Manager, Assistant City Manager, City Clerk, City Attorney, Department Directors, Division Heads, or Human Resources staff to be employed by any department of the Library or City.

#### **B. Chain of Command Conflict**

It shall be the general policy of the Library and City that no person shall be hired, assigned, promoted, or transferred to a department of the City or to a division thereof

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 (502.127a) and also include aunt, uncle, niece, nephew, and first cousin. <sup>4</sup>

When a prohibited familial relationship is created during the course of 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 choice is indicated, seniority will be the governing factor and the least senior employee will be subject to transfer, reassignment, or termination.

Individuals actively employed by the Library or 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.

<sup>4</sup> This policy applies to spouses of the familial relationships listed in both 502.127a and 502.127b.

## **.128 Termination of Employment**

### **A. Resignation**

Employees are 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.

Generally, employees will be required to be at work on their last day. Use of extended vacation time prior to separation from service is not allowed. Supervisors may approve no more than two calendar weeks of paid time off within the same calendar month immediately preceding the employee's resignation effective date. The intent for this

provision is that accruals not be used for the purpose of extending benefits at Library expense beyond the last month in which the employee actively worked for any significant time. Therefore, scheduling vacation followed by a single, final workday in a new benefit period is considered contrary to the intent of this provision.

### **B. Retirement**

Terminating employees may be considered retirees if they have submitted the appropriate forms to receive a retirement benefit from their applicable pension or retirement programs. Library employees will retire under the Iowa Public Employee Retirement System (IPERS).

Employees must contact the retirement system directly to initiate the retirement application process. Generally, employees will be required to be at work on their last day. Extended vacation time prior to separation from service is not allowed. Supervisors may approve no more than two calendar weeks of paid time off within the same calendar month immediately preceding the employee's resignation effective date. The intent for this provision is that accruals not be used for the purpose of extending benefits at Library expense beyond the last month in which the employee actively worked for any significant time. Therefore, scheduling vacation followed by a single, final workday in a new benefit period is considered contrary to the intent of this provision.

### **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 submit all forms to the applicable agency.

### **D. Exit Interviews**

Permanent employees will be provided an exit survey prior to their last day of employment. 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 staff or City Manager's Office.

## **502.13 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 Library employees and the public. Employees will not be required to and should not work in areas or operate equipment which is a safety hazard to themselves or the public. Employees are required to report unsafe working conditions to their immediate supervisor. 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.

- A.** Employees must wear appropriate safety equipment/clothing, as required. Employees will receive appropriate training and are expected to follow appropriate safety standards.
- B.** Employees must wear seatbelts in all vehicles that are equipped with seatbelts, as provided by state law.
- C.** Smoking, including use of e-cigarettes or other vaping devices is prohibited in all City or Library vehicles, equipment, buildings and grounds.
- D.** City employees shall not wear or use radio headphones, earphones, or other similar devices at any time while at work, unless such devices are authorized by the Department Director/Division Head. Telephone headphones are permitted for business phones with the supervisor's approval.
- E.** Employees will handle property and equipment of the Library and City with due care appropriate to the nature of the work and equipment used. Writing, sending, or viewing an electronic message or talking on a hand-held communication device while driving 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.
- F.** 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.

Approved: 07/22/1982	Revised: 05/28/1987	Revised: 01/25/1990	Revised: 02/23/1995
Revised: 11/09/1999	Revised: 04/28/2008	Revised: 03/27/2008	Revised: 05/26/2011
Revised: 05/22/2014	Revised: 10/26/2017	Revised: 09/23/2021	Revised: 11/21/2024