

CANAJOHARIE LIBRARY & ARKELL MUSEUM

(Legal Name: Canajoharie Library & Art Gallery)

PERSONNEL POLICY

Mission Statement

The mission of the Canajoharie Library & Arkell Museum is to promote and celebrate the understanding and enjoyment of the arts and humanities in Canajoharie, the Mohawk Valley, and beyond.

The Arkell Museum collects, preserves, researches, and presents American Art and Mohawk Valley History, and promotes active participation in art- and history-related activities to enhance knowledge, appreciation, and personal exploration by all.

The Canajoharie Library provides literary, entertainment, and information resources, and promotes the active use of these resources for recreation, education, and community engagement.

Board of Trustees

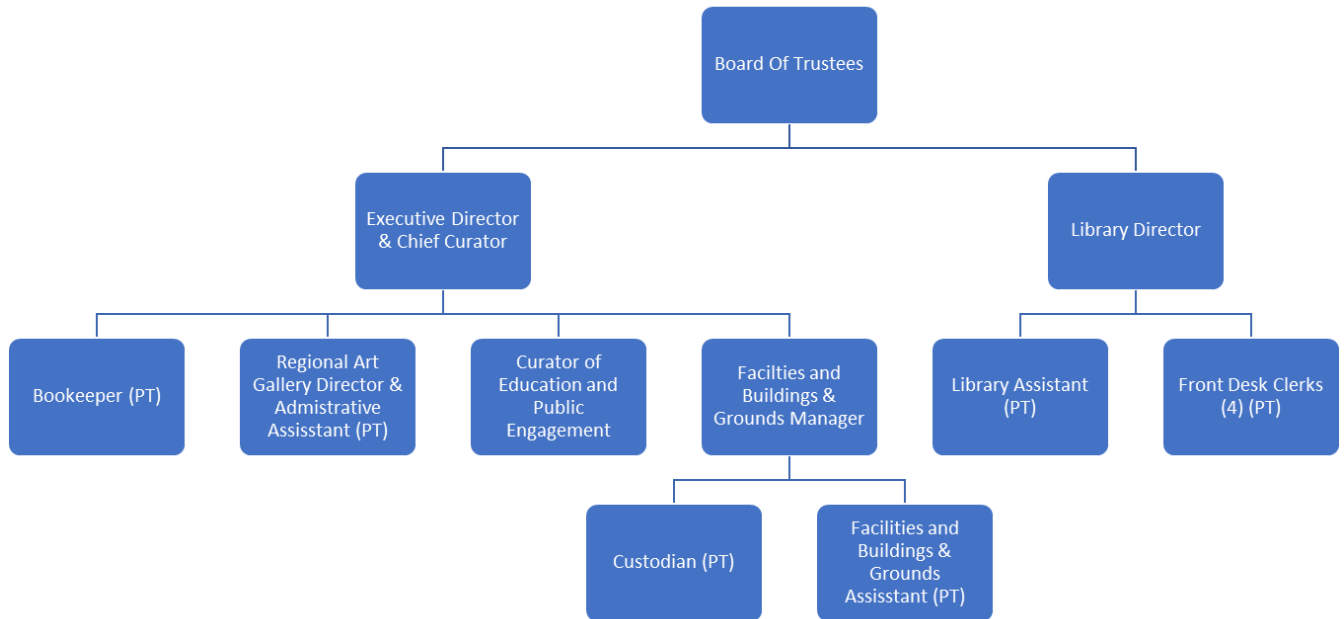
The Canajoharie Library & Arkell Museum (“the Library & Museum”) is a Type B Educational Organization as defined by New York State Education Law. As such it is governed by a Board of Trustees.

The primary responsibility of the Board of Trustees in the area of personnel governance is to hire a competent Director(s) to oversee the management of the organization. The trustees also develop and approve institutional policies that govern the activities of the organization in the area of personnel management. In addition, the Board of Trustees approves the creation of any new positions.

The Personnel Committee of the Board of Trustees is a standing committee that meets with the Director(s) periodically. The committee members are appointed to the committee by the President. The committee is consultative in nature. It does not make final governing or management decisions. The committee members serve as the institutional experts on matters concerning personnel management at the Library & Museum. Illustrative duties of the Personnel Committee include: studying policy and making recommendations for changes to the full board; recommending changes in salaries and wages for the Director(s); organizing the evaluation of the Director(s); studying and recommending action on grievances concerning personnel; and recommending action to the full board on personnel matters that fall beyond the scope of the policy.

Organizational Chart

The organizational chart dictates the general responsibility for recruitment and training of staff members. In most cases, the direct supervisor for any position is the entity responsible for recruitment and training for that position. In general, this means that the Board of Trustees is responsible for recruitment and training for the Director(s) and the Director(s) are responsible for the recruitment and training for approved staff positions.



This chart shows the supervisory relationship between the Board of Trustees, the Director(s), and the Staff. Consultative relationships exist between the Board of Trustees, the Working Committees, and the Director(s). In some cases, with the approval of the Director(s) and the Board of Trustees, staff members may also enter into consultative relationships with the Working Committees. These consultative relationships between the trustees and staff are to be in addition to, not in place of, the consultative relationship between the Director(s) and the trustees. Trustees never enter into supervisory relationships with any staff member other than the Director(s).

In the absence of the Director(s), the staff members are expected to perform their tasks according to their job descriptions and institutional policy. Any question that falls beyond the scope of ordinary operations will be referred to the President or Vice President of the Board of Trustees.

All grievances concerning personnel are to be directed to the Director(s). If individuals or staff members feel that they have not been treated justly by the Director(s) they should contact the President of the Board of Trustees. All grievances concerning personnel will be studied by the personnel committee.

Classes of Employees

- A. Full-time Salaried (Exempt): The Library & Museum are not required to pay overtime for time worked more than 40 hours per week as defined by the State Labor Law (Section 651) and in accordance with overtime exemptions for Executive, Administrative, and Professional Employees. Federal Fair Labor Standards Act indicates that some employees can be designated as “exempt”. Several criteria must be met for an employee to be considered exempt. A full list

of these criteria can be found at <http://www.dol.gov/whd/flsa>. An employee's exemption status is listed on their institutional job description.

- B. Full-time Hourly (non-exempt): Full-time Hourly employees work a 40-hour week, which does not include an unpaid half-hour lunch.
- C. Part-time Hourly: Part-time Hourly employees are regularly scheduled for up to 30 hours per workweek, which does not include an unpaid half-hour lunch. Part-time Hourly employees may occasionally work more than 30 hours per workweek, but will annually average fewer than 30 hours per workweek.

Employee Obligations and Evaluation

The specific responsibilities of the employees are outlined in their respective job descriptions. General obligations and evaluation procedures are outlined below.

1. Conduct

- Neatness in personal appearance is important. Clothing should conform to good business taste, be apolitical, and non-offensive. For all employees, acceptable business attire includes reasonable-length skirts, pants, business-appropriate shorts, and dresses. Closed-toed shoes are recommended. For all employees, non-acceptable attire includes tank tops with no cover-up, mini-shorts, sweatpants, mini-skirts, clothing with offensive language or imagery, crop-tops, and torn clothing including jeans with holes and/or rips.
- Punctuality is vitally important. If a staff member will be unavoidably late they should inform their supervisor and/or other staff person on duty so that schedules can be adjusted. Employees who exhibit habitual lateness will be subject to disciplinary action.
- Telephone and fax machine are for business use and employees should avoid personal use whenever possible.
- Employees who wish to use the copier or printer for personal business must pay for their usage.

2. Evaluation

- The evaluation of employees is the responsibility of the supervisor and should be a regular task. These formal evaluation policies are not intended to absolve the supervisor from the responsibility of providing daily feedback to employees on their performance. The outcome of formal evaluation may be used as a basis for adjustments in work habits, responsibilities, and/or compensation.
- All employees are entitled to a formal evaluation on an annual basis by their supervisor. Additional formal evaluation is provided at the discretion of the supervisor. All evaluations should include mention of accomplishments as well as areas that require improvement. All evaluations should also include input from the employee being evaluated. The specific procedures for formal evaluation for the respective positions follow.
 - Director(s): The Director(s) is evaluated annually at the discretion of the Personnel Committee of the Board of Trustees. The committee may include other trustees in

the process if desired. The Personnel Committee is responsible for sharing the results of the evaluation with the full Board of Trustees.

- Support and professional staff are evaluated annually by their supervisor.

Personnel Records

Personnel records include all necessary payroll and personal information for each employee. It is the employee's responsibility to notify the Payroll or Human Resources staff person of any changes of name, address, telephone number, marital status, or tax filing status.

Employee Accidents/Medical Emergencies

Any employee who has an accident or medical emergency during working hours must report the full details of the accident or emergency to the immediate supervisor or Director(s) as soon as possible and provide a written incident report to the immediate supervisor within 48 hours if medically possible.

Employees who become aware of unsafe conditions in or around the building, parking lots, or grounds must report such unsafe conditions to the Director(s).

Anyone involved in an accident or medical emergency during working hours at the Library & Museum or in any other location where they are considered to be on work time should seek appropriate medical attention as soon as possible. The Director(s) has the right to direct an individual involved in an accident or medical emergency to seek medical help to ensure that they are in good health and receives the necessary medical attention.

Leave Policy

Employees of the Library & Museum are expected to work for the full time that they have been scheduled with opportunities for paid and unpaid leave as described below.

1. Lunches and Breaks

- Class A employees are expected to work 40 hours each week with a 1/2-hour allowance for paid lunch and two 15-minute allowances for breaks each day.
- Class B employees are expected to work 40 hours each week with a 1/2-hour allowance for unpaid lunch and two 15-minute allowances for breaks each day.
- Class C employees are given an unpaid 1/2-hour allowance for lunch on days that they are working a shift of more than six hours which extends over the noonday meal period (11:00 am-2:00 pm.) Class C staff are also allowed one 15-minute break for every four consecutive hours worked.

2. Overtime

- Class B and Class C employees will receive overtime pay at a rate of one and a half times their regular rate of pay for hours worked more than 40 hours in a week.

- An employee may not work overtime without prior permission from their supervisor.
- Vacation time may not be used to increase paid hours more than the amount the employee would usually work per week.

3. Schedule Adjustments and Flex Time

- Class A employees are paid a fixed salary that is not tied to the number of hours worked in the pay period but is instead based on fulfilling the requirements of the job. Time worked beyond the "normal" workweek has no effect on the salary paid.
- A Class A employee who works evenings or weekends beyond a 40-hour workweek, may, with the permission of their supervisor, adjust their work hours in the week following this event.
- Flextime may not be taken in anticipation of the accumulation of extra time.

4. Paid Holidays

- Class A, Class B, and Class C employees are paid for holidays if they were scheduled to work on that day. Workers without formal schedules are not paid for holidays.
- Class A employees are entitled to a comparable day off at the digression of the supervisor if a holiday falls on a weekend.
- The Library & Museum are closed on the following holidays: New Year's Eve, New Year's Day, Easter, Juneteenth, Independence Day, Thanksgiving Day, Christmas Eve, and Christmas Day.
- In addition to the holidays listed above Class A and Class B employees receive the following paid days off: Martin Luther King Day, Labor Day, Memorial Day, Presidents Day, Indigenous People's Day, and Veterans Day.
- Holidays falling during an employee's vacation period will not be deducted from their vacation allowance.

5. Paid Time Off (PTO)/Sick Leave

Good attendance is a major fact of successful job performance. If an employee is unable to report to work due to illness, their supervisor must be notified as early as possible. PTO usage for sick time may require a physician's authorization.

- All employees may use PTO for safe leave, personal time, and sick time including physical and mental illness, injury, preventative care, routine appointments, treatment/care/diagnosis of health conditions, scheduled medical appointments, and illness in the immediate family.
- Class C employees accrue PTO at a rate of 1 hour per every 30 hours worked, up to 40 hours per calendar year.
- Class C employees may use up to 40 hours of PTO per calendar year.
- Class A and Class B employees are credited 10 days of PTO annually, or the equivalent of 80 hours.
- Class A and Class B employees may use up to 80 hours of PTO per calendar year.
- Unused PTO may be carried over and accrued into the following years.

- Employees will not be compensated for any unused PTO. Paid Time Off is forfeited if an employee is terminated or resigns and will not be reinstated upon rehire.
- Employees may request PTO throughout the year. Paid Time Off is approved at the discretion of the supervisor (or deputy assigned by the supervisor). Except for medical and family emergencies, the operation of the Library & Museum and its efficient service to the public takes precedence over PTO requests.
- Except for medical and family emergencies, Class C and Class B employees requesting PTO must submit their request no less than two weeks before the requested time off.
- If two or more employees request concurrent or overlapping PTO and this presents a conflict with work demands, the supervisor will determine the apportionment of PTO among those employees.

6. COVID-19 Leave

- COVID-19 Leave is provided in accordance with NYS requirements: <https://paidfamilyleave.ny.gov/COVID19>.
- COVID-19 Leave is separate and in addition to Paid Time Off (see PTO, Section 5 above)
- COVID-19 leave use for isolation or quarantine does not impact or otherwise utilize an employee's PTO or Sick Leave accruals or usage.
- NYS stipulations, affirmations, required documentation, and required COVID-19 Leave request forms may change at any time
- Employees who suspect COVID-19 exposure or who have tested positive for COVID-19 must notify their supervisor or Director immediately to ensure appropriate isolation or quarantine is taken
- Employer will provide employee NYS required COVID-19 Leave request forms and any necessary paperwork
- Employees are no longer eligible for COVID-19 leave once they receive a negative test result.

7. Vacation Time

- Class C employees do not earn paid designated Vacation Time
- Vacation Time is in addition to PTO for Class A and Class B employees
- Class A and Class B employees earn paid designated Vacation Time according to the following schedule:
 - Year 1 – 5 Days or 40 hours
 - Years 2-4 – 10 Days or 80 hours
 - Years 5-9 – 15 Days or 120 hours
 - Years 10+ - 20 Days or 160 hours
 - Supervisors may choose to offer additional time off to professional staff.
 - Vacation Time does not accumulate for more than one year and employees are never compensated for unused vacation time.
- Employees may request Vacation Time throughout the year. Vacation Time is approved at the discretion of the supervisor. The operation of the Library & Museum and its efficient service to the public takes precedence over Vacation Time requests.

- If two or more employees request concurrent or overlapping Vacation Time and this presents a conflict with work demands, the supervisor will determine the apportionment of vacation among those employees.

8. Conferences and Meetings

- Work-related conferences and meetings are approved at the discretion of the supervisor. Travel to and conference/meeting time are considered normal working hours. At the discretion of the supervisor, the employee may adjust their onsite work hours to accommodate travel and conference/meeting time occurring outside of normal work hours. Additional payments to employees for expenses incurred in attending conferences and meetings are limited by the approved operating budget and allowed at the discretion of the supervisor. The standard rate for the use of a private vehicle in performing institutional business changes annually and can be found at www.gsa.gov.

9. Emergency Call-Ins

- When Class B employees are called in for an emergency by their supervisor or security in response to an alarm or emergency such as snow removal, HVAC failure, plumbing issues, or power outage outside of normal working hours, or on a Saturday, Sunday, or Holiday, they will be paid at a rate of 1.5 times their normal hourly rate.
- Class C employees called in for emergencies are paid at their normal hourly rate. If their emergency work results in more than 40 hours, they will be paid at 1.5 times their normal hourly rate for all hours more than 40 hours per week.

10. Weather and Other Emergencies

- If the facility is closed due to inclement weather or another emergency, all Class B and Class C employees that were normally scheduled to work will receive full pay. If an employee decides on their own not to come to work or work a shortened day due to inclement weather or other emergencies, but the Library & Museum remain open, the employee will not receive payment for the time that they did not work. The Director(s) have the authority to close the Library & Museum due to inclement weather or other emergencies.

11. Jury Duty

- Employees that are called to serve as jurors are expected to report for work unless their presence is required in court.
- Class A employees are expected to make accommodations to keep up with work as practical; there is no change to payment; Vacation Time is not affected.
- Class B and Class C employees will be paid up to the first \$40 of their daily wage for the first three days of jury duty as defined by the NYS Attorney General (<https://ag.ny.gov/labor/jury-duty-faqs>).
- At the discretion of the supervisor, Class C employees may adjust their work schedule to avoid conflicting jury duty and work schedule requirements.
- Job Protection is guaranteed for the duration of Jury Duty.

12. Leave Without Pay

- The supervisor may grant an employee leave without pay provided that 1) the employee will be absent less than six months and 2) any scheduling adjustments or contingency hiring do not increase expenditures. Employees on extended leave from work will not accrue Paid Time Off benefits.
- Class A employees may not accrue Vacation Time during an extended leave.

13. Safe Leave

Paid Time Off (PTO) may be used for an absence from work when the employee or employee's family member(s) has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to domestic violence, family offense, sexual offense, stalking, or human trafficking:

- to obtain services from a domestic violence shelter, rape crisis center, or other services program;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other action(s) necessary to ensure the health or safety of the employee or the employee's family member(s) or to protect those who associate or work with the employee.

14. Paid Family Leave

- Paid Family Leave (PFL) is provided in accordance with NYS requirements: <https://paidfamilyleave.ny.gov/>
- NYS stipulations, affirmations, required documentation, and required Paid Family Leave request forms may change at any time
- Except for medical emergencies, employees must notify their supervisor or director at least two weeks prior to requested Leave dates
- Employer will provide employee NYS required Paid Family Leave request forms and any necessary paperwork

15. Military Leave

- Military leave will be granted as prescribed by law, as per the Uniform Services Employment and Reemployment Rights Act (USERRA).

Compensation, Benefits, Fringe Benefits

1. Compensation

- Class B and Class C employees of the Library & Museum are provided with monetary compensation according to the salaries set by the Director(s) and approved by the Board of Trustees. Employees will be paid only if they have completed the necessary paperwork including the state and federal employment forms. Employees are paid bi-weekly.
- Raises may be granted by the Director(s) and approved by the Board of Trustees as a part of budget preparations. Raises are ordinarily granted only to employees that have worked a minimum of one full year when the raise becomes effective.

2. Benefits

- Medical Insurance: Health Insurance is provided for Class A and Class B employees. After six months of employment, the Library & Museum will contribute 90% of the cost of the Library & Museum approved Health Insurance premiums for the individual employed. The employee may elect to pay for additional dependent and/or rider coverage on their own. Dependents include spouses/domestic partners and children up to age 26.
- Life & AD&D: Not covered by the Library & Arkell Museum
- Retirement. Class A and Class B employees of the Library & Museum may participate in an I.R.C. sec. 403b. plan. All contributions to the plan are provided by the participating employees. These employee contributions are deducted from the employee's salaries according to I.R.S. rules. In addition to the opportunity for Class A employees to divert part of their salaries to 403(b) accounts, the Library & Museum will, for legally eligible employees, match employee contributions to these accounts in an amount up to a set percentage of their annual salary. The institution will match \$.50 for every dollar the employee contributes to their 403(b) account, up to 2.5% of the employee's annual gross salary.
- Social Security: The Library & Museum matches employee contributions to the social security trust fund as provided by law.
- Unemployment Insurance: The Library & Museum participates in the benefit reimbursement program as allowed by New York State. Terminated employees are provided with unemployment payments according to New York State Law.
- Workers Compensation: Coverage is provided as dictated by New York State Law.
- New York State Disability: Coverage is provided as dictated by New York State Law.

3. Fringe Benefits

- All employees of the Library & Museum are entitled to all Individual Membership benefits of the Library & Museum including the 10% discount for all gift shop items.
- All employees are entitled (and encouraged) to bring a reasonable number of guests at one time to the Museum during their non-working hours; the employee must accompany all guests.

Disciplinary Procedure

The Library & Museum uses meetings and discussions with employees and the annual performance evaluation process to resolve problems following a work performance meeting. If there is inadequate improvement in job performance, or an employee has violated Library & Museum policies, disciplinary action may be a necessary recourse. Administrative policy regarding the Executive Director and Library Director is not guided by this policy.

Supervisors will keep written notes of each evaluation and/or disciplinary session. These notes shall ensure mutual awareness of the session's goals and progress toward meeting these goals.

The disciplinary process can result in any or all of the following actions, depending on the nature of the problem or previous disciplinary actions taken regarding the problem:

1. Verbal warning
2. Written warning
3. Suspension with pay or without pay for up to two months
4. Termination of employment

Any of the above disciplinary actions will be documented and put into the employee's personnel file.

Termination of Employment

Employees may cease employment at the Library & Museum for a variety of reasons including retirement, resignation, layoff, and dismissal. The following general guidelines pertain to all instances where employees leave service:

- There will be no compensation for any form of unused leave.
- Any necessary transfer of benefits is the sole responsibility of the employee.
- Employees must return any institutional property, must surrender their keys, and must remove any personal belongings before the final paycheck will be provided.
- Within the above criteria, the final check will be provided on the ordinary payday.
- Employees should not expect any form of severance compensation.

Dismissals

All employees of the Library and Museum are employed at will. The Library & Museum has the right to dismiss employees at any time and for any reason that does not violate federal, state, or local law.

- Dismissal is immediate, without notice, and with loss of benefits. Notification of dismissal shall be made to the employee in writing.

Resignation

Employees are requested to give at least two weeks' notice of their intent to leave their positions. Professional and management staff are requested to give at least one-month notice. Sufficient notice allows the institution to replace the departing employee in a manner that prevents disruption of essential service.

Sexual Harassment Policy

The Library & Museum is committed to providing its employees with a collegial work environment that is free of discrimination, including sexual harassment. Accordingly, the Library & Museum expressly prohibits any form of unlawful harassment against any employee of the Library & Museum and will enforce its policy against harassment at all levels within the workplace.

This policy covers all employees, including senior staff and management personnel. Every employee of the Library & Arkell Museum must avoid any conduct that could reasonably be interpreted as harassment prohibited by this policy. In addition, every employee should endeavor to protect other employees from unlawful harassment and maintain a work environment free from unlawful harassment or intimidation.

Sexual harassment, according to the Equal Employment Opportunity Commission, and for purposes of this policy, consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical acts of a sexual or sex-based nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- An employment decision affecting an employee is based on that individual's acceptance or rejection of such conduct; or
- Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to explicit demands for sexual favors. It refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale, and/or interferes with work effectiveness. Sexual harassment may take various forms, including but not limited to the following:

- **VERBAL** - Sexual innuendos, suggestive comments, teasing and jokes of a sexual nature, sexual advances or propositions, repeated offensive sexual flirtations, sexually degrading words about an individual, graphic verbal commentary about an individual's body, sexually-oriented language, and threats.
- **NON-VERBAL** - Displaying or circulating in the workplace obscene or sexually suggestive objects, pictures or graphic commentaries; leering; whistling; and obscene gestures.
- **PHYSICAL** - Unwelcome physical contact including touching, pinching, brushing the body, or any other type of coerced or offensive sexual activity or physical contact.

This behavior is unacceptable in the workplace itself and any business-related setting outside the workplace, including but not limited to client and customer worksites, business trips, and business-related social events.

The Library & Museum encourages individuals who believe they have been sexually harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. Additionally, any employee of the Library & Museum who has witnessed or experienced unacceptable conduct as defined by this policy has a responsibility and an obligation to report that conduct promptly to his or her supervisor, the Director(s), or any of the supervisory staff of the Library & Museum.

The Library & Museum wishes to emphasize that if the complaint involves someone in the employee's direct line of command, then the employee may go to the Director(s) with the complaint. If the complaint involves the Director(s), the employee may go to the President of the Board of Trustees with the complaint. All reports of unacceptable conduct as defined by this policy will be promptly and thoroughly investigated and will include interviews of the complainant and the person accused of harassment. In addition, the Library & Museum may interview any other person who may have information regarding the alleged harassment and may conduct such other fact-finding activities as are deemed necessary.

Any employee found to have engaged in conduct that violates this policy will be subject to discipline. The disciplinary action taken concerning each violation will be determined per the seriousness of the particular offense and may include written warnings, suspension, demotion, or discharge. The Library & Museum has the right to impose any sanction or combination of sanctions to deal with the conduct up to and including termination of employment as provided by law. The Library & Museum will advise the complaining party that corrective action has been taken.

Where a hostile work environment has been found to exist, the Library & Museum will take reasonable steps to eliminate the conduct creating such an environment.

Employees may also be subject to discipline for inappropriate conduct established during the investigation of a report made under this policy, even if the conduct does not constitute unlawful harassment or violation of this policy.

Any employee who reports discrimination or harassment, registers a complaint according to this policy, or participates in an investigation of harassment will be protected from any form of retaliation. Retaliation is a serious violation of this policy and should be reported immediately.

The Library & Museum will endeavor to keep all matters related to investigations conducted under this policy confidential, including statements given by employees. However, no employee can be guaranteed that his or her statement will never be disclosed, as information may have to be shared to further an investigation. Moreover, in the event of a lawsuit or an administrative proceeding, records maintained by the Library & Museum and the complainant may be subject to disclosure.

Anti-Discrimination Policy

It is the policy of the Library & Museum to provide equal opportunity to all employees and applicants for employment and to comply with all applicable federal, state, and local laws. Specifically, it is the Library & Museum's policy:

- To recruit, hire, promote, reassign, compensate, and train qualified persons without regard to race, age, religion, sex, sexual orientation, gender identity, national origin, marital status, disability, medical condition, genetic predisposition or carrier status or veteran status.
- To maintain an environment that is free from discrimination and harassment. The Library & Museum does not discriminate on any basis prohibited by law or the terms of this policy, including but not limited to race, age, religion, sex, sexual orientation, gender identity, national origin, marital status, disability, medical condition, genetic predisposition or carrier status or veteran status.

This policy applies but is not limited to (1) any member of the public ("customer") using or accessing Library or Museum services and programs, (2) any employee or candidate for employment, and (3) any non-employee providing goods or services to the Library & Museum.

Under this policy, all employees are responsible for conducting themselves in a manner consistent with this policy.

All supervisory employees have the responsibility to ensure compliance with this policy. Supervisory employees also have an affirmative duty to discuss this policy with staff members, customers, and non-employees; answer any questions about the policy; and encourage staff members, customers, and non-employees to use this policy to redress discrimination.

The Director(s) shall serve as the compliance officer(s) and shall develop procedures to ensure compliance with this nondiscrimination policy. In addition, as a compliance officer, the Director (s) shall hear all complaints concerning alleged discrimination and provide prompt and equitable resolution of such complaints, unless such complaint is against the Director(s), in which case the complaint may be filed with the President of the Library's Board of Trustees.

Whistle-Blower Policy

As approved by the Board of Trustees and included in the Canajoharie Library & Art Gallery ByLaws June 10, 2020

I. Intent.

The Corporation shall endeavor to protect any "Trustee," "Officer" (each as defined by these ByLaws) employee, including any "Key Employee" (as defined by these By-Laws) or volunteer who provides substantial services to the Corporation intimidation, harassment, discrimination or other forms of retaliation on the part of the Corporation, or any of its Trustees, Officers, employees or volunteers, as a consequence of the good-faith filing of a report relative to possible violations of any statute, regulation, applicable ethical standard or policy or procedure of the Corporation.

II. Requirements.

Provided the Corporation has twenty (20) or more employees (full-time, part-time, or a combination thereof) and annual revenue exceeding one million dollars (\$1,000,000), it is required, pursuant to state statute, to adhere to the terms of this policy, which, in the absence of such considerations, shall be considered advisable, but not necessarily required.

III. Disclosure.

If any Trustee, Officer, employee or volunteer reasonably believe that some policy, practice, or activity of the Corporation, or of another individual or entity with whom the Corporation has a substantial business relationship exceeding ten thousand dollars (\$10,000), may violate any statute, regulation, applicable ethical standard or policy or procedure of the Corporation, such individual is required to file a confidential written report summarizing his/her concerns with the Vice-President, general counsel for the Corporation or a designated Employee Protection Officer, as appropriate.

IV. Investigation & Resolution.

The investigation of any alleged misconduct or omission governed by this policy shall be conducted in the following manner:

- the subject Trustee, Officer, employee or volunteer shall file the confidential written report with the Vice-President, general counsel or other designated Employee Protection Officer, as appropriate, within thirty (30)-days of witnessing the alleged misconduct or omission, whereupon said Vice-President, general counsel or other designated Employee Protection Officer, as appropriate, shall act as follows:
 - maintain the confidentiality of subject Trustee, Officer, employee or volunteer by not disclosing to other Trustees, Officers employees or volunteers of the Corporation, the existence of the alleged misconduct or omission, the underlying factual circumstances of the filing of the written report, except as needed in order to properly investigate the matter;
 - conduct an appropriate investigation of the mater within approximately thirty (30)-days of receipt of the written report, or as soon as practicable thereafter;
 - review the policies and procedure of the Corporation, making particular note of the alleged misconduct or omission;
 - assess, in the most confidential manner possible, the concerns of the subject Trustee, Officer, employee or volunteer, via written questionnaire and/or interview, as well as those of other Trustees, Officers, employees or volunteers who may understand, or be complicit in, the alleged misconduct or omission, in order to form an informative opinion of the matter and, if necessary, potential recommendations for resolution;
 - prepare and submit a written report on the matter to either the Audit and Finance Committee or an Ad Hoc Whistleblower–Employee Protection Committee of the Board, as appropriate, together with recommendations as to resolution and a timeline for implementation of recommended actions; and,
 - forward a copy of the written report to the “Entire Board of Trustees” (as defined by these By-Laws).

- The Audit and Finance Committee or Whistleblower–Employee Protection Committee, as appropriate, shall act on the written report of the Vice-President, general counsel or other designated Employee Protection Officer, as appropriate, review findings and recommendation identified therein, and submit to the Board of Trustees a written assessment of the matter, recommendations as to resolution and a timeline for implementation of recommended actions; and,
- upon receipt of the written report of the Vice-President, general counsel or other designated Employee Protection Officer, as appropriate, and the written assessment of the Audit & Finance Committee or Whistleblower–Employee Protection Committee, as appropriate, the Board of Trustees, at its next scheduled Regular Meeting, or a Special Meeting called for that purpose, shall consider the matter and render binding determinations as to resolution, up to, and including, the suspension or removal of any Trustee, Officer, employee or volunteer of the Corporation found to have engaged in the subject misconduct or omission.

V. Retaliation Protections

Upon filing a written report of alleged violation(s) of statute, regulation or applicable ethical standard, any such Trustee, Officer or Key Employee shall be protected, directly and indirectly, from intimidation, harassment, discrimination or other forms of retaliation on the part of the Corporation or any of its Trustees, Officers, employees or volunteers.

VI. Documentation.

The Audit and Finance Committee or Whistleblower–Employee Protection Committee, as appropriate, and the Board of Trustees shall assure that the matter is properly documented in the records of the Corporation, including minutes of any meeting of any Committee and the Board where the matter was considered and/or addressed, paying particular attention to the confidentiality of this policy.

VII. Limitations.

This policy does not protect any Trustee, Officer, employee or volunteer of the Corporation acting in bad faith; who is deliberately dishonest; and/or, has personally garnered profit, or some other advantage, to which he/she is not legally entitled. No Trustee, Officer, employee or volunteer should expect protection under this policy if he/she is complicit in the misconduct or omission that is the subject of his/her concern, unless his/her complicity is, itself, prompted by duress or is motivated by reasonable fear of some form of intimidation, harassment, discrimination or other form of retaliation.

VIII. Publication.

A copy of the policy shall be distributed to all Trustees, Officers, employees and volunteers who provide substantial services to the Corporation.

Drug-Free Workplace

The Library & Museum maintains a work environment that is free of substance abuse of any kind. The following are strictly prohibited:

- The use, possession, purchase, distribution, dispensation, sale, plan for sale, or transfer of illegal drugs, or any prescription drugs that have not been properly prescribed, on the Library & Museum property or while engaged in Library & Museum activities.
- The unauthorized personal use, possession, purchase, sale, plan for sale, or transfer of alcoholic beverages on the Library & Museum property or while engaged in Library & Museum activities.
- Reporting to or working while impaired by or under the influence of alcohol or any controlled or intoxicating substance while on the Library & Museum's property or while performing or engaging in Library & Museum activities.
- Smoking is expressly prohibited on all property owned by the Library & Museum; including but not limited to within the building, on the green space, and in the parking lot.
- Staff may smoke in a private vehicle located in the Library & Museum staff parking lot during allocated lunch and/or break time.

Conflict of Interest

It is the Library & Museum's policy not to hire outside consultants or to use other outside services of relatives of current employees. Any current employee who knows of a potential or actual conflict of interest with a person or firm under consideration by the institution to provide services to the Library & Museum must inform the Director(s) as soon as they are aware of a potential or actual conflict. In addition, an employee may not receive any direct benefits from any person or business providing service to the Library & Museum. The Director(s) reserve the right to make exceptions to the conflict of interest policy.

Speaking and Publishing Materials Protected by Copyright

Any publications, illustrations, photographs, electronic presentations, or other materials produced as part of the employee's assigned duties remain the sole property of the Library & Museum, except as authorized in writing by the Director(s). All such materials are protected under Federal copyright law.

Any employee who lectures, presents special programs, teaches courses, or consults on topics directly related to the Library & Museum, its collections, and programs, or as a representative of the Library & Museum, may do so only as authorized by their supervisor.

If a fee, honorarium, or expense reimbursement is received for such work during or after scheduled working hours, such income goes to the Library & Museum.

Outside Employment

The full-time employee's primary responsibility is to the Library & Museum. Outside employment must not interfere with the employee's ability to meet this responsibility and must not compromise the professional integrity of the employee or the reputation of the Library & Museum. Occasionally, employees may be asked to provide services to other organizations. When these services relate to the employee's job at the Library & Museum and are initiated and authorized by the Library & Museum, the

work may be done during the employee's normal working hours, and any payment will be turned over to the Library & Museum. If approved work done outside of normal work hours is related to the Library & Museum, involves other Library & Museum staff, or takes place on Library & Museum premises, any necessary fees will be paid by the Library & Museum, and any payment will be turned over to the Library & Museum. Outside work which has not been initiated by the Library & Museum must be approved by the supervisor and must be done outside of the employee's regular working hours. The employee may retain the fees paid for this independent work. The Director(s) may prohibit any outside employment which they determine to represent a conflict of interest.

Collecting/Dealing

Employees of the Library & Museum may not use any object in the Museum's collections or on loan to the Museum for any personal purpose. Employees may not acquire objects from the Museum collections unless the objects are acquired through a disposal process that is entirely public. Employees who purchase or barter items for their personal collections, which are closely related to the Museum's mission, must inform the Executive Director and/or Museum Director of their acquisition. The Director(s) will determine if the object would benefit the Museum's collection, and make seek advice from the Curator/Manager of Collections in making this determination. If such a determination is made, the employee must offer the item to the Museum for the same price at which it was purchased, or at fair market value in the instance of a barter. Family heirlooms, gifts, and materials owned by the employee before their employment at the Museum are exempt.

Gifts, Favors, Discounts, and Dispensations

Employees must not accept gifts, favors, loans, or things of value that are available, or become available to them in connection with their duties for the Library & Museum. Gifts include discounts on personal purchases from vendors who sell items or services to the Library & Museum. Gifts could also include offers of outside employment or other advantageous arrangements regarding the employment of the employee, their family members or associates.

Volunteers

The Library and Museum actively seeks volunteer assistance in carrying out various library and museum tasks. The suitable tasks are determined by the Director(s), or with the approval of the Director(s), by other staff members. Volunteers have the same general obligations and responsibilities as paid employees. At the discretion of the Director(s), the volunteer may be accorded the same Fringe Benefits as Staff (see Compensation, Benefits, Fringe Benefits, item 3)

Approved: 9/13/95

Amended: 10/11/95, 10/9/96, 11/6/97, 5/13/98, 9/18/98, 3/10/99, 2/9/2000, 11/14/2001, 1/8/2013, 9/12/2018, 8/10/2022