

## SUPPLEMENT 4

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**I. Equal Employment Policy**

**Equal Employment Opportunity Statement:** *Howard County's diversity is its greatest asset. Howard County Library System embraces its multi-cultural and multi-ethnic character. All communities, including communities of color and immigrant communities, are fundamental to our spirit of service, workforce and long-term success. Equity and empowerment are top priorities. We believe all Howard County residents must have equitable opportunities to reach their full potential and share in the benefits of community progress. Among our goals is for our workforce to reflect the community it serves. We are actively working to eliminate racial and other disparities and welcome candidates with diverse backgrounds and/or multicultural skill sets and experiences. Howard County Library System takes pride in providing equal employment opportunities.*

**II. ADA Policy**

HCLS supports the Americans with Disabilities Act. As such, HCLS does not discriminate in the hiring or promotion of individuals with disabilities.

**III. Productive Work Environment Policy**

HCLS is committed to a positive and respectful work environment and will not tolerate verbal or physical conduct by any employee who harasses, disrupts or interferes with another's work performance, or that creates an intimidating, offensive or hostile work environment. It is our policy to treat all complaints seriously and fairly.

**IV. Race and Social Equity Statement**

HCLS is committed to achieving racial and social equity by contributing to a more just society in which all employees can realize their full potential. Employees will seek to educate themselves about structural racism and work to eliminate racial and social equity barriers in curriculum, services, policies, and practices. HCLS seeks to create and maintain an environment of diversity, inclusion, and equity for employees. *(Adapted from the ULC Statement on Race and Social Equity)*

**V. Classification of Positions**

HCLS has three classification levels for full-time and part-time benefited employees [see XXIII – Hours of Work]:

- A. Master – Requires a Master's Degree in Library Science or a specialized degree;
- B. Instructor & Research Specialist – Requires at least a Bachelor's Degree; and
- C. Technical – Requires at least a high school diploma or equivalency certificate.

In addition, HCLS uses non-benefited on-call employees. These employees are paid at a set hourly rate, are scheduled to work as needed, and can resign or be dismissed without notice.

The President & CEO may substitute demonstrated work-related experience or skills for the specific degree requirement of any position.

## **VI. Wage and Salary Schedules**

The wage and salary schedule is set each year by the Board of Trustees (the Board). All salary increases are contingent upon available funding. When funding permits, employees who, after having been hired, earn post baccalaureate degrees from an accredited college or university, or earn significant, established technical certificates (e.g., Cisco Network Certification or Certified Public Accountant) that are related to an employee's current position as determined by the President & CEO, will be recognized with a one-step increase in salary (should the budget permit).

## **VII. Appointments to HCLS Staff**

- A. The Board has designated the President & CEO as the appointing authority for all positions within HCLS.
- B. References for new employees will be verified.
- C. HCLS has no general prohibition against hiring relatives. However, a few restrictions have been established to help ensure fair treatment of all employees. While HCLS accepts and considers applications for employment from relatives, close family members such as parents, children, spouses, or in-laws will not be hired into positions where they directly or indirectly supervise or are supervised by another close family member. Further, such relatives will not be placed at the same location or in positions where they work with or have access to sensitive information regarding an immediate family member.

## **VIII. Initial Employment Period for New Employees**

In most cases, the initial employment period for all new employees is twelve months from the date of hire. HCLS may extend this period at its discretion. The employee and HCLS have the right to terminate employment during this period at any time with or without cause. If an employee is terminated during the initial employment period, the employee may not appeal the termination.

At the end of one year, a performance appraisal will also be given and a decision will be made, at HCLS' discretion, about granting regular employee status, extending the initial employment period, or terminating the employment relationship. Should the initial employment period be extended, the employee's increment date will be adjusted to reflect such extension. All employees, regardless of classification, status or length of service, are expected to meet and maintain HCLS standards for job performance and behavior.

## **IX. Selection of Staff**

If a position is vacant, it may be advertised simultaneously to staff and public. If the employee and the outside candidate are equally qualified, then preference may be given to the employee. All professional positions may be advertised simultaneously to staff and public. For upper management and specialized positions (e.g., IT, Marketing and Public Relations, Human

Resources and Accounting), HCLS may employ the services of qualified recruiters. Recruiters must certify they are in full compliance with all provisions of HCLS' equal employment policy.

#### **X. Administrative Transfer**

The President & CEO may initiate the transfer of an employee from one position to another or one location to another, in order to meet changing needs of HCLS. The implementation of new and reimagined services, opening of new branches, changing use patterns, as well as budgetary constraints, may require such a change. Voluntary transfers will be considered. If no suitable applicants for the position are found, then an administrative transfer will be initiated. Every effort will be made to accommodate staff so affected, but an employee may not decline a transfer initiated by the President & CEO under these circumstances. Refusal to accept such a transfer may require placing the employee in Leave Without Pay status until a suitable vacancy occurs, or dismissal if the employee declines Leave Without Pay status.

#### **XI. Reinstatement**

Employees who resign from HCLS in good standing may be eligible for reemployment within two months of the date of their employment separation provided HCLS determines their qualifications are suitable for a vacant position. A reinstated employee should not expect to automatically be returned to the same grade or salary held at the time of separation. A new increment date and anniversary date will be established.

Leave (annual, sick, personal) benefits and health benefits may or may not be affected, depending on length of separation.

#### **XII. Changes to the Table of Organization**

The President & CEO reserves the right to initiate changes to the Table of Organization in order to meet the changing needs of HCLS. These changes by the President & CEO require the review of the Board. Employees affected by these changes are expected to accept assignments as made.

#### **XIII. Voluntary Termination – Salaried Staff**

All resignations must be submitted in writing to the employee's immediate supervisor with a copy to the President & CEO or his/her designee. Employees classified on the Master level scale are required to give one month's notice of resignation. All other employees are required to give two weeks notice of resignation. The President & CEO or his/her designee acknowledges resignations in writing. The employee or HCLS may request an exit interview.

#### **XIV. Absent Without Leave**

Employees absent on a regularly scheduled workday without (1) prior notice, for absences covered by personal or sick leave; or (2) prior written approval, for absences covered by all other types of leave, are considered Absent Without Leave ("AWOL"). Employees receive no pay when AWOL, and are subject to disciplinary action. Employees AWOL for three consecutively scheduled days of work are considered to have resigned not in good standing.

## **XV. Layoffs**

If it becomes necessary to downsize, the President & CEO will submit a plan to the Board for approval.

## **XVI. Performance Appraisals**

Formal appraisal sessions are held at the end of the initial employment period and any subsequent probationary period, and annually for regular employees. Employees must be in good standing to receive a merit increment.

All employees, regardless of classification, status, or length of service, are expected to meet and maintain HCLS standards for job performance and behavior. Employees who do not meet HCLS' employment standards may be placed on probation at any time during the evaluation cycle. In such cases the employee's increment date will be adjusted to reflect the probationary period.

## **XVII. Suspension**

- A. The President & CEO or his/her designee may suspend an HCLS employee without pay for a specified period up to 10 working days, for the following reasons:
  - 1. Misconduct in office;
  - 2. Insubordination;
  - 3. Incompetency; or
  - 4. Willful neglect of duty.
- B. The President & CEO or his/her designee shall give the suspended employee a written statement that specifies the reasons for the suspension.
- C. The President & CEO or his/her designee shall place a copy of the written statement that specifies the reasons for the suspension in the employee's official personnel file.
- D. The employee shall have the opportunity to reply in writing to the President & CEO within 10 working days after the employee receives notice of the suspension.
- E. The employee may request a hearing before the Board within 10 working days after receiving notice of suspension.
- F. If the employee requests a hearing within the 10-day period, the Board shall promptly hold a hearing, but a hearing may not be set within 10 working days after the Board sends the employee a notice of the hearing.
- G. If an employee is suspended without pay and found not guilty of the reasons for the suspension, the Board shall refund all pay benefits lost by reason of the suspension to the employee.
- H. The President & CEO, at his/her discretion, may suspend an employee with pay.

## **XVIII. Dismissal**

- A. On written recommendation of the President & CEO, the Board may dismiss any HCLS employee under its jurisdiction for any of the following reasons:
  - 1. Misconduct in office;
  - 2. Insubordination;
  - 3. Incompetency; or
  - 4. Willful neglect of duty.
- B. Before removing an employee, the President & CEO shall send the employee a written copy of the charges against the employee and give the employee an opportunity to request a hearing before the Board within 10 working days.
- C. If the employee requests a hearing within the 10-day period, the Board shall promptly hold a hearing, but a hearing may not be set within 10 working days after the Board sends the employee a notice of the hearing.
- D. The employee shall have an opportunity to be heard publicly before the Board in his/her own defense, in person or by counsel, and to bring witnesses to the hearing.
- E. If the Board votes to remove the employee and
  - 1. the decision is unanimous, the decision of the Board is final; or
  - 2. the decision is not unanimous, the employee may appeal to the State Library Board through the State Librarian.

## **XIX. Personnel Records**

- A. The administrative offices maintain the official personnel files for all employees. Important events in each employee's history with HCLS will be recorded and kept in the employee's personnel file.

Included in the file are the applications for employment, changes in employment status documented by personnel actions, annual performance reviews, training records, commendations, and records of any disciplinary actions.
- B. Personnel files are available for employee inspection in Human Resources. Employees may request copies of documents in their personnel files. Employees may not insert or remove information from their files. Requests to add information must be presented, in writing, to the President & CEO of HCLS, or her designee.
- C. Each employee is responsible for notifying Human Resources of changes in address, telephone number, marital status, and dependents. This responsibility includes employees on Leave of Absence.
- D. Employees may make an appointment with Human Resources to review their files.

- E. The disclosure of any information from the personnel file of any employee to any individual other than the employee will be made in compliance with all applicable privacy regulations.

## **XX. Tuition Reimbursement**

HCLS offers an equitable tuition reimbursement program.

- A. All tuition reimbursement is dependent upon funding in the fiscal year. With Board approval, the President & CEO may make changes in the reimbursement schedule to more closely match monies available.
- B. Full-time and part-time employees who have been employed by HCLS for at least one year will be eligible to participate in the tuition reimbursement program. The employee must be in good standing. All submitted requests will be retained until the end of the fiscal year. Available monies will be distributed equitably. In any case, payment per credit hour shall not exceed the in-state tuition costs at the University of Maryland.
- C. An employee will not be reimbursed for tuition costs if s/he receives an incomplete for the course. Reimbursement shall be based on the following schedule:

<b>Employee Status</b>	<b>Grade</b>	<b>Percentage of Reimbursement</b>
<b>Full-time or Part-time</b>	A or B	100%
	C or Pass (with pass/fail grading)	50%

- D. Any courses for which an employee receives outside tuition assistance are ineligible for reimbursement through this program.
- E. A maximum of three credits per semester has been established for reimbursement for a total of nine credits for one year. A semester is defined as fall, spring, and summer.
- F. An employee who leaves the employment of HCLS within 12 months of completion of the course(s) must reimburse HCLS 100 percent of all monies paid by HCLS.
- G. Programs considered for approval shall include:
1. Individual courses (non-degree or non-certificate programs) – Must be job-related.
  2. Degree or certificate program – The anticipated degree or certificate must be job-related. Individual courses leading to those degrees or certificates need not be job-related.
  3. Master's Degree – An employee who presently has a Master's Degree may be reimbursed for an additional advanced degree based upon the value of that degree to HCLS, as approved by the President & CEO prior to the start of classes, or if the degree being pursued is an MLS Degree.



## **XXI. Training and Development of Staff**

HCLS devotes a considerable amount of time to in-house training of staff. Sessions are planned throughout the year using in-house or outside trainers. In addition, staff may be sent to job-related workshops to enhance their professional skills pending available funding. It is the responsibility of the individual employee to track training needed to maintain certification and to renew certification as required by law.

## **XXII. Volunteer Involvement Program**

HCLS' volunteer program recruits widely from local schools, agencies and organizations, as well as from the community at large. Volunteers are used to support staff in all departments and as a means of enhancing curriculum, which might otherwise be unavailable to the community, such as HCLS Project Literacy and the Homebound Program. HCLS will actively participate in relevant volunteer network organizations.

## **XXIII. Hours of Work**

Typical full-time and part-time work weeks comprise 37.5 hours and 20-24 hours, respectively. On-call employees typically work no more than 10 hours per week. Schedules vary, depending on the position held and the needs of HCLS, with most public service employees required to work evenings and weekends.

## **XXIV. Overtime**

Any hours worked in excess of 37.5 hours per week must be approved in advance by the department head.

Full-time employees Grade 13 and below who work in excess of 40 hours per week will receive pay at one and one-half (1.5) times their regular hourly rate for the additional hours worked. The use of paid and unpaid leave time such as holiday, sick and vacation leave is not considered work time and therefore is excluded from the weekly total of time worked for purposes of calculating overtime. Overtime is paid to those eligible only after they have physically worked 40 hours. At the President & CEO's discretion, full-time employees Grade 14 and above will be eligible for a period of paid leave as an acknowledgement of above and beyond time contributions (meritorious leave). This leave does not adjust an employee's base pay, nor does it have any cash value. This meritorious leave is not bankable.

## **XXV. Time Recording**

HCLS's automated time sheet process is intended to be convenient and efficient and offers flexibility of choices. Employees may use the automated kiosks, clock in and out online, use their mobile device, or use a combination of the three methods. Each employee is responsible for recording his/her attendance and any leave time used for each day. Leave must be used in one-half hour increments. Supervisors are required to approve leave for each of their employees each pay period.

## **XXVI. Electronic Pay**

Staff are encouraged to participate in the Direct Deposit Program. Direct deposit vouchers are readily available on the Employee Self-Service portal. Staff who do not choose to have Direct Deposit will be issued a Global Bank Card through which they will receive their biweekly pay.

## **XXVII. Payroll Deductions**

A. Payroll deductions include but are not limited to the following:

1. Federal tax
2. State tax
3. Social Security
4. Retirement Plans - Full-time and part-time staff belong to either the Maryland State Teacher's Retirement System or the Maryland State Teachers' Pension System and contribute the requisite amount as determined by the State.
5. Howard County Flex Benefits Plan\*
6. Deferred Compensation Plan\*
7. Credit union or bank\*
8. United Way\*
9. U.S. Savings Bonds\*
10. United Legal Benefits\*

\*Optional deduction

## **XXVIII. Travel and Other Reimbursements**

Reimbursement for use of personal cars on HCLS business will be paid at the same rate as the County. When two or more individuals are traveling to the same meeting, employees are encouraged to schedule use of HCLS van. All reimbursement requests (e.g., mileage, parking, meals, hotel) must be submitted within 90 days of the date the expense was incurred. Exceptional circumstances must be authorized by the President & CEO or his/her designee.

## **XXIX. Vacation Leave**

- A. Accrual
- B. Effective July 1, 2005, vacation leave accrues as follows\*:
1. Full-time employees will earn 112.5 hours of vacation leave each year, at the approximate rate of 4.3 hours per two-week pay period, during their first three years of employment. Beginning their fourth year, full-time employees will earn 160 hours

of vacation leave each year, at the approximate rate of six hours per two-week pay period.

2. Part-time employees will earn 56 hours of annual leave each year, at the approximate rate of two hours per two-week pay period, during their first three years of employment. Beginning their fourth year, part-time employees will earn 80 hours of vacation leave each year, at the approximate rate of three hours per two-week pay period.
3. Maximum carryover of accumulated vacation leave from one calendar year to the next is 240 hours for full-time employees, and 120 hours for part-time employees.

\*Staff employed on or before June 30, 2005, who received more vacation leave under the policy in effect on June 30, 2005, will not be adversely affected.

C. Use of Vacation Leave

1. Employees must use a minimum of 10 days (75 hours for full-time, and 40 hours for part-time) vacation leave per calendar year.
2. The use of vacation leave must be approved in the following manner:
  - a. Vacation Leave – Three Days or Fewer. Requests should be submitted to the immediate supervisor by 5 pm Wednesday of the week prior to the requested dates.
  - b. Vacation Leave – Four Days or More. Requests for leave of four days or more must be submitted to the immediate supervisor at least two weeks in advance of requested dates.
3. Requests for more than three continuous weeks of vacation leave, approved by the department head, will be considered by the President & CEO and may be granted if scheduling within the department can be arranged.
4. Full-time employees may not use more than 150 hours of vacation leave in any three-month period. Part-time employees may not use more than 75 hours in any three-month period.
5. Vacation leave shall not be used during the first three months of employment. Exceptional circumstances must be authorized by the employee's supervisor and Human Resources.
6. If employees submit letters of resignation prior to the required time as outlined in Section XIII, they may still request vacation leave. Once they reach the required notification date, they may not use more than two days of vacation leave prior to their resignation date. Employees will, however, be paid for any vacation leave balance when their final paycheck is issued.
7. At the end of the calendar year, 40 hours of excess vacation leave automatically transfers to sick leave for full-time employees (20 hours for part-time employees). Leave beyond this amount is forfeited.

### **XXX. Holidays and Closings**

A. HCLS is closed on the following holidays:

New Year's Day	Labor Day
Martin Luther King's Birthday	Veterans' Day
Presidents' Day	Thanksgiving
Good Friday	(Day after) Thanksgiving
Memorial Day	(Day of) Christmas Eve
Juneteenth	Christmas Day
Independence Day	

1. Full-time employees will be granted 7.5 hours of holiday leave for each of the holidays listed above as well as two floating holidays, and their birthday, for a total of 15 holidays.
2. Part-time employees will be granted four hours of holiday leave for each of the holidays listed above as well as two floating holidays and their birthday, for a total of 15 holidays.

B. If a holiday falls on a full-time employee's regular day off, the employee will be granted 7.5 hours vacation time. If a holiday falls on a part-time employee's regular day off, the employee will be granted four hours vacation time and the work schedule will be adjusted so that hours worked, plus holiday hours, equal 20 hours.

C. HCLS will be closed to the public for the following activities:

1. Evening in the Stacks. Generally held the last Saturday in February, the branch where the event will be held may close the day of the event in order to prepare for the event.
2. Professional Development Day. Generally scheduled in the spring, all branches will be closed for this day of continuing education for staff.

### **XXXI. Religious Holidays**

Requests for vacation or floating holiday leave for observance of religious holidays should be made by Wednesday, 5 pm, of the week prior to the date, so that schedules may be arranged.

### **XXXII. Funeral Leave**

A. Funeral leave, not to exceed three workdays (7.5 hours per day for full-time, and 4 hours per day for part-time employees), may be granted by the department head because of death in the immediate family. The President & CEO may grant up to one additional workday for long distance travel (for either paragraph 1 or 2 below).

1. Immediate family is defined as spouse, father, mother, father-in-law, mother-in-law, grandparent, sister, brother or children; or step relatives of the same degree.
2. A one workday funeral leave may be granted for other relatives (aunt, uncle, niece, nephew, grandparent-in-law, brother-in-law or sister-in-law; or step relatives of the same degree).

- B. Requests should be submitted to the department head.

### **XXXIII. Jury Duty**

HCLS encourages employees to fulfill their civic responsibilities. A benefited employee called to jury duty will be excused from the job without loss of pay or leave credit. However, the employee will be expected to report for work during any period of time in which s/he is not assigned to a case. The employee must inform the department head and Human Resources upon receipt of notification for jury duty. HCLS will pay the employee's regular salary for the amount of time the employee would otherwise have been scheduled to work. Any payment received as a juror may be retained by the employee in addition to regular salary.

### **XXXIV. The Family and Medical Leave Act of 1993 (FMLA)**

- A. Employees who have at least 12 months of service during the prior 12-month period are eligible for 12 weeks of leave under The Family and Medical Leave Act when one of the following occurs:
  - 1. Because of the birth of a son or daughter of the employee.
  - 2. Because of the placement of a son or daughter with the employee for adoption or foster care.
  - 3. In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.
  - 4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
- B. Leave is designated as FMLA leave if it is used for any of the reasons stated above, and is counted toward the total of 12 weeks, whether the employee is on paid or unpaid leave status, except that if the employee uses personal, annual or sick leave and the absence is one week or less, the leave will not be counted as FMLA leave.
- C. If both spouses are employed by HCLS, they are jointly entitled to only 12 weeks of leave per year for use in connection with the birth, adoption or placement of a child, and/or for children subject to their joint care and protection, or for the care of a sick parent.
- D. The 12 work weeks under FMLA will consist of vacation, and where applicable, sick and/or family sick leave accrued by the employee plus unpaid leave.
- E. Group health plan benefits will be continued on the same basis as coverage would have been provided if the employee had been continuously employed during the leave period.
- F. When leave for the birth or placement of a child is foreseeable, the employee must give at least 30 days advance notice of intent to take the leave. When it is not possible under the circumstances to provide such advance notice, notice must be given as soon as practicable. When leave is foreseeable, based on planned medical treatment for a serious health condition, the employee must provide 30 days' notice or as many days' notice as is

practicable and must make a reasonable effort to schedule the treatment so as not to disrupt work operations unduly. Forms for requesting leave under this Act are available from Human Resources.

- G. HCLS requires that a health care provider certify a request for leave being taken for a serious health condition or for the extended care of another member of the employee's family as defined in section A above.
- H. Upon return to work, the employee will be restored to the position held when the leave commenced or to an equivalent position in terms of employee benefits, pay and other conditions of employment. If the employee fails to return to work for reasons within his or her control, HCLS is entitled to recover its cost for maintaining the employee's group health plan coverage during the period of unpaid leave.
- I. HCLS will use the "rolling" 12-month period to calculate when an employee may take his or her 12 weeks of family or medical leave. Each time an employee takes family or medical leave, the remaining entitlement will consist of any balance of the 12 weeks which have not been used during the immediately preceding 12 months. Eligibility for leave under reasons 1 and 2 of clause A above expires 12 months after the birth or placement of a child.
- J. An employee absent for one work week or more for any of the reasons listed above qualifies for FMLA leave. Even if accrued paid leave is used to cover that absence, the leave will be treated as FMLA leave for purposes of calculating the total amount of such leave an employee may be granted in one year. The employee will be notified pursuant to the Act when paid leave is to be treated as FMLA leave.
- K. Employees who are absent due to an FMLA qualifying event are understood to be unable or unavailable to work in any capacity for any employer, including a secondary employer. If an employee's work ability and/or availability improve in a manner that permits the employee to resume any level of work activity, the employee is required to contact HCLS to determine if work that is consistent with his or her work capacity is available. If the employee fails to notify HCLS of the improved ability and/or availability and is found to be working in any capacity for another employer, the employee will be subject to disciplinary action, including termination.
- L. The above is a general overview of The Family and Medical Leave Act; it is not intended as full explanation of the Act.

#### **XXXV. Unpaid Leave of Absence**

- A. Leave without pay may be granted an employee at HCLS' discretion only after all other sources of applicable leave have been exhausted. Requests for leave without pay should be submitted in writing to the President & CEO and should be accompanied by an endorsement from the department head. Leave without pay may be granted for leave not covered under the Family and Medical Leave Act of 1993, (e.g., education, extended vacation) if not detrimental to HCLS service in the judgment of HCLS. The maximum amount of leave without pay shall be one year.
- B. Approval of such leave does not mean that the employee will, upon return, be restored to the same position or indeed to any position. However, HCLS will attempt to restore the

employee to the position vacated or an equivalent position. No leave of any kind accrues while an employee is on unpaid leave of absence status. The employee's increment date, leave plan date, and years of service date will be extended by the number of months of unpaid leave; any part of a month is considered one month. The employee should make arrangements with Human Resources if continuation of medical insurance is desired.

#### **XXXVI. Paid Personal Leave**

- A. Full-time employees are granted 16 hours of paid personal leave per calendar year. Part-time employees are granted eight hours of paid personal leave per calendar year. Personal leave is prorated during the first year of employment. Personal leave may be used at any time with supervisor's approval. Personal leave must be used in segments of one-half hour or more. Unused personal leave does not accumulate from one year to the next. Personal leave may not be used after written notice of resignation has been submitted.

#### **XXXVII. Paid Sick Leave**

- A. Full-time employees are granted 10 hours of paid sick leave per month. Part-time employees are granted five hours of paid sick leave per month. Sick leave is granted for personal illness or disability including normal disability associated with the birth of a child, for medical or dental appointments. Sick leave is available as earned. Sick leave must be used in segments of one-half hour or more. An employee is responsible for notifying his/her supervisor of illness no later than 30 minutes after start of shift to qualify for sick leave.
- B. Sick leave may be used for personal illness only (see also Paid Family Sick Leave outlining when sick leave may be used for illness of family members) or for any FMLA qualifying event, in which case sick leave may be used for the care of family members as defined under FMLA for the duration of the FMLA time period (see FMLA). HCLS reserves the right at any time to require written medical verification that an absence, regardless of its duration, was due to illness. Furthermore, any employee who is absent for five consecutive days or more must, upon his/her return, provide the supervisor with a written statement signed by the attending physician, indicating that the employee is able to return to work and describing the illness causing the absence. Prior to returning to work following an extended absence requiring the use of sick leave, employees may be required to waive their privacy rights under the Health Insurance Portability and Accountability Act of 1996 in order to comply fully with the following:
  - 1. at HCLS' discretion, must provide written verification from their doctor stating that they are fully capable of resuming their job and,
  - 2. at HCLS' discretion and expense, may also be required to see HCLS' physician to determine same. Should the doctors disagree in their assessment, the HCLS doctor's assessment shall stand.
- C. Sick leave requested for routine medical appointments must be submitted to the immediate supervisor by 5 pm Wednesday of the week prior to the scheduled appointment. HCLS reserves the right at any time to require written medical verification that an absence was due to a routine medical appointment.

### **XXXVIII. Paid Family Sick Leave**

- A. Full-time and part-time employees may use a part of their earned sick leave to care for family members (children, spouse or parents) or members of the employee's household (grandchild, brother, sister, spouse's parent, or step relatives of the same degree). This means that staff can use family sick leave to care for the above-mentioned persons even if they are not members of the household.
  - 1. Full-time employees accrue 24 hours of sick leave as family sick leave, annually.
  - 2. Part-time employees accrue 12 hours of sick leave as family sick leave, annually.
- B. If the employee does not use his/her accrual during any given year, then the balance may be carried forward to the next calendar year.
  - 1. The maximum accrual for full-time employees is 72 hours.
  - 2. The maximum accrual for part-time employees is 36 hours.
- C. It is important to note that family sick leave is part of, not in addition to, regular sick leave. Therefore, if an employee's Balance of Leave Statement shows 20 hours of sick leave and 30 hours of family sick leave, 20 hours are actually available for use until more sick leave is accrued.
- D. Furthermore, any employee who is absent for three consecutive days or more must, upon his/her return, provide the supervisor with a written statement signed by the attending physician explaining the extent to which the employee was needed to care for family member or member of the household.

### **XXXIX. Transfer of Sick Leave From Other Maryland Libraries**

HCLS may accept the transfer of accumulated sick leave from other Maryland public libraries provided the previous employer did not make payment for that sick leave.

### **XL. Unused Sick Leave**

Upon retirement, unused sick leave will be credited toward retirement. (See Section XLIX, Subsection C.) Sick leave is not paid out when employees leave the organization.

### **XLI. Military Leave**

Employees who are members of Armed Forces or of the National Guard are entitled to a leave of absence for military duty in accordance with applicable law.

### **XLII. Court Summons**

Employees receiving a court summons must request leave in writing from the department head. The request should be forwarded to the Director of Human Resources, who will determine the type of leave granted based on the circumstances.



#### **XLIII. Voting in Primaries and Elections**

HCLS employees may use personal or vacation leave to vote. Supervisors are encouraged to accommodate those employees requesting personal or vacation time to vote.

#### **XLIV. Administrative Leave**

Employees may request administrative leave to attend conferences and other professional meetings. Requests for administrative leave must be submitted in writing, through the department head, to the President & CEO. Administrative leave may be granted if Library coverage is adequate, if the employee is a member of the organization sponsoring the meeting, if the employee serves on a committee within the sponsoring organization, or if the meeting relates to the employee's major area of responsibility. A written report of the meeting must be submitted to the President & CEO within 10 days for administrative leave to be credited.

#### **XLV. Medical Plan**

HCLS participates in the Howard County Government's medical plans. Information is available from Human Resources.

#### **XLVI. Retiree Health Insurance Policy**

HCLS participates in Howard County Government's Retiree Health Insurance Program for eligible retirees. Information is available from Human Resources.

#### **XLVII. Medical Coverage Upon Termination**

- A. Coverage will be provided to all enrolled employees until the end of the month of separation from employment.
- B. Flex dollars will be provided to all enrolled employees until the end of the month of separation from employment.

#### **XLVIII. Continuation (Consolidated Omnibus Budget Reconciliation Act of 1985 – COBRA) and Conversion of Health Insurance Benefits**

- A. In accordance with applicable law, if employment is terminated, or if there is a change in job classification to an unbenefited position, an employee who is covered by HCLS' health insurance plan may be eligible to either continue the present level of health insurance coverage at the applicable COBRA rate for a period of up to 18 months, or the employee may be able to convert group coverage to individual coverage.
- B. If the spouse and any dependent children of an employee are covered under a Group Health Plan at the time of termination or change of job, they may also have the same right to continue their health insurance coverage.
- C. In addition, they may have the right to elect to remain covered under our plan if they lose coverage because of:
  - 1. the employee's death;
  - 2. divorce or legal separation;

3. the employee's entitlement to Medicare; or
4. a dependent child's ceasing to be a "dependent child" under the plan.

However, if events (2) or (4) above occur, the employee or dependents must notify HCLS of the event within 60 days in order to be eligible to continue coverage.

- C. To be eligible for these continuation or conversion rights for employees and their spouses and any dependent children, the law requires that certain conditions be met. If any of the above events occurs, employees must contact Human Resources as soon as possible for further assistance.
- D. Under provisions of the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1996, if your COBRA coverage ends after June 1, 1997, you may be able to reduce a new employer's pre-existing condition period. Contact Human Resources for further assistance.

## **XLIX. Life Insurance**

Membership in the Maryland State Teachers Retirement/Pension System provides a death benefit, after one year of creditable service, equal to 100 percent of the member's annual salary. This is a State benefit and HCLS has no control over any changes in State benefits.

### **L. Pension Plan**

All benefited employees must join the Maryland State Teachers Pension System. Some employees have retained membership with the Maryland State Teachers Retirement System, which was available before January 1, 1980. Most employees participate in the Maryland State Teachers Pension System that went into effect July 1, 1998. Information about both pension plans is available from Human Resources and/or online from [www.sra.state.md.us/](http://www.sra.state.md.us/).

### **LI. Deferred Compensation**

Deferred compensation plans are available to all salaried employees. Deferred compensation is a means of delaying one's tax obligation on a portion of salary while delaying the receipt of the salary, usually until retirement. Information is available from Human Resources.

### **LII. Workers' Compensation Act**

The Maryland State Workers' Compensation Act provides benefits for certain job-related injuries and illnesses. If an employee sustains an accidental injury arising out of and during the course of employment with HCLS, the employee may be eligible for Workers' Compensation benefits. The employee must report immediately any accident or injury that occurs on the job to the immediate supervisor or the person-in-charge. A Workers' Compensation Employer's First Report of Injury or Illness Claim form must be completed and submitted to Human Resources within 48 hours.

The Howard County Office of Risk Management processes HCLS's workers' compensation claims. When this office has declared the claim compensable, the following options are available to the employee for leave required as a result of the compensable illness or injury.

- A. Coverage. HCLS employees may be eligible for benefits as provided under Maryland law for injuries sustained as a result of their assigned work. The benefits may include medical treatment, hospitalization and wage reimbursement. Injuries that are self-inflicted or due to intoxication, drug use or willful misconduct will not be covered under worker's compensation benefits.
- B. Reporting. If you are involved in a work injury, it must be reported to Human Resources as soon as possible. All injured employees must complete the "Howard County Employee Incident/Injury Report," which will be provided by Human Resources or the employee's supervisor. This report must be completed and returned to the supervisor as soon as possible. Failure of the employee to complete the injury report may jeopardize the employee's workers' compensation benefits. Any employee who files a fraudulent workers' compensation claim will be subject to legal action and immediate dismissal.
- C. Medical visits. If medical treatment is necessary, employees are encouraged to visit Concentra Medical Center, located at 6656 Dobbin Road, Columbia, Maryland. Employees are encouraged to schedule medical appointments during off work hours. Recognizing that this is not always possible, employees who attend Concentra Medical Center during their work hours will be paid at the regular salary rate. If an employee attends a medical appointment during work hours with a physician besides Concentra, they will have to use any available leave they may have. The employee should inform the physician/hospital that it is a work-related injury. Attendance sheets should be marked with "Workers' Compensation — Concentra Visit" for any hours spent at the Concentra Medical Center. Any time an employee misses from work must be documented with a doctor's note.
- D. Medical bills. Injured workers who have completed an employee incident report must submit all bills, medical records and related materials to Human Resources upon receipt.
- E. Wage reimbursement. If an employee is involved in a work-related injury and cannot return to work, the time missed from work must be charged to any available leave the employee has. Once the injury has been determined to be covered under workers' compensation, leave benefits may be reimbursed to the employee at the rate as allowed under Maryland State Law, as follows:
  - 1. Wages will be reimbursed at two-thirds of the employees' average weekly wage.
  - 2. No compensation is paid for the first three calendar days after the beginning of a disability unless the disability lasts for at least 15 days total. If the 15-day limit is met or exceeded, the first three days will be covered retroactively.
  - 3. If the disability lasts between one and 14 days inclusive, only day four through the end of the disability will be covered under workers' compensation.

An employee may elect to use accrued sick, personal or annual leave to make up the difference between regular gross salary and payments received under workers' compensation. If an injury is not covered under workers' compensation, an employee may use sick, personal or annual leave, or may request leave without pay subject to the procedures regarding its use. When all accrued leave is exhausted or employment ceases, only benefits under workers' compensation may be available. (See Family Medical Leave Act and Paid Leave procedure.)

- F. Return to work. If an employee is able to return to work in a modified duty capacity, it is the employee's responsibility to notify their supervisor and the supervisor's responsibility to work with Howard County Risk Management and HCLS Human Resources in an attempt to provide a modified duty position for the employee. An injured employee returning to work in regular duty capacity must be able to provide Human Resources with a medical release from the physician affirming that the employee is able to resume all job duties. In addition, the employee may be required to attend a fitness for duty evaluation as requested.

#### **LIII. Borrowing Privileges**

See Supplement 3 (Fines, Fees and Service Charges).

#### **LIV. Misuse of Equipment or Databases**

- A. Employees may not tamper with equipment or databases nor may they access or manipulate data in a manner inconsistent with job responsibilities.
- B. Employees who abuse their access to HCLS' database will be subject to disciplinary action.

#### **LV. Purchase of Library Materials**

Employees may purchase materials at the same discount rate given HCLS by the publisher or any other vendor. Employees pay shipping charges.

#### **LVI. Photocopy Charges**

Employees may copy items for personal use at the rate of 6 cents per page for black and white copies, and 25 cents per page for color copies.

#### **LVII. Political Activity**

Employees may not participate in political activities during working hours. After hours, staff must make clear that they are acting for themselves only and not as representatives of HCLS.

#### **LVIII. Smoke-Free Workplace**

In the interest of the health and productivity of all employees and in accordance with Howard County Law, HCLS provides a smoke-free workplace at all branches. This includes vaping.

#### **LIX. Substance Abuse**

- A. Maintain a Drug and Alcohol Free Workplace

In order to protect the safety, health, and productivity of all employees and the general welfare of HCLS, the following actions are considered by HCLS to be unacceptable conduct. A violation of any of these rules will be considered a major offense which, in HCLS' judgment, may result in probation, suspension subject to discharge, or discharge:

1. Bringing onto HCLS' premises, property, or job site, having possession of, having present in the body system, being under the influence of, using, consuming, distributing or attempting to distribute, manufacturing or dispensing any form of narcotics, depressant, stimulant, hallucinogen, or any kind of perception-altering drug or controlled substance (excepting only the taking of a prescribed drug under the direction of a physician, to the extent it does not impair job performance or threaten safety, health, security or property), at any time during the hours between the beginning and end of your workday, whether or not on HCLS business, premises, property or job site.
2. Bringing onto HCLS' premises, property or job site, having possession of, being under the influence of, using, consuming, distributing or attempting to distribute, manufacturing or dispensing any form of alcohol or marijuana at any time during the hours between the beginning and end of your workday, whether or not on HCLS business, premises, property, or job site, except (in moderation) for authorized HCLS-sponsored social activities or business entertainment purposes.
3. Having possession of, being under the influence of, using, consuming, distributing or attempting to distribute, manufacturing or dispensing drugs, alcohol, marijuana, or any other mind or perception-altering substance off HCLS premises, property or job site, and outside your working hours, that could or does adversely affect your job performance, your or other persons' safety, health, security or property, or HCLS' reputation.
4. Refusing to cooperate in or submit to questioning, medical or physical tests or examination, or an inspection or search, when requested or conducted by HCLS or its designee.
5. HCLS will educate and inform its employees about:
  - a. the dangers of drug and alcohol abuse in the workplace;
  - b. HCLS' policy of maintaining a drug-free workplace;
  - c. any drug and alcohol abuse counseling, rehabilitation, and employee assistance programs that are available; and
  - d. the penalties that may be imposed upon employees for drug and alcohol abuse violations.

Any employee convicted of violating a criminal drug statute in the workplace must inform HCLS in writing of such conviction within five days of the conviction occurring. Failure to inform HCLS subjects the employee to disciplinary action, up to and including termination for the first offense. By law, HCLS will notify the Federal-contracting officer within 10 days of receiving such notice from an employee or otherwise receiving notice of a conviction.

HCLS reserves the right to offer employees convicted of violating a criminal drug statute in the workplace participation in an approved rehabilitation or drug abuse assistance program as an alternative to discipline. If such a program is offered, and accepted by the employee, then the employee must satisfactorily participate in the program as a condition of continued employment.

As a condition of employment, all HCLS employees (including those employed by grants) are required to acknowledge that they have read the above policy and agree to abide by it in all respects. By law, this acknowledgment and agreement are required of you as a condition of continued employment.

**B. Medical Examinations and Searches for Drugs and Alcohol**

1. HCLS reserves the right, in its discretion, to require all employees and applicants for positions to submit to medical or physician examinations or tests at any time by a person or agency designated by HCLS, at HCLS expense. Such examinations can include, but are not necessarily limited to blood, urine, breath, or other tests for evidence of the presence of alcohol, drugs and perception-altering or other substances in the body. HCLS also reserves the right to search employees' packages, vehicles, lockers, handbags and similar items while on Library property or business.
2. In particular, HCLS reserves the right, in its discretion, to examine or test for the presence of alcohol and drugs (as stated above) in situations such as, but not limited to, the following, in accordance with applicable law:
  - a. As part of a pre-employment physical examination.
  - b. As part of a physician examination which HCLS may require employees to undergo on a regular basis, on a schedule to be determined by HCLS.
  - c. Due to the safety or health risk or sensitive security duties of a specific job, as determined by HCLS, at any time.
  - d. Following a safety infraction or work-related accident that does or might cause bodily injury or damage to property, in HCLS' judgment.
  - e. Specific employee behavior on the job that HCLS determines gives management reasonable suspicions that such behavior might be or is due to alcohol or drug use.
  - f. Employee may have a sample retested if the initial results test positive.
  - g. As otherwise required or permitted by applicable law.

**C. Employee Assistance**

HCLS may provide an employee with an Employee Assistance Program. Employees are encouraged to seek voluntary assistance in dealing with any drug or alcohol problem. A voluntary leave of absence may also be available, under HCLS' leave of absence policy, for purposes of rehabilitation from drug and alcohol problems, provided that the employee requests such rehabilitation prior to being found by HCLS to have committed a drug or alcohol related offense, as set forth above. HCLS will pay for only three sessions in this program for any full-time or part-time staff member.

**LX. Infectious Diseases**

Generally, employees having infectious diseases will be treated in a manner consistent with other medically disabling conditions, as determined by HCLS. The terms of HCLS' sickness and attendance policies and health insurance all apply with respect to lost work time and medical

costs and benefits. The employee may also be referred to the County Employee Assistance Program in the event HCLS determines that counseling is needed.

**LXI. Staff Association**

- A. The Association is an informal organization open to all employees except the President & CEO and Chief Operating Officers. Its broad purpose, as set forth in the Association's bylaws, is to "promote the interests and welfare of the staff" as well as to "support and promote the objectives of HCLS." Individual dues are payable annually.
- B. The President & CEO and the Board will not recognize the Staff Association as a formal group unless 51 percent of the full-time and part-time staff are paid members.

**LXII. Staff Lounges**

Staff lounges are maintained for use by HCLS staff at lunch, dinner, and break periods. They may not be used for any activity that would hinder use of the rooms by the general staff for those purposes. Guidelines for use of the lounges are established and monitored by the branch manager or his/her designee.

**LXIII. Staff Suggestions**

Employees are welcomed and encouraged to submit or make suggestions in writing at any time to the President & CEO.