

CLEVELAND PUBLIC LIBRARY

Human Resources Committee

May 18, 2021

RESOLUTION TO REVISE THE HUMAN RESOURCES MANUAL

WHEREAS, Pursuant to Section 121.2 of the Human Resources Manual, the Board of Library Trustees must approve all changes to the Human Resources Manual; and

WHEREAS, The Library's Human Resources Department is in the process of conducting a comprehensive review and revision of the Human Resources Manual to reflect the prevailing practices in today's workplaces; and

WHEREAS, The Library Administration recommends that the Human Resources Manual be revised to include a rewritten Section 210, titled "Library Classifications And Employee Status" as set forth in Exhibit "A" to this Resolution and to rescind existing Sections 211, 212, 213, 214, 222, 223, 230, and 231 of the Human Resources Manual; and

WHEREAS, The Library Administration recommends that the Human Resources Manual be revised to include a rewritten Section 220, titled "Hiring, Selection, and Probationary Period" as set forth in Exhibit "B" to this Resolution and to rescind existing Sections 221, 224, and 225 of the Human Resources Manual; and

WHEREAS, The Library Administration recommends that the Human Resources Manual be revised to include a new, rewritten Section 221, titled "Nepotism," as set forth in Exhibit "C" to this Resolution; and

WHEREAS, The Library Administration recommends that the Human Resources Manual be revised to include a rewritten Section 280, titled "Employee Reasonable Accommodation", as set forth in Exhibit "D" to this Resolution; and

WHEREAS, The Library Administration recommends that the Human Resources Manual be revised to include a rewritten Section 422, titled "Health and Welfare Benefits", as set forth in Exhibit "E" to this Resolution; and

RESOLVED, That the Cleveland Public Library Board of Trustees hereby approves the proposed revisions to the Human Resources Manual as set forth in Exhibits "A" through "E" of this Resolution to update Sections 210, 220, 221, 280, and 422 and to rescind Sections 211, 212, 213, 214, 222, 223, 224, 225,

EXHIBIT 11

230, and 231 to become effective May 21, 2021, and instructs the Library's management to be responsible for implementation and execution of the provisions of these policies and their related procedures.

Exhibit "A"

EMPLOYMENT PRACTICES – 200 LIBRARY CLASSIFICATIONS AND EMPLOYEE STATUS- 210

Job descriptions indicate whether a job classification is exempt or non-exempt. The Fair Labor Standards Act (FLSA) requires the Cleveland Public Library to track and record all hours worked in a work week for non-exempt employees, and to pay nonexempt employees overtime at a rate of one and one-half times the employee's regular rate of pay or compensatory time in lieu of overtime.

Employees are additionally classified as either bargaining unit or non-bargaining unit. A Collective Bargaining Agreement outlines the terms and conditions of employment for a bargaining unit employee.

Employees are "full-time" when they are assigned to work a regular schedule of at least 37 ½ hours per week. Full-time regular employees are eligible for all time allowances with pay (sick time, vacation time, etc.) and health and welfare benefits offered by the Library.

Employees are "part-time regular" when they are assigned to work a regular schedule of at least 20 but fewer than 30 hours per week. Part-time regular employees are eligible for time allowances with pay (sick time, vacation time, etc.) on a pro-rated basis. Part-time regular employees are not eligible for select health and welfare benefits.

Employees are "part-time" when they are scheduled to work fewer than 20 hours per week, including pages and substitutes. Part-time employees are not eligible for time allowances and most health and welfare benefits.

A "temporary role" is defined as an employee who is scheduled to work at least 20 hours per week to meet a temporary or short-term need (e.g., provide coverage during an employee absence, address short-term project needs, etc.) Existing employees who fill a temporary role will be eligible for health and welfare and paid time off benefits based on their status before being appointed to a temporary role. Employees hired to fill a temporary role are not benefit-eligible. An employee appointed to a temporary role may be eligible for paid time off based on actual hours worked.

Rescind:

211

212

213

214

222

223

230

231

Exhibit "B"

EMPLOYMENT PRACTICES – 200 HIRING, SELECTION AND PROBATIONARY PERIOD - 220

The Cleveland Public Library embraces and supports the diversity of our workforce as well as our community to include differences in race, ethnicity, language, culture, religion, gender, sexual orientation, gender identity or expression, socioeconomic status, military status, and physical or mental ability or disability.

The Human Resources Department is responsible for ensuring that Library complies with various laws, regulations, policies, procedures and collective bargaining agreements as it relates to hiring and the appointment of candidates/employees into positions. Therefore, only designated Human Resources staff are authorized to extend offers to candidates/employees.

All appointments to the Library staff must be approved by the Executive Director or their designee and reported to the Board of Trustees.

Appointments to the positions of Executive Director, Fiscal Officer and Deputy Fiscal Officer require the approval of the Board of Trustees, and these appointees serve at the pleasure of the Board.

The Library seeks to hire and retain qualified individuals at least 18 age (with the exception of pages who must be at least 14 years of age) who support the mission, vision and values of the Library. For purposes of this policy, "applicant" means a person who is under final consideration for employment with the Library. An applicant is also an individual who is seeking employment, re-employment or an individual who is being recalled to or re-employed by the Library after a layoff.

Minor Children

Hiring minor children will be done in accordance with Ohio Ethics laws.

Probationary Period

Bargaining unit employees' probationary period is pursuant to their collective bargaining agreement. Non-bargaining unit employees have a probationary period of six months. Dismissal will be at the discretion of Human Resources.

Approved May, 2021

Rescind

221

224

225

Exhibit "C"

EMPLOYMENT PRACTICES – 200
NEPOTISM - 221

The Cleveland Public Library strives to ensure that its practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee/volunteer/intern hiring, and employee promotion, transfer, direction and evaluation. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. If such a condition should arise, the Library shall attempt to make, subject to applicable collective bargaining agreements, alternative arrangements which may include, but is not limited to, reassignment within the Library or removing the responsibility or influence to hire, promote, direct or evaluate.

The Ohio Ethics Law and related statutes (R.C. Chapter 102; §§ 2921.42 and 2921.43 defines the restrictions on hiring family members by public officials and employees. These statutes are hereby incorporated into this policy as if fully rewritten herein.

The policy's purpose is not prohibitive, but to require or encourage full disclosure to Human Resources of relationship to an applicant, candidate, or current employee transferring within departments.

The Cleveland Public Library encourages and welcomes the application of qualified candidates for employment. The Library may hire family members, as defined below, of an employee provided that the person possesses qualifications for employment. The Library is committed to fair and equal treatment of all employees and applicants.

Hiring

A Library Board Trustee or employee may not authorize or in any manner influence the hiring of his or her own family member. Library staff members may not participate in decisions regarding the hiring of their own family members.

The Library prohibits a Library Board Trustee or employee from participating in hiring decisions of his or her own family member or using his or her authority or influence to secure such employment.

A "family member" includes: spouse; children or step-children; siblings; parents or step-parents; mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law; uncle, aunt, niece, or nephew; grandparents; grandchildren; domestic partner; or corresponding relatives of the employee's partner, other persons for whom the employee is legally responsible and anyone who stood in loco parentis (acting in place of a parent and assuming the parent's

rights, duties and responsibilities) to the employee as a child. A family member also includes any other person related by blood or by marriage who lives in the same household as the employee.

No Library Board Trustee or employee shall make employment decisions affecting his or her own family member, including but not limited to, direct supervision, conducting performance reviews, disciplinary actions, transfers, promotions, or compensation, by direct or indirect means.

The Library will not place family members in job assignments under the same manager or supervisor, or in the same department.

Enforcement

Upon application for hire, promotion, transfer, job bid, or other reassignment, an employee or applicant, to the extent of his or her knowledge, shall report to Human Resources and on the employment application if any of his or her family members are Library Board Trustees or employees, and if so, where the family member is assigned.

Managers and employees, to the extent of their knowledge, shall report to Human Resources any occasion when this policy is violated. Employees shall report to Human Resources any changes of personal circumstances that result in possible violation of this policy.

Except for the activities described in the section above, family relationships among Library employees do not constitute per se nepotism under this policy.

Violation

The Library prohibits a Library Board Trustee or employee from participating in hiring decisions of his or her own family member or using his or her authority or influence to secure such employment. Any employee who violates this policy shall be subject to the Library's discipline policy.

In the event of a conflict between this policy and State law, the more restrictive provision shall apply.

Prospective Application

The portion of this policy providing that the Library will not place family members in job assignments under the same manager or supervisor, or in the same department, will not be enforced as it relates to existing placements.

Exhibit "D"

EMPLOYMENT PRACTICES – 200 EMPLOYEE REASONABLE ACCOMMODATION - 280

It is the policy of the Cleveland Public Library that no qualified disabled person shall be subjected to discrimination in employment. An individual with a disability must be qualified to perform the essential functions of the job with or without reasonable accommodation. An individual is considered to be qualified when he or she: 1) satisfies the job requirements for educational background, employment experience, skills, licenses, and other job-related qualification standards; and 2) is able to perform the essential functions of the job, with or without reasonable accommodation. If otherwise qualified applicants or employees can safely and substantially perform the essential functions of a job with a reasonable accommodation, the Library shall make such a reasonable accommodation so long as it is not an undue hardship to the Library. Decisions regarding a reasonable accommodation will be reviewed and made on a case by case basis by the Human Resources Department.

Exhibit "E"

STAFF WELFARE AND ECONOMIC BENEFITS – 400

HEALTH AND WELFARE BENEFITS – 422

The Library will offer medical, dental, vision, group life insurance, short-term disability and flexible spending accounts to eligible employees. The Library may offer other ancillary benefits.

Benefit eligibility is determined by your job classification, how many hours you are scheduled to work, and may be influenced by a collective bargaining agreement. In general, full-time employees and part-time regular bargaining-unit employees are eligible to participate in the benefits program. Part-time regular employees are only eligible to participate in the single option of the medical insurance program. Pages, substitutes, and employees hired for a temporary role are not eligible to participate in the benefits program.

Benefit enrollment begins the first of the month after eligibility. Benefit elections must be made within 30 days of hire. Benefit coverage terminates effective at the end of the month of an employee's termination or ineligibility date.

Open enrollment will occur once annually. You may revoke a waiver of insurance or change coverage during open enrollment.

After you enroll in a group health plan, you must immediately inform the Payroll Department if you marry, have a child, have a child who becomes independent or turns age 26, divorce, or any other family change that will impact your insurance coverage. If you fail to report additions to your coverage within 31 days, you must wait for an open enrollment period. Under certain circumstances, family members may be dropped from coverage.

Benefit programs are designed to comply with all government regulations and will be integrated with related statutory plans such as the Consolidated Omnibus Budget Reconciliation Act (COBRA) and Public Law 99-272.

COBRA provides continuation of applicable health benefits to eligible employees and their family members. COBRA qualifying events include:

- Voluntary or involuntary termination of the covered employee's employment for reasons other than gross misconduct.
- Reduced hours of work for the covered employee.
- Covered employee becoming entitled to Medicare and voluntarily choosing to cancel group coverage.
- Divorce or legal separation of a covered employee.
- Death of a covered employee.
- Loss of status as a dependent child under plan rules.

An employee on an approved paid leave is not subject to COBRA.

An FMLA leave is not subject to COBRA. An employee on an FMLA leave may remain a participant in the Library's employee benefit plan throughout the duration of the leave, as if actively employed. The employee is required to continue to pay his or her portion of any insurance premiums normally

deducted from the employee's paycheck either through payroll deduction during the leave or, if all or a portion of the FMLA leave is unpaid, promptly upon return.

Revised May 20, 2021