

EXCERPT FROM UNION CONTRACT – FOR INFORMATIONAL REFERENCES ONLY

**D. Sunday Hours.** Sunday hours may be scheduled in addition to the regular workweek of 37.5 hours for full-time employees as determined by the Director on a year round basis, upon the terms and conditions set forth below.

1. Compensation.

a. Non-Librarian volunteers who work on Sunday shall receive one and one half (1-1/2) times their applicable rate of pay. Librarians who work on Sunday shall receive their choice of either one and one-half (1-1/2) times their applicable rate of pay or one (1) hour of compensatory time for each hour worked on Sunday. Librarians who choose compensatory time may take the compensatory time subject to the staffing and organizational needs of the Library and Article V.E.2.c.

b. A Librarian must inform the Library of his/her choice of method of compensation, outlined above, within twenty four (24) hours of working the Sunday hours; if the Librarian does not make a choice within twenty four (24) hours, the Library may use the method of compensation it so chooses.

c. There will be no pyramiding of overtime compensation.

2. Qualified Librarian, Main Library.

a. For purposes of this section, a "qualified Librarian" is defined as an individual with at least twenty(20) weeks of experience during the last ten (10) years, with each week consisting of 37-112 hours of work (20 weeks x 37-112 hours = 750 hours) during the last ten (10) years, in the department or agency to which she wants to be assigned.

b. A Librarian who has successfully completed the sixty (60) day trial period in a new position, department or agency, under Article X, Section C., is immediately qualified for Sunday work in the new department or agency at the conclusion of the sixty (60) day trial period.

c. A Librarian who was previously classified as a Library Assistant in a department or agency and is now classified as a Librarian in the Library system is immediately qualified to work in the department or agency where she worked as a Library Assistant, provided such Librarian has twenty (20) weeks of experience during the last ten (10) years in that department or agency. Such Librarian may also qualify under other subsections of this Section D.

d. If a Librarian outside the home agency was qualified by fulfilling the probationary period of six (6) months prior to the last ten (10) years in that department or agency, the employee shall be deemed qualified if the Librarian worked an average of one (1) Sunday in four (4) in at least three (3) of the six (6) previous scheduling periods in that department or agency.

3. Librarian Assignments, Main Library.

a. Qualified Librarian volunteers within the bargaining unit shall be assigned Sunday work in Main Library. If there are more qualified volunteers within the bargaining unit than available work, preference will be given to qualified volunteers in their home department or agency. After qualified volunteers are scheduled in home departments or agencies, assignments will be made on a rotating basis beginning with the most senior Librarian. The entire seniority list shall be exhausted before going back to the most senior Librarian.

b. If the number of qualified Librarian volunteers from the bargaining unit is not adequate for the Sunday work which is available, then the Library shall assign Sunday work to qualified nonbargaining unit Librarian volunteers, which shall include but not be limited to branch Librarians, substitutes, retired employees, and any other non-bargaining unit Librarians as mutually agreed within the same categories of classifications as found in **Appendix A.**

c. if the number of qualified bargaining unit and non-bargaining unit

volunteers is still not adequate for Sunday work which is available, there shall be mandatory Sunday assignments of qualified non-bargaining unit professionals who have not volunteered for an average of at least one in four Sundays.

d. If the number of qualified non-bargaining unit Librarians with mandatory assignments is still not adequate for Sunday work which is available, there shall be mandatory Sunday assignments of qualified bargaining unit Librarians who have not volunteered for and been assigned an average of at least one in four Sundays. Such assignments shall be made on a rotating basis beginning with the least senior Librarian. The entire seniority list shall be exhausted before going back to the least senior Librarian

e. When the total available slots cannot be filled by qualified Librarians without mandating qualified Librarians more than once per month, the Library may fill slots with Librarian volunteers who do not meet the definition of qualified pursuant to this Section D. The Library shall first assign unqualified bargaining unit volunteers on a rotating basis, beginning with the most senior Librarian. The entire seniority list shall be exhausted before going back to the most senior Librarian.

f. If the number of unqualified bargaining unit volunteers is not adequate, the Library shall assign unqualified non-bargaining unit volunteers.

g. The Library shall use its best efforts in making mandatory assignments so that no Librarian shall be required to work more than one in four Sundays on a regular basis, except those Librarians who volunteer to work on Sunday, but in no case would a Librarian in the mandatory rotation be required to work more than one Sunday in four on a regular basis. However, to ensure that public service needs are met, the Library may mandate that a qualified Librarian be available in each department/agency on each Sunday.

#### **4. Non-Librarian Assignments, Main Library.**

a. Non-Librarian volunteers within the bargaining unit shall be assigned Sunday work in Main Library. If there are more non-Librarian volunteers within the bargaining unit than available work, preference will be given to non-Librarian volunteers in their home department or agency. After non-Librarian volunteers are scheduled in home departments or agencies, assignments will be made on a rotating basis beginning with the most senior employee in each category of classifications. The entire seniority list by category shall be exhausted before going back to the most senior employee.

b. If the number of non-Librarian volunteers from within the bargaining unit is not adequate for the Sunday work which is available, then the Library shall assign Sunday work to non-bargaining unit, non-Librarian volunteers which shall include but not be limited to substitutes, retired employees, and any other non-bargaining unit employees as mutually agreed within the same categories of classifications as found in Appendix A.

c. If the number of non-Librarian bargaining unit and non-bargaining unit volunteers is still not adequate for Sunday work which is available, there shall be mandatory Sunday assignments of non-Librarian non-bargaining unit employees who have not volunteered for and been assigned an average of at least one in four Sundays.

d. If the number of non-Librarian non-bargaining unit employees with mandatory assignments is still not adequate for Sunday work which is available, there shall be mandatory Sunday assignments of non-librarian bargaining unit employees on a rotating basis beginning with the least senior employee in each category of classifications. The entire seniority list shall be exhausted before going back to the least senior employee.

5. Sunday Assignments, Branches. Except as otherwise provided in this Paragraph 5, the provisions in Section D with respect to Sunday hours in the Main Library shall apply to Sunday hours in the branches.

a. For each branch that is open on a Sunday, the Library shall have the right to assure the

assignment of at least one home branch employee or a bargaining unit employee who has been assigned to work at that branch at least ten times in the twelve-month period preceding the Sunday sign-up period. Such assignment will be achieved through the following sequence:

( ) Bargaining unit volunteers from the home branch will be assigned on a rotating basis, beginning with the most senior employee.

(2) If the number of bargaining unit volunteers from the home branch is not adequate for Sunday work, the Library may assign bargaining unit volunteers who have been assigned to work at that branch at least ten times in the twelve-month period preceding the Sunday sign-up period.

(3) If the number of bargaining unit employees from the foregoing two steps is not adequate for Sunday work, the Library may assign non-bargaining unit volunteers from the home branch, including the branch manager.

(4) If the number of volunteers from the foregoing three steps is not adequate for Sunday work, the Library shall make mandatory assignments of home branch employees who have not been assigned an average of at least one in four Sundays. There will be a rotation beginning with employees that have not been assigned an average of at least one in four Sundays, beginning with non-bargaining unit employees from the home branch, followed by bargaining unit home branch employees, beginning with the least senior, until open Sunday slots have been filled. All other slots shall be filled in accordance with the remaining provisions of this Section 5.

b. A bargaining unit Librarian may be in charge of a branch on Sunday.

c. Volunteers within the bargaining unit shall be assigned Sunday work in the branches. If there are more volunteers within the bargaining unit than available work, preference will first be given to volunteers in their home branches and then to volunteers who currently work in any branch. Such volunteer assignments will be made on a rotating basis beginning with the most senior employee in each category of classifications. The entire seniority list shall be exhausted before going back to the most senior employee.

d. After volunteers are scheduled from the branches, assignments will be made from the remaining volunteers on a rotating basis beginning with the most senior employee in each category of classifications. The entire seniority list shall be exhausted before going back to the most senior employee.

e. If the number of volunteers from within the bargaining unit is not adequate for the Sunday work which is available, then the Library shall assign Sunday work in branches to nonbargaining unit volunteers, which shall include but not be limited to branch Librarians, substitutes, retired employees, and any other non-bargaining unit employees as mutually agreed within the same categories of classifications as found in **Appendix A**.

f. If the number of bargaining unit and non-bargaining unit volunteers is still not adequate for Sunday work which is available, there shall be mandatory Sunday assignments of nonbargaining unit employees who have not volunteered for and been assigned an average of at least one in four Sundays.

g. If the number of non-bargaining unit employees with mandatory assignments is still not adequate for Sunday work which is available, there shall be mandatory Sunday assignments of bargaining unit employees on a rotating basis beginning with the least senior employee in each category of classifications. The entire seniority list shall be exhausted before going back to the least senior employee.

h. Branch Clerks shall continue to be deemed qualified to volunteer for Sunday work at Main Library.

#### 6. Sign-up.

a. The Library shall provide a volunteer sign-up sheet twice per year beginning in April of each year for the time period from July through December and in October of each year for

the time period from January through June. The sign-up sheet shall be made available for completion by employees for fourteen (14) calendar days;

b. The sign-up sheet shall include the frequency of Sundays an employee is willing to work, any specific dates for which the employee is unavailable for Sunday work, the employee's home department, the employee's department and/or branch preferences, and any department in which the employee is qualified, as defined in Section D.2. This information will be shared with the appropriate Sunday schedulers.

c. The Library shall post Sunday assignments at least two (2) weeks prior to the beginning of each Sunday term.

7. Custodians. Custodians who volunteer to work on Sunday in the Main Library and/or at branches shall receive one and one-half (1-1/2) times their applicable rate of pay. Custodians who work by mandatory rotation shall receive one and one-half (1-1/2) times their applicable rate of pay or, by choice of the individual custodian, four (4) hours of Sunday work shall be treated, for scheduling purposes, as one (1) full day of scheduled time off in the same week (Sunday off time); and the custodian shall receive one and one-half (1-1/2) times the applicable rate for each hour worked in excess of four (4) hours, in addition to such Sunday off time.

8. Miscellaneous.

a. Seniority is defined as the length of service in bargaining unit positions as defined in Article IX and Article XI.

b. For purposes of this provision on Sunday hours only, classifications will be grouped by categories as in **Appendix A**. Rotation of volunteer and mandatory assignments will be done by these categories. This grouping of classifications shall set no precedent for work out of one's job classification.

c. There will be no required make-up time for Sunday work which is missed.

d. If an employee is to be paid one and one-half (1-1/2) times his/her applicable rate of pay, and is absent on Sunday, then no time shall be deducted for Sunday absence and no additional compensation shall be received.

e. Emergency call-out work shall be paid to all employees at the rate of one and one-half (1-1/2) times the regular rate of pay. The Library will draw on the list of non-librarian volunteers for emergency call-in beginning with the most senior non-librarian volunteer in each non-librarian category of classifications and exhausting the entire list of employees before going back to the most senior employee. The Library will draw on the list of qualified volunteer Librarians for emergency call-in in beginning with the most senior qualified Librarian and exhausting the entire list of qualified Librarians before going back to the most senior qualified Librarian. Employees may refuse an emergency call-in as a call less than twenty-four (24) hours prior to Sunday's starting time.

f. No employee shall be involuntarily scheduled to interrupt a vacation because of weekend hours. An employee may decline without prejudice to interrupt a vacation schedule to cover a weekend schedule. The employee shall be responsible for arranging to have a qualified substitute (for a Librarian) or a comparable substitute (for a non-librarian), provided that the employee is present at the time the schedule is posted.

g. The Library shall use its best efforts to provide parking for employees who drive to work on Sundays on which the Cleveland Browns play at home. If such parking is not available, the Library will reimburse employees for the cost of parking at the then going rate on such Sundays, only if the scheduled game time is on or before 5:00 p.m.

h. Employees who work on Sunday may enter the Main Library one hour prior to opening and may remain in the Main Library one hour after closing.

i. The Library shall provide orientation and training for employees who work in a

department or branch other than their regularly assigned department or branch on Sundays. The sessions will cover procedures, policies and equipment specific to Sunday service at the department or branch.

j. All employees are entitled to one 15-minute relief period for work on Sunday.

k. Support services with the exception of branch custodians will be appropriately staffed on Sundays when the Main Library is open to the public. Support services will include, but not necessarily be limited to: Shelf Division, departmental pages, Security, and Facilities Department. Support services employees will be compensated according to this Article.

l. The Library shall provide the designated SEIU District 1199 Executive Board Member(s) with the schedules and copies of all volunteer sign-up sheets for all Branches/departments that are scheduled for Sunday work at least two (2) weeks prior to the posting of the Sunday schedules each term. The schedules shall include identification of which assignments are mandatory. The Library will also provide the designated SEIU District 11 99 Executive Board Member(s) with a list of non-bargaining unit and bargaining unit professionals who are qualified for Sunday work. The Library shall also provide a list of unqualified Librarians according to Section D.3.e. of this Article who have volunteered for Sunday work. The Library will update the foregoing information prior to the posting of each Sunday season.

m. An employee who has not volunteered for a Sunday season may work as a substitute for Sunday hours during that Sunday season, with the appropriate administrative approval.

n The Library will remain closed on the Sunday following the 4th of July when it falls on a Saturday, on the Sunday preceding the 4th of July and New Year's Day when they fall on a Monday, and on the Sunday preceding Labor Day.

o. The Library shall meet with the SEIU District 1199 Executive Board Member(s) at least fifteen (15) days prior to implementing any changes to the Sunday hours to address staffing and other concerns.