

Employment and Pay Policy

I. Appointments

All positions are to be filled and personnel policies administered recognizing the laws and rules of the State of New York and the Suffolk County Civil Service Commission as they pertain to the Library.

The selection of staff members is based strictly on merit with due consideration of personal and educational qualifications, and of training and aptitude for the position.

Applicants for employment shall be interviewed and carefully screened by the Chief Executive Officer and/or the Chief Executive Officer's designee. If the applicant meets the qualifications required for the position the applicant may be hired provisionally by the Chief Executive Officer pending final Board approval.

Every permanent competitive appointment shall be for a probationary period of twenty-six weeks. If the position is classified under Civil Service, the probationary period cannot start until the employee has been certified by Civil Service. The employee should be given assistance and consultation on the job to help them qualify for permanent placement.

If the performance of the probationer is not satisfactory, employment may be terminated at any time on or before the completion of the probationary period of employment, consistent with the law and governing regulations.

Members of the Board of Trustees, and the spouses, parents and children of the Trustees and the Chief Executive Officer are prohibited from being employed by the Library.

Employment preference for non-professional positions is given to residents of the Hauppauge Public Library district.

II. Pre-employment Background Check

The Hauppauge Public Library is committed to providing a secure and safe environment for employees and guests as well as safeguarding the resources and assets of the Library. The Library hereby adopts a policy providing for pre-employment background checks on final applicants and Library volunteers regardless of whether or not a competitive canvassing process is used. The purpose of the investigation is to verify and review information provided by the applicant/volunteer in order to select the best qualified applicants.

Consent to background checks is to be deemed a condition of employment for new employees and volunteers at the Hauppauge Public Library. An offer of employment is contingent upon clear and satisfactory results of a background check.

High school students applying for Page positions or students aged 18 and under applying for volunteer positions are exempt from this policy. However, if an employee who is exempt at first hiring is promoted and no longer a high school student, the Library reserves the right to conduct a background check at the time of promotion.

Employees for whom the Library has a completed background check on file and who have a break in Library service will not, upon their return, require a new background check if: 1.) they can show they have been continuously and actively employed since their break of service from the Library and 2.) less than two years has passed.

Background checks will be initiated by designated “Authorized Initiators” in the Administration Office. Authorized Initiators may only initiate background checks after an Authorization for Background Check has been completed and signed by the applicant/volunteer.

Background checks may include:

- Social Security Verification – validates the applicant’s social security number, date of birth and former addresses.
- National Sexual Offender Registry check
- Nationwide Criminal Database check
- Driver History check (if applicable)

The Library will engage a reputable Background Check vendor to conduct background checks.

The results of background checks will be reviewed by the Chief Executive Officer and/or supervisory staff designated by the Chief Executive Officer. Results will be compared with information previously provided by the applicant/ volunteer. Applicants/volunteers may be asked to explain discrepancies, if any are found. Information gathered as a result of a background check will remain confidential and will be maintained by the “Authorized Initiators” in a file separate from employees’ personnel files. Results shall only be disclosed to authorized employees who have a need to know in order to perform their job assignments.

If the background check reveals criminal records or serious misconduct (other than minor traffic violations), the Authorized Initiator will consult with the Chief Executive Officer, who will consult with Legal Counsel. The Library will make the determination as to whether the Background Check results should disqualify the applicant/ volunteer.

As it relates to unsealed criminal convictions, an applicant will be denied employment if there is (1) a direct relationship between the offense and the job sought; or (2) the hiring would create an unreasonable risk to the safety or welfare of specific individuals or the general public. When making this determination, consideration will be given to the following factors:

- a) The public policy of New York State, to encourage the employment of persons previously convicted of one or more criminal offenses.
- b) The specific duties and responsibilities necessarily related to the employment sought or held by the person.

- c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on the candidate's fitness or ability to perform one or more such duties or responsibilities.
- d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- e) The age of the person at the time of occurrence of the criminal offense or offenses.
- f) The seriousness of the offense or offenses.
- g) Any information produced by the candidate, or produced on their behalf, in regard to their rehabilitation and good conduct.
- h) The legitimate interest of the Library in protecting property, and the safety and welfare of specific individuals or the general public.

No one factor is determinative.

Applicants/volunteers will be informed, in writing, of any adverse information discovered in the background check and provided an opportunity to respond. Upon conclusion of review, written notice regarding the Library's decision regarding eligibility of employment will be sent to the applicant.

Failure to disclose unsealed criminal convictions or any other information deemed relevant during the application process may result in employment disqualification or termination.

Disqualification of an applicant based on information discovered in the background check is not subject to grievance or appeal by the applicant.

Exceptions to the Pre-Employment Background Check may be made at the discretion of the Chief Executive Officer.

III. Full Time Employment

For the purposes of this policy, a "full time" employee is an employee who is paid for working at the Library a regular schedule of thirty-five or more hours a week and has been appointed following applicable Civil Service laws and regulations.

Full time employees will work thirty-five hours per week. Full time employees may be required to work every second Saturday, two evenings per week and one Sunday per month as part of their regular workweek.

IV. Pay

Pay schedules for full and part-time personnel will be reviewed annually and will be re-established by the Board of Trustees before the start of each fiscal year. Raises are granted each year on July 1 or promotion.

All personnel will be paid on a biweekly basis.

The Chief Executive Officer's salary and fringe benefits are negotiated directly and separate from the rest of the staff.

V. Lunch, Dinner and Rest Periods

Personnel who work six hours or more in a day must take a meal period each day on their own time. The meal period for personnel working seven hours or more is normally one hour. The meal period for personnel working less than seven hours is normally 30 minutes. With permission of the Chief Executive Officer or a designee more or less than the usual time may be taken for lunch or dinner if so scheduled in advance, except that no employee is to take a meal period of less than 30 minutes.

Personnel who work at least four hours in a day but less than seven hours in a day are given the privilege of one fifteen minute break. Personnel working seven hours or more in a day are given the privilege of two fifteen-minute breaks. These "breaks" should be taken at approximately the midpoint between the start of work and the end of work or meal period. "Break" schedules should be arranged by the Chief Executive Officer or a designee.

Break time is entirely a privilege granted and never to be added onto lunch hours, or used to compensate for late arrival or early departure. It may be refused for a good reason to any employee at the discretion of the Chief Executive Officer. Such reasons might include an emergency situation, temporary shortage of staff or as a way to discipline an employee.

VI. Overtime

Full time staff members are scheduled to work thirty-five hours per week. The hours of any staff member may be extended when emergencies require it.

Full-time non-exempt employees will be compensated for daily or weekly overtime by the granting of compensatory time off during the same pay period whenever possible, or a later period when necessary. The Board of Trustees do not wish to pay any employees for overtime, except in an emergency and when required by law. All such overtime payments must be reported to the Board at its next meeting.

The Chief Executive Officer's duties, by nature, require that their work schedule be flexible. The Chief Executive Officer is required to discharge their duties and responsibilities as the needs of the job dictate and must do so, regardless of the number of hours required.

The Chief Executive Officer and other exempt employees are never entitled to overtime pay. In special cases it may be granted to exempt employees (other than the Chief Executive Officer), but only with the recommendation of the Chief Executive Officer and the approval of the Board of Trustees by means of a vote at a Board meeting.

The overtime compensation requirements of the Fair Labor Standards Act do not apply to employees who are employed in a bona fide executive, administrative or professional capacity. Such employees are said to be "exempt" employees.

"Exempt" employees at the Library will be the Chief Executive Officer, any department heads, and any full-time instruction & research specialists.

VII. Promotions

Promotions should be made from within the ranks of the Library staff if there are employees who are legally qualified for a promotion and, in the judgment of the Chief Executive Officer, able to perform successfully in the position in question. Promotions should be based on ability, past performance, aptitude for the work involved and appropriate experience.

While it may be considered, seniority alone should never be the basis for any promotion.

It is the Board of Trustees' desire that the Chief Executive Officer will provide appropriate in-service training and encourage staff members to study and seek advancement.

VIII. Resignation and Retirement

The Library asks for at least twenty working days (4 weeks) written notice from all employees who are protected by Section 75 of the Civil Service Law prior to resignation or retirement.

The Library asks for at least thirty working days (6 weeks) written notice from the Chief Executive Officer prior to resignation or retirement.

All other employees work "at will."

Amended: June 2021, October 2023