

POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Unlawful Harassment
POLICY NUMBER: 3210

3210.1 Dixon Public Library District is committed to providing a work environment that is free of unlawful harassment.

3210.1.1 The Library District prohibits sexual harassment, gender harassment and harassment based on pregnancy, childbirth, or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, ~~s~~State or local law or ordinance or regulation.

3210.1.2 It is intended that any change or modification to existing law will become part of Dixon Public Library District's policy.

3210.2 In keeping with its anti-harassment principle, Dixon Public Library District strictly prohibits an employee from engaging in any such harassment, including but not limited to ethnic slurs, racial epithets, derogatory jokes, physical intimidation, threats of violence, or bodily harm and sexual harassment.

3210.3 Dixon Public Library District's anti-harassment policy applies to all persons involved in the operation of Dixon Public Library District, including ~~Governing the Board of Library Trustees, its officers, and employees, members Library Commission members and consultants working on Dixon Public Library District-related projects, and prohibits unlawful harassment by any employee of Dixon Public Library District.~~

3210.4 Prohibited unlawful harassment because of sex (sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical condition), race, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other protected basis protected by federal, state or local law, ordinance or regulation includes, but is not limited to, the following behavior:

3210.4.1 Verbal conduct such as derogatory comments; epithets; slurs; sexual innuendos; jokes or comments that make another employee uncomfortable; slurs or unwanted sexual advances, invitations or comments.

3210.4.2 Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures.

3210.4.3 Physical conduct such as assault, unwanted touching, blocking normal movement, or interfering with work because of sex, race or any other protected basis.

3210.4.4 Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors.

3210.4.5 Retaliation for having reported or threatened to report harassment.

3210.5 An employee who believes that s/he has been unlawfully harassed shall provide a written complaint to the ~~Library Director/District Librarian~~ as soon as possible after the incident.

3210.5.1 The employee's complaint shall include details of the incident or incidents, names of individuals involved and names of any witnesses.

3210.5.2 The ~~Library Director/District Librarian~~ shall immediately undertake an effective, thorough and objective investigation of the harassment allegations. Confidentiality will be maintained to the fullest extent possible under the circumstances.

3210.5.3 In the event an employee alleges harassment by the ~~Library Director/District Librarian~~, the employee shall file her/his complaint with the ~~Board of Trustees who Library Commissioners and the Library Commission~~ shall appoint an independent investigator.

3210.6 Effective remedial action will be taken in accordance with the circumstances involved if Dixon Public Library District determines that unlawful harassment has occurred.

3210.6.1 Any employee determined by the Library District to be responsible for unlawful harassment will be subject to appropriate disciplinary action up to and including termination.

3210.6.2 The Library District will take appropriate action to remedy any loss to the employee resulting from harassment.

3210.6.3 The Library District will not retaliate against the employee for filing a complaint and will not tolerate or permit retaliation by management, employees or coworkers.

3210.6.4 Disciplinary action may also be taken against any supervisor or manager who condones or ignores unlawful harassment or otherwise fails to take appropriate action to enforce this unlawful harassment policy.

3210.7 Dixon Public Library District encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

3210.7.1 The employee should also be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing may investigate and prosecute complaints of prohibited harassment in employment. If an employee thinks that he/she has been harassed or retaliated against for resisting or complaining, the

employee may file a complaint with the appropriate agency.

Adopted 02/27/2006
Revised 08/00/2013



POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Equal Employment Opportunity
POLICY NUMBER: 3220

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3220.1 Dixon Public Library District is an equal employment opportunity employer and makes employment decisions on the basis of merit. The Library District wants to have the best available persons in every job.

3220.1.1 The Library District prohibits unlawful discrimination based on race, color, creed, sex, gender, religion, marital status, age, national origin or ancestry, physical or mental disability, veteran status, sexual orientation or medical condition including genetic characteristics, or as otherwise prohibited by law.

3220.1.2 The Library District also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is employed with a person who has or is perceived as having any of those characteristics, or as otherwise prohibited by law.

3220.1.3 Dixon Public Library District considers the attainment of equal employment a major agency objective, and is committed to providing equal employment opportunities to all qualified persons.

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POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Americans with Disabilities Act
POLICY NUMBER: 3225

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3225.1 Dixon Public Library District seeks to fully comply with the Americans with Disabilities Act, seeks to provide access for all to its facility, services and programs, and seeks to ensure equal employment opportunity for all qualified persons with disabilities.

3225.1.1 The Library District is committed to ensuring non-discrimination in all terms, conditions and privileges of employment.

3225.1.2 The Library District will strive to make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue ~~library~~-hardship would result ~~to the employer~~.

3225.2 Qualified individuals with disabilities are entitled to equal pay and other forms of compensation as well as equal treatment and reasonable accommodation in job assignments.

3225.2.1 Employment decisions are based upon the essential responsibilities of the position, in accordance with defined criteria, and not the disability of the individual.

3225.2.2 During the interview process, Library District staff may inquire generally as to whether a prospective employee can perform the essential functions of a job, with or without accommodation, but cannot inquire as to whether or not an individual has any type of disability.

3225.3 To effectively accomplish its objectives, the Library District will use the following guidelines:

3225.3.1 An applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the ~~Library Director~~~~District Librarian~~ and specify what accommodation is needed to perform the job.

3225.3.2 The ~~Library Director~~~~District Librarian~~ or designee will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform the job. The Library District will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship ~~on the employer~~, the ~~Library District~~ ~~will may~~ make the accommodation.

3225.3.3 An employee who believes that he or she has been subject to any form of unlawful discrimination shall provide a written complaint to the Library Director~~District Librarian~~. The complaint should be specific and should include the names of the individuals involved and the names of any witnesses.

3225.3.4 The Library Director~~District Librarian~~ or designee shall immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation.

3225.3.4.1 If the Library Director~~District Librarian~~ determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense.

3225.3.4.2 Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to the affected employee and the Library District will take appropriate action to remedy any loss to the employee as a result of the discrimination.

3225.3.4.3 The Library District will not retaliate against the employee for filing a complaint and will not knowingly permit retaliation by management employees or coworkers.

3225.4 In the event the employee alleges discrimination by the Library Director~~District Librarian~~, the employee shall file his/her complaint with the Board of Trustees~~Library Commission~~, and the Board of Trustees~~Library Commission~~ shall appoint an independent investigator.

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Revised 08/07/2013



POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Employment of Close Relatives
POLICY NUMBER: 3230

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3230.1 Dixon Public Library District policy is to employ seek the best possible candidates ~~for consideration for~~ ~~employment~~. There will be no ~~absolute~~ bar to the ~~employment appointment~~ of close relatives in any staff category so long as the following standard is met:

3230.1.1 For the purpose of this policy, "close relative" is defined as spouse, parent, sibling, child, stepchild, in-law, aunt, uncle or grandparent, domestic partners and their children.

3230.1.2 No employee will vote, make recommendations, or in any way participate in decisions about any personnel matter that may directly affect the selection, ~~employment~~ ~~appointment~~, promotion, termination, other employment status, or interest of a close relative.

3230.2 When an individual who is a close relative of an employee is considered for ~~employment~~ ~~appointment~~, notice of this fact shall be provided to the Board of Trustees for final approval is required at all appointing levels.

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Revised 08/00/2013



POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Outside Employment
POLICY NUMBER: 3240

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3240.1 California law gives employees protection against discrimination by employers for lawful activities outside of work (including moonlighting) and the Library District seeks to fully comply with such law.

3240.2 The Library District does not seek to interfere with the off-duty and personal conduct of its employees, but nonetheless has determined that there are certain types of off-duty conduct which may interfere with the Library District's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the Library District's or their own integrity, reputation or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the Library District's legitimate business interests or the employee's ability to perform his or her job will not be tolerated **and may be grounds for discipline up to and including termination from employment.**

3240.3 While employed by the Library District, employees are expected to devote their energies to their jobs. The following types of employment elsewhere are strictly prohibited:

3240.3.1 Additional employment that conflicts with an employee's work schedule, duties and responsibilities at the Library District.

3240.3.2 Additional employment that creates a conflict of interest or is incompatible with the employee's position with the Library District.

3240.3.3 Additional employment that impairs or has a detrimental effect on the employee's work performance with the Library District.

3240.3.4 Additional employment that requires the employee to conduct work or related activities on the Library District's property during the employee's working hours or using District facilities and/or equipment.

3240.3.5 Additional employment that requires the employee to use Library District facilities and/or equipment.

3240.3.6 Additional employment that directly or indirectly competes with the business or the interests of the Library District.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest, or otherwise satisfies any of the criteria listed in § 3240.3, must submit a written request to the District Librarian explaining the details of the additional

employment.

If the additional employment is authorized, the Library District assumes no liability or responsibility for such employment.

The Library District will not provide any benefits with regard to additional employment nor will it provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment.

Authorization to engage in additional employment can be revoked at any time.

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Revised 08/09/2013

POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Separation from Employment-Suspension
POLICY NUMBER: 3250

3250.1 An employee may choose to resign from her/his position and thereby terminate employment with the Library District.

3250.1.1 To resign from Library District employment in good standing, an employee must file a written notice of ~~resignation/termination~~ with the Library Director or designee. ~~District Librarian~~ at least ten (10) business days before the effective date. The Library Director/District Librarian may, however, grant good standing with less notice if he/she determines the circumstances warrant, subject to approval by the Board of Trustees.

3250.1.2 Resignations shall be effective when tendered and may not be withdrawn without the District Librarian's approval.

3250.2 An employee may be terminated as a result of disciplinary action, as provided for by Library District ~~Policy 3260~~.

3250.3 Whenever, in the judgment of the Governing Board of Library Trustees, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Governing Board of Library Trustees may abolish any position of employment, and the employee holding such position may be laid off or demoted.

3250.3.1 Employees to be laid off will be given notice at least fourteen (14) calendar days in advance of the layoff date.

3250.3.2 Except as otherwise provided, whenever there is a reduction in the work force, the Library Director/District Librarian will may first demote the affected employee to a vacancy, if any, in a lower position for which the employee is qualified.

3250.3.3 An employee affected by layoff may have retreat rights to displace an employee who has less continuous service with the Library District ~~seniority~~ in a lower position if the laid off ~~that~~ the employee has previously occupied or supervised the lower position. For the purpose of this policy/demolition, seniority length of continuous service includes all periods of full-time service at or above the retreat position being considered, as described in Library District Policy 3070.

3250.3.4 In order to retreat to a former or lower position, an employee must request displacement action in writing to the Library Director/District Librarian within five (5) working days of receipt of the layoff notice.

3250.3.4.1 Employees reentering to a lower position will be placed at the salary step representing the least loss of pay. In no case will the salary be above the top of the range of the ~~lower~~ position.

3250.3.5 The names of persons laid off or demoted in accordance with this policy will be entered upon the Library District's re-employment list ~~as described in Library District Policy 3070.~~

3250.3.6 Names of persons laid off will be carried on the re-employment list for one (1) year, except that persons ~~employed~~ ~~appointed to tenured~~ ~~in~~ positions of the same level as that from which they were laid off, will upon such ~~employment~~ ~~appointment~~, be removed from the list. Persons who refuse re-employment will be removed from the list. Persons re-employed in a lower position in the same classification, or on a temporary basis, will be continued on the list for the higher position for one (1) year. At the discretion of the ~~Library Director~~ ~~District Librarian~~, the list may be extended for an additional year ~~subject to approval by the Board of Trustees.~~

~~3250.4 An employee may be suspended as a result of disciplinary action, as provided for by Library District policy.~~

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POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Confidentiality Regarding Resignations
POLICY NUMBER: 3251

3251.1 To the extent permitted by law, the Library ~~Director or designee~~~~Director~~ will keep confidential the circumstances giving rise to an employee's resignation from the Library District. This policy is itself a public record which the Library District must release upon request.

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POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Letters of Recommendation
POLICY NUMBER: 3255

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3255.1 Inasmuch as the Dixon Public Library District faces exposure to significant liability through the provision of letters of recommendation by Library District employees, it is, therefore, in the best interests of the District to ensure that letters of recommendation issued by individuals in their capacity as Library District employees, or which could be reasonably interpreted as written in the individual's capacity as a Library District employee, be accurate and conform to all requirements of law.

3255.1.1 The ~~Library Director~~~~District Librarian~~ or designee will process all requests for references, letters of recommendation, or information about the reasons for separation regarding all ~~all~~District employees other than himself/herself. The Library Director or designee must approve all letters of recommendation to be issued on behalf of the Library District for current or former employees.

3255.1.2 At his/her discretion, the ~~Library Director~~~~District Librarian~~ or designee may refuse to give a recommendation.

3255.1.3 Any recommendation provided by the Library District will provide a careful, truthful, and complete account of the employee's job performance and qualifications.

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POLICY AND PROCEDURE HANDBOOK

POLICY TITLE: Progressive Discipline
POLICY NUMBER: 3260

3260.1 It is essential that employees perform to the best of their ability at all times. It is expected that employees understand and demonstrate certain standards of job performance, interpersonal skills and conduct.

3260.2 ~~Employees of the Library District are at-will and serve at the pleasure of the Board of Trustees pursuant to Education Code section 18402.~~ When an employee does not perform to the best of his or her ability or does not meet expected standards of performance and conduct, the Library District ~~with~~ may apply the processes and procedures of Progressive Discipline to effect corrective action, or, to determine that the employee cannot or will not act to correct his or her behavior.

3260.2.1 Progressive discipline ~~may~~ includes verbal warnings, written warnings, suspension with or without pay, and/or termination.

3260.2.1 Progression from one disciplinary level to another ~~may~~ occurs when an employee does not show improvement to a satisfactory level.

3260.1.3 Although one or more actions may be taken in progressive discipline~~disciplinary matters~~, the disciplinary action taken ~~need not~~ does not necessarily have to follow ~~any~~this stated order ~~and~~ but will be commensurate with the offense.

3260.2 The Library District expects efficiency, productivity and cooperation among its staff employees. The following are examples of types of conduct that are not permitted and that may result in disciplinary action, including immediate termination. Although it is not possible to provide an exhaustive list of all types of unacceptable conduct, performance, or group interaction, the following are examples of types of conduct that are not permitted and that may result in disciplinary action, including immediate termination.

3260.2.1 Insubordination, inefficiency, or incompetence including improper conduct toward a ~~Administrative Support Manager or refusal to perform tasks assigned by a Administrative Support Manager in the appropriate manner.~~

3260.2.2 Possession, distribution, sale, use, or being under the influence of alcoholic beverages or illegal drugs or controlled substances (other than prescription drugs for personal use) while on Library District property or while on duty.

3260.2.3 Theft or unauthorized removal or possession of property from the Library District, other employees, or anyone on Library District property.

- 3260.2.4 Violation of Library District policies, procedures, rules, regulations or codes of conduct.
- 3260.2.5 Intentionally falsifying or making a material omission on an employment application, or on other Library District records or documents.
- 3260.2.6 Misusing, destroying, or intentionally or negligently damaging property of the Library District, another employee or a Library District visitor.
- 3260.2.7 Actual or threatened physical violence; threatening, intimidating, and/or coercing any member of the Library District community; use of vulgar or abusive language.
- 3260.2.8 Possession or use of dangerous or unauthorized materials, such as explosives, firearms, or other similar items, while on Library District property or while on duty.
- 3260.2.9 Unsatisfactory performance, including poor accuracy, quantity, or quality of work product; lack of cooperation.
- 3260.2.10 Intentional or gross misconduct; including gambling on premises.
- 3260.2.11 Unlawful harassment of another person.
- 3260.2.12 Excessive tardiness or absenteeism, including abuse of any of the Library policies or procedures relating to leaves or breaks.
- 3260.2.13 Dishonesty.
- 3260.2.14 Sleeping, or giving the appearance of sleeping, while on duty.
- 3260.2.15 Failure to follow instructions or safety guidelines.
- 3260.2.16 Failure to comply with "confidentiality of library records" requirements of the California Government Code.

3260.3 The Library District's processes and procedures of Progressive Discipline are designed to achieve corrective action and/or performance improvement, and are shown below:

3260.3.1 As a first step, there may will be a Verbal Counseling Session.

3260.3.1.1 The Library Director or Designee/Administrative Support Manager shall may counsel the employee verbally, specifying the unacceptable behavior and identify the corrective action or behavior needed to meet a satisfactory level of performance.

3260.3.1.2 The Library Director or Designee/Administrative Support Manager shall provide an opportunity for the employee to express concerns and mutually agree on a course of action to improve performance, allow for positive two-way communication, and establish a reasonable target date for the follow-up review.

3260.3.1.3 Documentation will include date and time of incident, date of counseling, responses given by the employee, and planned follow-up review.

3260.3.1.4 A follow-up review date should be scheduled far enough in advance to allow sufficient opportunity and time for the employee's performance to improve. The employee shall be advised that failure to correct the behavior/performance may result in additional disciplinary action, up to and including termination of employment.

3260.3.2 As a second and third step, there ~~may~~will be Written Disciplinary Warnings (Reprimands).

3260.3.2.1 If the employee does not improve after ~~the~~ a verbal counseling session or if there are repeated incidents of unacceptable behavior or performance, or if the appropriate disciplinary action given the nature of the offense is a written warning, ~~then~~ the Library Director or designee ~~Administrative Support Manager shall~~ may ~~issue~~ issue ~~the~~ the employee ~~complete~~ complete a written ~~warning/reprimand~~. ~~The written warning/reprimand will include:~~

3260.3.2.1.1 A restating of the problem or issues with a clear and precise explanation of how the Library District's expectations and standards have not been met.

3260.3.2.1.2 A description of the acceptable levels of performance.

3260.3.2.1.3 Specific examples and ideas for improvement, and an outline of a plan to correct the problem.

3260.3.2.1.4 A calendar of dates for regular follow-up and a reasonable date by when the problem must be eliminated or corrected.

3260.3.2.1.5 Notice that failure to correct the problem may lead to additional disciplinary action up to and including termination of employment.

3260.3.2.2 If, by the target date identified in the ~~written warning~~ first reprimand, the employee is not performing up to the stated standards, the employee ~~shall~~ may ~~be~~ issued ~~receive~~ a ~~2nd~~ written reprimand/warning.

3260.3.2.3 Copies of any written ~~warnings~~ and/or reprimands shall be retained in the employee's personnel file.

3260.3.3 As a fourth step, Suspension from service with loss of pay may be imposed.

3260.3.3.1 In matters regarding suspension, the ~~Library Director District Librarian~~ will consult with the ~~Library District's legal~~ counsel to ensure that all procedures meet legal requirements.

3260.3.3.2 If the suspension is for more than five (5) ~~business~~ business days, the employee will be notified of the Library District's intent to suspend and will be given the opportunity to meet with the ~~Library Director District Librarian~~ to discuss the suspension prior to the effective date of the suspension. ~~The Library Director will issue a final written decision within five (5) business days after the meeting.~~ The written notice will:

3260.3.3.2.1 State the intended corrective action, the reason for the corrective action and the effective date of such action.

3260.3.3.2.2 Include a copy of the charges and materials upon which the corrective action is based;

3260.3.3.2.3 State that the employee has the right to meet with the Library Director and/or respond in writing before the effective date of the action;

3260.3.3.2.4 State the employee's right to appeal the suspension to the Board of Trustees consistent with the process in 3260.3.4.2file a grievance regarding the disciplinary action after the Library Director's final written decision to suspend is issued action is taken:

3260.3.4 As a fifth and final step, Termination of employment may occur.

3260.3.4.1 If the Library Director District Librarian decides upon an action of termination, the employee will be notified in writing of the intent to terminate and will be given the opportunity to meet with the Library Director to discuss the termination prior to the effective date of the termination. The Library Director will issue a final written decision within five (5) business days after the meeting. The written notice will:

3260.3.4.1.1 State the intended corrective action, the reason for the corrective action and the effective date of such action;

3260.3.4.1.2 Include a copy of the charges and materials upon that the corrective action is based;

3260.3.4.1.3 State that the employee has the right to request a meeting in appeal interview with the Library Director to respond to the charges; District Librarian, within five (5) business days of receipt of the notice;

3260.3.4.1.4 State the employee's right to appeal the termination to the Board of Trustees consistent with the process in 3260.3.4.2file a grievance regarding the disciplinary action (termination) after the Library Director's final written decision to terminate is issued action is taken:

3260.3.4.2 The Library District, at its option, may place the employee on a paid administrative leave pending the optional appeal hearing. The employee may request an appeal before the Board of Trustees within five (5) business days of receipt of the Library Director's final decision, failure to request an appeal within the timeframe allotted will be deemed a waiver. Upon receipt of a timely request for appeal, the Library Director shall schedule the appeal to occur no later than thirty (30) days after receipt of the request for appeal, unless the parties mutually agree to extend the date for appeal. The Board of Trustees will consider the appeal in closed session and may be advised by legal counsel. The employee and Library Director will each be given the opportunity to address the Board during the appeal, stating their reasons for or against the Library Director's employment action. The Board of Trustees may accept or reject the Library Director's decision and will report out in open session. The Board of Trustees will render a written decision within fifteen (15) business days after the appeal.

3260.3.4.3 When appealed, the Library Director District Librarian then has the opportunity to deny uphold the termination or reduce the disciplinary action.

3260.3.4.4 After the appeal process is completed, the Library Director District Librarian will provide a copy of the Board of Trustees' written decision to advise the employee in writing of the decision regarding termination. If the recommendation to terminate is upheld, the employee will be advised of his/her final date of employment.

3260.3.4.5 Employees may appeal the termination to the Library Commission. The Board of Trustees' Library Commission's decision will be final.

3260.3.4.6 If terminated, on the last day of employment, the employee will empty any desk or

locker, turn in keys, ID badge and any other items that belong to the Library. All such items must be turned in before the employee receives the final paycheck.

3260.3.4.6.1 The employee will receive the final paycheck on the last day of employment, or if requested, it will be sent to the employee by certified mail.

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