

BOARD OF TRUSTEES

Meeting Agenda December 17, 2024 | 9:00 -10:30 LCO Tech Room

Helpful Links: Approved Bylaws, Master Policy List, Approved FY 2024 Budget, Vision Tracker, MO Public Library Standards, FY 23 Tax Revenue Spreadsheet | BOT Timeline & Deadlines

- 1. Call meeting to order, Pledge, Invocation, Establishment of Quorum
- 2. Approval of Minutes
 - a. November 19, 2024, LCO Meeting Minutes

Mindy Honey

- 3. Visitor Comments (Comments are limited to 3 minutes per person with a limit of 15 minutes.)
- 4. Treasurer's Report

Cody Fenton

- a. Treasurer's Report
- b. Financial Reports
- 5. Invited Guest
- 6. Director's Report

Essy Day

- a. Director's Report 12.17.2024
- b. 2024 Statistics
- 7. Old Business
- 8. New Business
 - a. Revision of Policies*
 - b. Extending Hours Memo Discussion
 - c. 2025 Board of Trustee Meetings
 - i. 3rd Tuesday of the Month 9-11:30
 - ii. Exception: March 25th
- 9. Committee Report
 - a. Site Selection report
- 10. Public Comments
- 11. Comments from Trustees
 - a. Roles and Responsibilities- Director, Board, Friends
- 12. Next Meeting January 21, 2025, 9am
- 13. Meeting Adjourned

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Termination Policy Separation from Employment Policy

Missouri follows the Employment-At-Will doctrine. This means that both the employer and employee can terminate the employment relationship at any time and for any reason, as long as there is no contract broken, discrimination,

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated. Separation from employment may be voluntary or involuntary:

- Resignation—Voluntary employment termination initiated by an employee.
- Termination— Involuntary employment termination initiated by the Library.
- Layoff— Involuntary employment termination initiated by the Library for non-disciplinary reasons

Employees who wish to resign should provide a signed letter of resignation to their supervisor. notify their supervisor in writing at least two weeks in advance of departure. Employees are encouraged to give a minimum of two weeks' notice. Managers and Directors are encouraged to give four weeks' notice. Employees who are eligible to retire and planning to do so will provide a minimum of thirty days' notice.

Employees who fail to report to work for two consecutive days without informing management of the planned absence will be considered voluntarily resigned.

Accrued PTO Vacation and Sick Leave

In the case of separation due to resignation, retirement or a permanent reduction in the work force, an employee's accrued vacation pay will be paid on a pro-rata basis. Unused personal time is not paid upon termination. according to the *Vacation and Sick Leave* policies.

Outstanding financial obligations owed to the Library Center of the Ozarks will be deducted from the employee's final check, provided the employee had written permission. If the final check does not sufficiently cover the money owed to the Library, the employee will remain liable for that amount.

A meeting between the employee and immediate supervisor will take place prior to the last day of work. Office keys, company equipment and building keys must be returned at this time, along with all other property and confidential information.

If an employee leaves the Library in good standing, he or she may be considered for re-employment.

Except as required by law or by separate agreement, employee salary and benefits will end on the date of termination.

Upon resigning from the Library Center of the Ozarks, the employee will provide the Library with an accurate address for at least one year for tax purposes.

Equal Employment Opportunity (EEO) & Non-Harassment Policy

Equal Opportunity Statement

Library Center of the Ozarks (the Library) is committed to the principles of equal employment. The Library is committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is the intent to maintain a work environment that is free of harassment, discrimination, or retaliation because of age, race, color, national origin, ancestry, political opinions, religious beliefs, sex (including sexual stereotyping), sexual orientation, gender identity, pregnancy (including childbirth, lactation, and related medical conditions), marital status, physical or mental disability, genetic information (including testing and characteristics), association with anyone who is a member of a protected class, AIDS/HIV status, veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. The Library is dedicated to the fulfillment of this policy in regard to all aspects of employment, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination, and all other terms, conditions, and privileges of employment.

The library will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner. The Library will take appropriate corrective action, if and where warranted. The Library prohibits retaliation against employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

The Library, its employees (current or prospective), contract workers and volunteers are responsible for upholding this policy. Any discussions or questions regarding equal employment opportunity should be directed toward an employee's Supervisor. If the question or complaint involves their Supervisor, it should be directed to another member of the Administrative Staff the Director or chairman of the board of trustees.

Policy Against Workplace Harassment

Library Center of the Ozarks has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age, race, color, national origin, ancestry, political opinions, religious beliefs, sex (including sexual stereotyping), sexual orientation, gender identity, pregnancy (including childbirth, lactation, and related medical conditions), marital status, physical or mental disability, genetic information (including testing and characteristics), association with anyone who is a member of a protected class, AIDS/HIV status, veteran status, uniformed

servicemember status, or any other status protected by federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, patrons, and clients are strictly prohibited and will not be tolerated.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Library or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties, or shifts, etc., in exchange for sexual favors; and
- Any unwanted physical touching or assaults or blocking or impeding movements.

Other Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion towards an individual because of the individual's age, race, color, national origin, ancestry, political opinions, religious beliefs, sex (including sexual stereotyping), sexual orientation, gender identity, pregnancy (including childbirth, lactation, and related medical conditions), marital status, physical or mental disability, genetic information (including testing and characteristics), association with anyone who is a member of a protected class, AIDS/HIV status, veteran status, uniformed servicemember status, or other status protected federal, local any by state, or laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility towards an
 individual or group because of one of the above protected categories and that is placed on walls,
 bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace;
 and
- A display of symbols, slogans, or items that are associated with hate or intolerance towards any select group.

Reporting Discrimination and Harassment

If an employee(s) feel that they have witnessed or have been subjected to any form of discrimination or harassment, they should immediately notify the person-in-charge, their immediate Supervisor, or any member of the Administrative Staff.

The Library prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

The Library will promptly and thoroughly investigate any claim and take appropriate action where it is found a claim has merit. To the extent possible, Administrative Staff will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Library determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Library may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the Library will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

POLICY AGAINST WORKPLACE VIOLENCE

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of everyone, the Library Center of the Ozarks is committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior. Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to

Zero Tolerance

The Library has a zero-tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, patrons, and visitors.

Prohibited Conduct

Prohibited conduct includes, but not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on Library property or while performing Library business except as permitted by state law.
- Violating a restraining order, order of protection, injunction against harassment, or other court order.

Reporting Incidents of Violence

Report to the Person-In-Charge (PIC), their immediate Supervisor, or any Administrative Staff member, in accordance with this policy, any behavior that compromises the ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. The employee(s) involved are expected to cooperate in any investigation of workplace violence.

Violations

Violating this policy may subject the employee(s) to criminal charges as well as discipline up to and including immediate termination of employment.

Retaliation

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, the employee(s) will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If an employee initiates, participates, is involved in retaliation, or obstructs an investigation into conduct prohibited by this policy, the employee(s) will be subject to discipline up to and including termination.

If the employee(s) believe they have been wrongfully retaliated against, immediately report the matter to the Person-In-Charge, their immediate Supervisor, any member of the Administrative Staff, or the Executive

Director.

Americans with Disabilities Act Policy

The Library Center of the Ozarks (Library) adheres to the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendment Act of 2008. The policy is to refrain from discriminating against qualified individuals with disabilities in matters related to employment. This policy extends to both job applicants and current employees.

Implementation of this policy is the responsibility of management and designated library staff. The ADA Coordinator Human Resources Manager oversees compliance and assists management in meeting policy requirements. This policy is not exhaustive or exclusive.

Applicants - When a job applicant with a disability requests accommodation that can be reasonably provided without creating an undue hardship or causing a workplace safety risk, he or she will be given the same consideration for employment as any other applicant.

Employment – General Provisions Library's policy against discrimination based on disability applies to all aspects of employment, including job application procedures, hiring, advancement, discharge, compensation, and job training. All employment practices, whether conducted by Library or any entity on its behalf, must align with this policy. Accommodations will not compromise quality or performance standards.

Drugs and Alcohol – Employment. The ADA provides limited protection for reformed alcoholics, rehabilitated drug users, those in supervised rehabilitation programs, and individuals wrongly perceived as illegal drug users. Current illegal drug use does not qualify as a disability under the ADA. Employers can prohibit illegal drug use and alcohol consumption at the workplace, require sobriety, and enforce Drug-Free Workplace Act standards. Qualification standards apply equally to employees with histories of drug use or alcoholism.

Reasonable Accommodation – Employment. A qualified individual with a disability must perform essential job functions with or without reasonable accommodation. Individuals should inform the Department Manager or ADA Coordinator HR Manager of disabilities requiring accommodation. The Library may inquire about the need for accommodation and, in certain cases, request a medical examination. Accommodation is case-specific and requires submission of the *Library's Reasonable Accommodation Request Form*.

The Library is not obliged to provide reasonable accommodation in situations where it causes undue hardship, the individual is unqualified despite accommodation, or the individual poses a direct threat to health or safety.

This policy does not alter the at-will nature of employment as outlined in the Library's Policy on Nature of Employment. It does not create contractual rights, and applicants with conditional job offers may face withdrawal or termination for lawful reasons.

Filing a Charge: ADA grievances can be internally filed through the process outlined in the *Complaint of Employment Discrimination* process. **Grievance Policy.** Staff and applicants may also file charges with external regulatory agencies such as the EEOC, Missouri Commission on Human Rights, or Department of Labor.

Approved 1.2.24

Reasonable Accommodation Request Form

LCO provides reasonable accommodation to individuals with disabilities as required by the Americans with Disabilities Act (ADA), upon request of the individual.

Please complete this form to request any type of accommodation for a physical or mental disability and attach applicable medical documentation.

LCO considers the following requests:

- For accommodations required to ensure equal opportunity in the hiring process.
- For accommodations that enable employees with disabilities to perform the essential functions of their job.
- For accommodations that enable employees with disabilities equal benefits and privileges of employment.

All information relating to requests for disability accommodations will be maintained by the HR Manager and are considered confidential medical records. As such, they will only be accessible to supervisors or managers, first aid personnel and government officials (regarding compliance with ADA, FMLA or other applicable laws) on a need-to-know basis.

LCO may require additional medical certification or information.

Employee Name	Date of Request			

Describe yo	our disability	and attach	n any availa	able medic	al docur	nentation)			
Describe th	e aspect of y	our disabil	ity that req	quires acco	ommodat	iion				
Explain the	accommoda	tion you ar	e requesti	ing						
Detail any accommod	resources y ation	ou have,	can acces	ss, or are	aware (of which	would	provide	the i	requested
	documentat Phone Numb			-			ing:			
Name and I	Phone Numb	er of Medic	al Special	list (if applic	cable)					

My signature constitutes permission for LCO to contact the medical practitioner(s) listed above to release information applicable to my request for accommodation. I agree to complete any additional authorization forms required by the medical practitioner(s) for release of information. I certify that the information provided in this document is true to the best of my knowledge.

Employee Signature	Date			
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Employee Conflict of Interest Statement Policy

No employee shall derive any personal profit or gain, directly or indirectly, for themselves, their parents, spouses, or dependent children by reason of their employment at the Library Center of the Ozarks except through activities that may facilitate professional advancement or contribute to the profession such as publications and professional service that have been fully disclosed to their supervisor.

Any employee of the Library Center of the Ozarks who exercise supervisory authority over the negotiation of contracts or purchasing decisions having a substantial personal or private interest (as defined in Section 2 of the Library's Conflict of Interest Policy) in Library initiatives, purchases, or decisions shall disclose the nature of that interest to the Library's Executive Director and be disqualified from participating in any decision making, contract negotiation, or purchasing involved with it.

Any employee who holds a voting interest in the Board or governing body of any other organization, association, non-for-profit, union, corporation, or government entity that conducts any business, financial or otherwise, with the Library Center of the Ozarks (including recognized Library Support Organizations such as the Friends of the Library Center of the Ozarks) must disclose that relationship to their supervisor and shall be disqualified from voting on or participating in any decision making, contract negotiation, or purchasing for or on behalf of the Library Center of the Ozarks related to that organization or entity.

Any disclosures made by employees to supervisors must be investigated by the Executive Director and appropriate internal administrative measures enacted to avoid a conflict. The details of each disclosure, identities of employees involved, and remedies enacted must be compiled and presented to the Board of Trustees for inclusion in their minutes and submitted annually to the Missouri Ethics Commission with any other annual reports that are filed.

Employees of Library Center of the Ozarks shall strictly protect the confidentiality of patron data as per the libraries Confidentiality of Library Records and Third-Party Privacy Policy Library policies to ensure patron data is never used for personal benefit.

No employee shall accept any favor which might affect or appear to affect their judgment on any matter affecting the Library.

No employee shall receive preferential treatment or priority access for reservations, registration, or fees associated with their use or misuse of Library materials or programs as a patron.

No person shall be employed by the Library's Board of Library Trustees or by the Executive Director who is related within the third degree (a third-degree relative is defined as a relative which includes the individual's first-cousins, great-grandparents, or great-grandchildren) by blood, marriage, adoption, romantic relationship, or domestic partnership to the Executive Director or any Trustee of the Board. Other staff members' relatives would be considered individually.

For the purposes of this policy, a "relative" is any person who is related by blood, marriage, adoption, romantic relationship, or domestic partnership; or whose relationship with the employee is similar to that of persons who are related by blood, marriage, adoption, romantic relationship, or domestic partnership.

Relatives of persons currently employed by the Library Center of the Ozarks may be hired only if they will not be working directly for a relative, supervising a relative, or working the same shifts in the same department, unless approved by the Library Director.

All the Library Center of the Ozarks employees must agree in writing upon hire to comply with conflict-of-interest statutes under Chapter 105 of the Missouri Revised Statutes, any other laws governing official conduct, and the Library's Conflict of Interest Policy. policy.

Approved 1.16.24

Initial Statement of Associations and Disclosures Acknowledgement

This is to certify that I have read and understood this Employee Conflict of Interest Statement Policy. and the Library Center of the Ozarks' Conflict of Interest Policy.

I understand that if I, or my parents, spouse, or dependent children, have been a participant in, or voting member of, directly or indirectly, any arrangement, agreement, investment, or other activity with any vendor, supplier, organization, or other party doing business with the Library Center of the Ozarks that has resulted or could result in personal benefit to me or any of the relations listed above, that I am required to report it as a potential conflict of interest to my supervisor immediately.

I agree to notify my supervisor in writing about any such potential conflicts of interest that may have occurred between January - December of the calendar year before today, and/or any future potential conflicts of interest as they arise or come to my attention. I will provide details, dates, and identities of the parties involved as required.

Employee Name (Printed)		
Employee Signature	Date	

Conflict of Interest Policy

Section 1: Declaration of Policy

The proper and ethical operation of government requires that public officials and employees be independent, impartial, and responsible to the people; those decisions and public policy be made transparently, in the proper channels of the governmental structure; those public positions not be used for personal gain; and that the public have confidence in the integrity of their government's operation. In recognition of these goals, we hereby establish this policy resolution for disclosure by certain officials and employees of private financial or other interests in matters affecting the Library Center of the Ozarks.

All <u>Library Center of the Ozarks</u> employees and members of its Board of Trustees must comply with conflict-of-interest statutes under Chapter 105 of the Missouri Revised Statutes, any other laws governing official conduct, and the following guidelines.

Section 2: Eliminating Potential Conflicts of Interest in Decision Making and When Exercising Authority

Members of the Library Board of Trustees having a substantial personal or private interest in any policy, initiative, issue, or decision considered by the Board shall disclose within the Board minutes the nature of the Trustee's interest and shall be disqualified from voting on any matters relating to this interest.

In addition, any employees of the library who exercise supervisory authority over the negotiation of contracts or purchasing decisions having a substantial personal or private interest in Library initiatives, purchases, or decisions shall similarly disclose the nature of that interest to the Library Director and be disqualified from participating in any decision making, contract negotiation, or purchasing involved with it. The Library Director is then responsible for notifying the Library's Board of Trustees at their next meeting of the interest and internal administrative measures enacted to avoid a conflict.

Substantial personal or private interest for the purposes of this policy is defined as ownership by the individual, their parents, spouse, or dependent children and other relatives within the fourth degree, by

consanguinity or affinity, whether singularly or collectively, directly, or indirectly, (as defined by the Missouri Constitution, 117 Art. VII3 § Section 6).

A conflict is constituted by:

- 10% or more of any business entity; or
- an interest having a value of \$10,000 or more; or
- the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

All employees of the Library Center of the Ozarks will be required to sign the Library Center of the Ozarks Library Employee Conflict of Interest Statement Policy Acknowledgement form to be kept in their personnel file defining what constitutes a conflict of interest and Library Center of the Ozarks' internal procedures for reporting any potential conflicts to their supervisor for review.

Any voting interest a Trustee or employee of the Library-may hold in the Board or governing body of any other organization, association, non-for-profit, union, corporation, or government entity that conducts any business, financial or otherwise, with the Library Center of the Ozarks (including recognized Library support organizations such as Friends of the Library) must be disclosed to the Library's Director and its Board of Trustees. Those Trustees or employees holding such an interest shall be disqualified from voting on or participating in any decision making, contract negotiation, or purchasing for or on behalf of the Library Center of the Ozarks related to that organization or entity.

Section 3: Missouri Ethics Commission (MEC) Annual Disclosure Reports

The Library Center of the Ozarks' Director, serving as both the chief administrative officer, the Finance Manager, serving as the chief purchasing officer, for the purposes of such annual reporting, as well as any Library Trustee and members of the Library's Administrative Staff, any trustee who has (or whose relative within the first degree of blood or marriage has) conducted business with the Library in excess of \$500 per transaction, and any trustee specifically required by the subdivision's conflict of interest ordinance will disclose information per MEC's requirements to MEC annually.

empowered in a given calendar year to sign checks and execute contracts on behalf of the Library either with the Library Director or in their absence, will all disclose the following information annually to the Missouri Ethics Commission (MEC) by May 1st for the previous calendar year.

The Library Director will be responsible for updating the list of officials required to file with the MEC annually before the filing deadline.

If any of the following transactions occurred during the previous calendar year between the Library Center of the Ozarks and any of the annual reporters listed above or their respective parents, spouses, or dependent children; the dates, details, and identities of the parties involved shall be disclosed, compiled,

made part of the public record by inclusion in Library Board minutes, and submitted to the MEC in or with their annual report.

- Each transaction in excess of \$500 with any of the above-named individuals, other than compensation received as an employee or payment of any fine, tax, fee, or penalty due to the Library.
- Each transaction in excess of \$500 between any business entity in which any of the above-named individuals have a substantial or private interest, other than any payment of tax, fee, or penalty due to the Library or transactions involving payment for providing utility service to the Library.
- Each transaction in excess of \$500 between any organization, association, non-for-profit, union, corporation, or government body where any of the above-named individuals have a voting interest in the governing or financial structure.
- The name and address of each of the employers (other than the Library) of any of the above-named individuals from whom income of \$1,000 or more was received during the year covered by the statement.
- The name and address of each sole proprietorship that is owned; the name, address, and the general nature of the business conducted of each general partnership and joint venture in which any of the above named individuals was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address, and general nature of the business conducted of any closely held corporation or limited partnership in which any of the above named individuals owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which any of the above named individuals owned two percent or more of any class of outstanding stock, limited partnership units, or other equity interests.
- The name and address of each corporation for which any of the above-named individuals served in the capacity of a director, officer, or receiver.

Approved 1.16.24

Workers' Compensation Insurance Policy

The library offers a comprehensive workers' compensation insurance program at no cost to all employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. The Library/insurer is responsible for paying the medical fees and charges unless the employee chooses to treat with another provider at their own expense without the employer/insurer's approval.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately and complete an Incident Report. If neither the supervisor nor director is available, the employee should report the injury to the Administrative Assistant Finance & HR Manager who will notify the Library's Workers' Compensation insurance carrier. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Approved 6.18.24