

4. Personnel Policies for All Employees

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Policy 4-1. Overview and Purpose of the Personnel Policies

Adopted 10/19/2017

Scope

The Josephine Community Library District (JCLD) personnel policies establish policy only in the areas in which specific information is provided. To the extent that any adopted policy may conflict with Oregon statute or federal law, the law shall prevail. Wherever the adopted state or federal law allows local policy to prevail, this policy shall govern.

Any employment policy not addressed in this policy will be determined by the executive director, with such determination subsequently submitted to and either authorized or rejected by the JCLD Board of Directors.

Purpose

Personnel policies are intended to provide employees with a general understanding of the employment policies and to provide guidance. The policies cannot anticipate every situation or answer every question about employment relationships that might arise.

In all areas where specific guidance is not provided by these policies, the JCLD Board of Directors reserves the right to determine all such issues on a case-by-case basis, with recommendations made by the library director as provided in this policy, and affirmed or rejected by the board.

JCLD also reserves the right to change or revise policies and procedures in accordance with the policies of the Board of Directors.

This policy is not a contract of employment, and the terms identified are the statements of policy, not contractual rights.

Applicability

The policies in this statement shall apply to individuals that have an employment relationship with JCLD. To the extent that volunteers are utilized by JCLD, the provisions relating to protection of status, protection from adverse environments, and the requirements for positive behaviors shall apply. Wherever this policy is applicable to both employees and volunteers, it shall be noted in the language.

Policy 4-1-1. Equal Employment Opportunity

Adopted 10/19/2017

Josephine Community Library District (JCLD) is committed to a policy of equal employment opportunity for applicants and employees. Employment decisions, will comply with all applicable laws prohibiting discrimination in employment as they apply to sex, race, color, sexual orientation, religion, national origin, ancestry, pregnancy, age, marital status, disability, and genetic information.

This commitment to equal opportunity applies to all aspects of the employer-employee relationship, including recruitment, hiring, reclassification, training, promotion, transfer, discipline, layoff, recall, and termination.

Policy 4-1-2. Personnel Administration Generally

Adopted 10/19/2017

The Josephine Community Library District (JCLD) Board of Directors and the library director shall have authority over all matters of personnel administration through adoption and implementation of the District budget, pay plans, collective bargaining agreements, and ordinances and resolutions adopting and/or amending the personnel rules and regulations.

The library director is charged with responsibility for the interpretation and application of the policies.

The library director may specifically delegate in writing the authority for the enforcement of rules and policies.

The library director shall be responsible for ensuring the effective implementation of these rules and regulations and may further establish, amend, or otherwise modify administrative rules and regulations pursuant to Board policies and shall advise the Board on any changes concerning these rules and regulations. The Board delegates to the library director broad discretion in all aspects of personnel, subject to the advice and concurrence of the Board.

Policy 4-1-3. Anti-Nepotism Policy

Adopted 7/21/2021

Objective

Josephine Community Library District (JCLD) is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives. JCLD wants to ensure that employment practices do not create situations such as conflict of interest or favoritism based on employment of relatives. This extends to practices that involve employee hiring, promotion and transfer.

Scope

Due to potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, JCLD will hire relatives of persons currently employed only if: a) candidates for employment will not be working directly for or supervising a relative, and b) candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages and leave requests.

This policy applies to all current employees and candidates for employment.

Definitions

“Family member” is defined as one of the following: spouse or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son, daughter).

Procedure

Individuals will not be hired or promoted into a position that would create a conflict in JCLD’s policy. If employees begin a dating relationship or become relatives, partners, or members of the same household, and one party is in a supervisory position, that person is required to inform management and human resources of the relationship. The employees will have 60 days to resolve the situation on their own. After 60 days, if the employees have not yet resolved the situation on their own by means acceptable to JCLD, such as a transfer or employment outside the company, the employees’ supervisors will work with library director and business manager to determine the most appropriate action for the specific situation. This may include transfer or, if necessary, termination of one of the employees.

Prior to the employment offer, the immediate supervisor must complete a signed statement certifying that the candidate for employment or other employment action is not a relative as defined above. Failure to submit the signed statement to the library director or business manager will result in the delay of the job offer until the statement is submitted.

The business manager is responsible for ensuring policy compliance. Department supervisors are responsible for monitoring changes in employee reporting relations after initial hire to ensure compliance with this policy. Employees are responsible for immediately reporting any changes to their supervisor.

If there is a situation where an action of JCLD, such as reduction in force, results in an involuntary circumstance in which two relatives, partners or members of the same household may be reporting to each other, one of the employees will be reassigned within 60 days. During those 60 days, the supervisory employee will not have involvement or direct input in the employment decisions of the other employee.

JCLD reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if no direct reporting relationship or authority is involved. In these situations, JCLD will reassign one of the employees within 60 days.

Any exceptions to this policy must be approved by the library director and business manager. Written justification for the exception must be submitted to library director prior to any employment decisions.

Section 4-2. Appointment, Qualifications, and Separation

Policy 4-2-1. Employee Status

Adopted 10/19/2017

- **Regular Full-Time Employees**
A Josephine Community Library District (JCLD) employee who regularly works a minimum of 40 hours a week on a continuing basis, and who has completed the probationary period, is considered a regular full-time employee.
- **Regular Part-Time Employees**
An employee who regularly works less than 40 hours a week is considered a regular part-time employee once the probationary period is successfully completed. The District shall pay a proportion of benefits, based on the regular hours of work.
- **Temporary Employees**
Temporary employees are defined as those employees holding jobs of limited duration of less than one year arising out of special projects, abnormal work-loads, or emergencies. Temporary employees are ineligible for employer-paid benefits other than sick leave as required by the Oregon Sick Leave Act.

Policy 4-2-2. Exempt Employees

Adopted 10/19/2017

Josephine Community Library District (JCLD) personnel whose duties fall under exempt as those terms are defined in federal and state law shall not be eligible for overtime.

Each position job description will clearly define exemption status for overtime compensation as “exempt” or “non-exempt.”

Policy 4-2-3. Volunteers

Adopted 10/19/2017

A Josephine Community Library District (JCLD) volunteer is an individual who receives no direct compensation for services. Employees are expected to work with volunteers in a manner that is respectful, patient, and appreciative of volunteers, offering guidance, assistance, and support when and where appropriate.

Personnel compensated as employees of JCLD may not volunteer to do work they would otherwise be paid to accomplish.

Policy 4-2-4. Eligibility of Employment

Adopted 10/19/2017

Revised 6/20/2019

Minimum Age Requirements

All employees of Josephine Community Library District (JCLD) must be at least 18 years of age.

Employment of Relatives

Employees who are relatives of JCLD employees will not be eligible for JCLD employment where direct supervision is provided by a relative. A relative is defined as a parent, child, spouse, domestic partner, brother, sister, uncle, aunt, nephew, niece, in-law, and step relationships.

Pre-Employment Screening

All applicants who are offered a position for employment are subject to a full background screening to be completed before starting employment in accordance with the job description.

Policy 4-2-5. Driving Record

Adopted 10/19/2017

Josephine Community Library District (JCLD) employees who may be required to drive must possess a valid Oregon driver's license and must comply with any operator's license restriction. All employees who may be required to drive on JCLD business may at any time have their driving record checked by the JCLD as permitted by applicable law. If the record indicates violations, the employee may be subject to appropriate warnings or disciplinary action. As a condition of continued employment each employee who operates a vehicle in order to fulfill their job description must maintain a personal driving record which is within risk criteria, if any, established by the district's insurer.

Job applicants' driving records may be checked prior to being hired as a condition of employment.

Employees who may be required to drive shall notify the library director of any change in license status, and all traffic violations. Failure to report a traffic violation or change in license status to the library director is viewed as a violation of District policy. The District monitors driving records as a component of risk management, in order to identify needs for driver improvement.

This policy is applicable to qualified individuals with disabilities only when driving is an essential function of their job.

Policy 4-2-6. Performance Evaluations

Adopted 12/16/2017

Revised 7/19/2018

A performance evaluation shall be conducted annually prior to the anniversary of the date of hire for each employee of Josephine Community Library District (JCLD). For the library director, the evaluation shall be completed by the JCLD Board of Directors, and may be in any written form created by the board. For all other employees, the library director shall prepare an annual evaluation of performance, or cause the employee's supervisor to complete such an evaluation using a standard performance evaluation form prescribed by the library director. Anniversary dates shall not be tied to compensation in any way.

Performance evaluations communicate to employees their strengths and weaknesses in performing their assigned duties. Supervisors shall review with their direct employees the factors rated and should stress areas of commendation and specific recommendations for improving performance. Performance evaluations shall become a part of the employee's personnel file.

If the employee disagrees with the evaluation, the employee may submit a written statement to the library director stating specific and detailed reasons for disagreement. A copy of the statement will be attached to the performance evaluation as a permanent part of the employee's personnel file.

Supplemental Evaluation

A supplemental performance evaluation may be submitted on any occasion deemed appropriate by a supervisor to clarify performance deficiencies and goals or plans for improvement.

Trial Period

All employees are subject to a 90-day trial period, which begins on their date of hire. The same is true for existing employees in a job change, and begins on the employee's start date in the new job. The trial period serves to give employees in a new job the opportunity to demonstrate their ability, achieve satisfactory performance, and determine whether the new position meets their expectations. The district uses this period to evaluate employee capabilities, work habits, and overall performance. During the trial period, the employee may be dismissed at any time without cause.

Completion of the trial period does not modify an employee's at-will employment status.

Any significant absence will automatically extend a trial period by the length of the absence.

At the end of the trial period, the employee's supervisor will conduct an evaluation using standard personnel evaluation forms to determine whether employment should be continued. Employees who do not satisfactorily complete the trial period will be dismissed.

If the employee's supervisor determines that the designated trial period does not allow sufficient time to thoroughly evaluate the employee's performance, the trial period may be extended for a specified period.

Policy 4-2-7. District Expectations of Employees

Adopted 7/19/2018

Each employee of Josephine Community Library District (JCLD) is a part of a team of public employees, and public satisfaction with the district depends on order and discipline to fulfill its mission and provide efficient and quality service to library patrons.

Personal Conduct

Employees are encouraged to exhibit the following professional behavior:

1. Promote the district's mission, vision, and values.
2. Be familiar with the Library Bill of Rights, the Freedom to Read Statement, the district's core services, and the district's strategic direction.
3. Render accurate, unbiased, and courteous responses to all requests for assistance.
4. Practice public-focused work principles.
5. Protect each user's right to privacy with respect to information sought or received and materials or services used.
6. Maintain efficiency in accordance with the district job description and standard of performance.
7. Properly use and care for all district properties, equipment, and materials.
8. Avoid situations in which personal interests might be served or financial benefits gained at the expense of patrons, coworkers, or the district.
9. Practice cost-consciousness in the discharge of duties and recommend work procedures which will result in a cost savings or improved public service.
10. Maintain a neat and clean personal appearance.
11. Refrain from the use of language which might offend public sensibilities.
12. Treat the public and coworkers with courtesy and respect.

Ethics

District employees are considered public officials under Oregon law and are subject to Oregon Government Ethics Laws. When acting in their official capacity, employees may not use district time, equipment, or services for their personal benefit, the benefit of a relative of the employee as defined by Oregon law, the benefit of a member of the employee's household, or the benefit of a business with which the employee, a relative of the employee, or a member of the employee's household is associated.

When not acting in their official capacity, employees are welcome to use district services with the same privileges and responsibilities as the general public. They also may not use

information they learned through their official capacity for personal gain unless that information is available to the general public.

Examples of Prohibited Conduct

The following are examples of conduct that is prohibited and that may lead to disciplinary action:

1. Insubordination, including improper conduct toward a supervisor, refusal to perform tasks assigned by a supervisor, or willful violation of any reasonable and lawful directive prescribed by a supervisor.
2. Violation of lawful duty or district policies and procedures.
3. Possession, distribution, sale, use of illegal drugs, or being under the influence of drugs or alcohol while on duty.
4. Bringing to any JCLD location any dangerous or unauthorized materials including explosives, firearms, or any dangerous weapons.
5. Theft or unauthorized removal or possession of property belonging to JCLD, coworkers, volunteers, or the public.
6. Misusing, destroying, or damaging property belonging to JCLD, a coworker, volunteer, patron, or visitor.
7. Fighting, violent or threatening behavior, badgering, yelling, abusive or derogatory language, or similar conduct toward the public or a coworker while on the premises, or during any time of official action on behalf of JCLD.
8. Violation of established safety policies or otherwise endangering the safety of other employees, volunteers, or patrons.
9. Any purposeful conduct that may be determined to be harassment of any kind, including sexual harassment (see policy 4-8-2, *Harassment*).
10. Smoking in any area designated as "non-smoking."
11. Being wasteful of material, property, or working time.
12. Being absent from work without permission or failing to report to the supervisor when absent; being habitually tardy.
13. Release of confidential information or patron records except in accordance with the adopted policies.
14. Personal acceptance of gifts during any calendar year with an aggregate value of more than \$50, or other violations of Oregon government ethics laws.
15. Altering or falsifying any record, intentionally destroying or altering any record, or similar action that would compromise the integrity of the library system.
16. Falsifying or making a material omission on an employment application or materials inquiring about background information prior to hiring and/or an official record of JCLD.

The employee's supervisor will present any employees engaging in prohibited conduct with a statement of any alleged violation, and allow them the opportunity to present their side of the issue. Following such notice and discussion, the employee's supervisor shall enforce the discipline he or she determines to be appropriate. Disciplinary alternatives are not limited to, but may include verbal warning, written warning, suspension without pay, and dismissal.

Policy 4-2-8. Discipline

Adopted 11/15/2018

Revised 1/17/2019

Discipline may be initiated for many proper reasons, including, but not limited to, violations of the work rules, insubordination, or poor job performance. See policy 4-2-7, *District Expectations of Employees*, for guidance on conduct, ethics, and prohibited behavior. The severity of the disciplinary action generally depends on the nature of the offense and an employee's work record, and may range from verbal counseling to dismissal.

Disciplinary Action

Whenever an employee commits an offense warranting disciplinary action, the library director or designee may begin disciplinary action at any of the steps listed below, depending on the seriousness of the offense committed. All steps at or above a written warning require approval by the library director. All disciplinary steps, including verbal counseling or warning, should be documented.

1. **Verbal counseling or warning.** For minor offenses, the employee shall be given a verbal warning. If this does not correct the situation within a reasonable length of time, the supervisor shall then use the second step of this procedure.
2. **Written counseling or warning.** The employee may be given a written warning. A copy will be placed in the employee's personnel file, and the employee will be given a copy. The written warning should be signed and dated by the employee. Employees who disagree with the facts in the warning may submit a written response. The warning and the employee response will be placed in the employee's personnel file.
3. **Performance improvement plan.** The employee may be put on a performance improvement plan, which helps clarify performance deficiencies and goals or plans for improvement on the job. The plan includes a response from the employee. A copy signed by the employee and supervisor will be placed in the employee's personnel file, and the employee will be given a copy.
4. **Suspension.** If a second offense of any kind occurs after the first written warning, the employee may be suspended from work without pay for up to 30 days. The length of suspension will depend upon the seriousness of the offense. Before suspending an employee without pay, the supervisor will meet with and allow the employee the opportunity to respond.
5. **Suspension pending dismissal.** If a third offense of any kind occurs after the first written warning, the employee may be suspended without pay pending dismissal.

6. **Dismissal.** An employee may be dismissed if the employee violates district policy, commits serious misconduct, or fails to improve the level of performance. However, this statement does not limit the district's right to end the employment with or without cause at any time.

Supervisors are not required to go through the entire six steps involved in this disciplinary procedure. Discipline may begin at any step in the procedure depending upon the seriousness of the offense committed, as determined by the supervisor and library director. In addition, the supervisor may deviate from this procedure, impose different types of discipline, or repeat any of the first four steps of this procedure when the supervisor feels it is necessary.

Grievance Process

It is the policy of Josephine Community Library District that all employees be afforded due process when any disciplinary action greater than a verbal or written warning has been imposed. This process allows employees to have their grievance heard or to appeal a decision for disciplinary action. The following steps constitute the grievance process for a disciplinary action:

1. Within five working days of the disciplinary action, employees must provide to their supervisor a written statement of what they believe is incorrect or unfair about the decision reached, along with the specific remedy they seek.
2. The supervisor shall respond in writing to the employee within 10 working days of receipt of the employee's statement of grievance. The supervisor may determine the response through inquiry, investigation, hearing, or other action. If the supervisor does not respond in time, the employee may escalate the grievance to step 3.
3. If the employee is not satisfied with the supervisor's response or if the supervisor fails to respond to the grievance within 10 working days as outlined in step 2, and if the library director is not the aggrieved employee's direct supervisor, the aggrieved employee may submit a written summary of the grievance to the library director within 10 working days.
4. The library director shall reply in writing to the grievance within 10 working days from the date that the written summary was presented. If the library director does not respond in time, the employee may escalate the grievance to step 5.
5. If the employee wishes to appeal the library director's decision, if the library director fails to respond to the grievance within 10 working days as outlined in step 4, or if the library director is the aggrieved employee's direct supervisor, the aggrieved employee may submit a written summary of the grievance along with all pertinent documentation to the JCLD Board of Directors at its next regularly scheduled meeting.

6. The JCLD Board of Directors shall respond in writing within 45 days after the date of the presentation of the grievance. The board may solicit additional information as it deems appropriate, and it may exercise a full range of discretionary actions, from upholding the disciplinary action to modifying the action in any manner as determined by the board. The decision of the board shall be final and binding.

If the grievance procedures established in this section are not initiated by the employee within the specified time limits, the grievance shall be considered not to have existed.

No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

Section 4-3. Payroll, Scheduling, and Overtime Practices

Policy 4-3-1. Work Week, Working Hours, and Overtime

Adopted 10/19/2017

The normal Josephine Community Library District (JCLD) work week consists of 40 hours, however this should not be considered as a guarantee of any specific amount of work being made available. The library director and employees are expected to accomplish service priorities in a timely fashion within the normal work week to the greatest extent possible.

Hours of Work

The work schedule for employees shall be defined as required by the library director based on operational needs.

Work Week

The work week for calculation of wage and hour provisions applicable to JCLD shall begin at 12:00:00AM Monday morning and extend to 11:59:59 PM Sunday.

Overtime

Hours worked in excess of 40 hours in a work week as defined in the Federal Fair Labor Standards Act and Oregon Wage and Hour provisions, shall be considered overtime and compensated at time-and-one-half for all non-exempt employees as required by law.

Actual hours worked for the purpose of overtime calculations excludes paid time off benefits (vacation, sick, and holiday).

Compensatory Time

The use of compensatory time, more commonly referred to as "comp time" is only available to government employers. Employers in the private sector or non-profit agencies that are not part of a federal, state, or local government agency are not permitted to use compensatory time in place of the payment of overtime.

District employees may track time worked in excess of the hourly standard provided in the Fair labor Standards Act, and accrue such time on an hour-for-hour basis up to 40 hours. Compensatory time may be taken by contacting the library director or designated supervisor at least one week in advance. Utilization of comp time shall be approved by the library director for all employees.

Policy 4-3-2. Health Insurance Benefits

Adopted 10/19/2017

Revised 1/25/2018

Revised 9/27/2018

Revised 12/20/2018

Josephine Community Library District (JCLD) provides group medical, vision, long-term disability, and life insurance for employees who work 30 hours a week or more. Coverage for eligible employees begins the first day of the month following the employee's 60th day of employment.

Information regarding eligibility and specific benefits is available from the library director or business manager.

Policy 4-3-3. Retirement Benefits

Adopted 10/19/2017

Revised 1/25/2018

Revised 9/27/2018

Revised 12/20/2018

Josephine Community Library District (JCLD) provides a tax-deferred retirement plan to all employees who are reasonably expected to receive at least \$5,000 in compensation for the calendar year. Coverage for eligible employees begins the first payroll period after the 91st day of employment.

Information regarding eligibility and specific benefits is available from the library director or business manager.

Policy 4-3-4. Telecommuting and Remote Work Policy

Adopted 6/17/2020

Policy Statement

Telecommuting and remote work may pose advantages for both JCLD and its employees, including increased productivity and performance, enhanced employee recruitment and retention, emergency response, and greater work-life balance. Telecommuting is not an entitlement or a JCLD wide benefit, and it in no way changes the terms and conditions of employment with JCLD. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is a voluntary work arrangement determined by the employee's supervisor and human resources in which eligible employees fulfill their job responsibilities at a site other than their branch location during their regularly scheduled work hours for a period of time as determined by their supervisor.

In the event of an emergency, reference Policy 3-4-8. Disasters and Emergency Preparedness, JCLD may allow or require employees to temporarily work from home to ensure business continuity. These employees will be advised of such requirements by the department manager.

Procedures

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Employees who desire a remote work arrangement should submit a written email request with a work plan to their supervisor and human resources.

Any telecommuting arrangement made will be on a trial basis and may be discontinued at will and at any time at the request of either the employee or their supervisor. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, childcare and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Eligibility

Individuals requesting formal telecommuting arrangements must be employed with JCLD for 90 days of continuous, regular employment and must have a satisfactory performance record.

Before entering into any telecommuting agreement, the employee and manager, with the assistance of the human resource department, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and manager agree, and the human resource department concurs, a draft telecommuting agreement will be prepared and signed by all parties.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone, video/audio conferencing, instant messaging, text messaging and e-mail between the employee and the supervisor, and weekly meetings to discuss work progress and problems. At the end of the trial period, the employee and supervisor will each evaluate and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency.

Employee Responsibilities

Employees are expected to work their normal work schedule unless they receive supervisor's prior approval to adjust their schedule. Employees need to remain productive and responsive during their schedule work hours.

Employees are expected to maintain a presence with fellow colleagues while working remotely by using phone, video/audio conferencing, instant messaging, text messaging, e-mail, etc. The employee is expected to maintain the same response times as if they were at their branch and will be available for meetings as required.

Employees are expected to have a working telephone or cellphone at their remote location. Employees are expected to arrange for child/dependent care as necessary for the hours in which the employee works from home. Personal tasks and errands should only be performed during the employee's scheduled breaks and lunches. Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. However, in pandemic circumstances, exceptions may be made for employees with caregiving responsibilities.

Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

JCLD is not responsible for operating costs of any personal equipment, home maintenance, of personal equipment or any other costs, such as electric, telephone, etc. associated with the use of the employee's remote work.

Remote Work Location

Employees must have an appropriate work environment in their remote work location. JCLD is not responsible with costs associated in establishing such environment.

Employees should not hold business visits or in-person meetings at their alternative work location unless approved by their supervisor.

Employees are responsible for notifying their supervisor of any injuries sustained at their alternative work location and in conjunction with their regular work duties.

Equipment

On a case-by-case basis, JCLD will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. JCLD accepts no responsibility for damage or repairs to employee-owned equipment. JCLD reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all JCLD property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the company, unless other arrangements have been made.

JCLD will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. JCLD will also reimburse the employee for business-related expenses, such as phone calls and shipping costs, that are reasonably incurred in carrying out the employee's job.

Security

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Time Worked

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using JCLD's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement. Employees may be required, at any time, to commute to a branch. This is considered commute time and is not eligible for reimbursement for this travel.

Ad Hoc Arrangements

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

4-4. Employee Travel Authorization and Reimbursement

It is the policy of Josephine Community Libraries District (JCLD) to reimburse staff and designated volunteers for approved documented travel and associated expenses. All employees of JCLD are expected to use good judgment regarding the expenditure of funds for travel expenses.

4-4-1. Travel Reimbursement Approval

Adopted 1/25/2018

At times, the Josephine Community Library District (JCLD) Board of Directors and/or library director may authorize an employee(s) to attend educational conferences, schooling, or functions germane to JCLD business. Registration fees, reasonable meal expenses, and reasonable lodging expenses that have been preauthorized would be considered eligible for reimbursement after submitting documentation. At the library director's discretion, JCLD may prepay certain fees for the attendee.

Approval

The library director shall authorize registration, travel, and attendance expenditures in advance within the budgeted amounts adopted by the Board. Prior to submittal for library director approval, the request must be approved by the employee's immediate supervisor.

Upon completion of travel reimbursement form with attached receipts, all paperwork is to be submitted to the business manager for processing within two weeks of the date of the travel.

Procedures

Reimbursement for pre-approved travel expenses requires documentation for each expense. Upon completion of the Travel Reimbursement Form with attached receipts and signature/initials of the supervisor approving reimbursement, the paperwork is to be submitted to the business manager for processing.

Reimbursement for pre-approved mileage requires submission of a written mileage log, detailing date and purpose of trip in addition to employee/volunteer's name. The log needs to be submitted for signature/initials of the supervisor approving reimbursement no later than the 15th of the month following the month in which the mileage occurred.

4-4-2. Travel Reimbursement Guidelines

Adopted 1/25/2018

Revised 4/26/2018

Guidelines

The following general guidelines apply to the reimbursement of employee travel expenses:

1. The actual cost of transportation, taxi fares, telephone calls, and similar items incidental and necessary to the performance of official business while on travel status will be paid. When it's demonstrably less expensive, employees are encouraged to use a rental car rather than their personal vehicles unless they get prior approval from the library director. If the employee's personal vehicle is used, JCLD will reimburse the employee at the rate of \$0.40 per mile for the actual mileage required for the trip. Parking and other related expenses must be documented by receipt. In the case of using a rental vehicle, gas receipts will be reimbursed. Mileage Reimbursement is from work station OR residence, whichever is less. An online mileage tool will be used to determine number of miles traveled to destination and estimated hours of travel.
2. Lodging such as hotel and motel accommodations should be appropriate to the purpose of the trip. Expenses for lodging must be supported by actual receipts. Reimbursement for lodging is generally limited to the expense of a single room, except where employees are sharing a room.
3. Meals expenses for employees will be allowed to receive a per-diem rate of \$25.00 per day to be reimbursed without receipts. This is broken down as follows: \$6.00 for breakfast, \$7.00 for lunch, and \$12.00 for dinner. No receipts are required for meals covered under the per diem. With approval, if food options are limited, an employee may be reimbursed for actual meal expenses incurred up to \$50.00 per day, with receipts required under this provision. If a complimentary breakfast and/or meals are included at meetings, seminars, and training sessions with the cost included in lodging and/or registration fees, the employee is not entitled to per diem. Exceptions require a written explanation from the employee and are subject to library director prior approval. Meal "allowances" NOT connected with overnight travel are taxable income to employees. Reimbursement will be taxed and added to the employee's next paycheck. An employee who does not wish to receive the meal "allowance" should note this on the Travel Expense Report.

Departure Times:

Breakfast before 6 a.m. JCLD is not obligated to reimburse breakfast if a 6 a.m. departure is not necessary to reach destination in a safe and timely manner.

Lunch before 11 a.m. JCLD is not obligated to reimburse lunch if an 11 a.m. departure is not necessary to reach destination in a safe and timely manner.

Return to work station after 7 p.m.: A late arrival to the employee's work station must be due to uninterrupted travel. Should an employee stop or be delayed for any reason other than JCLD business, the employee is not eligible for dinner per diem that day.

4. Telephone and cell phone expenses are reimbursable only if they are directly related to JCLD business and are supported by actual receipts. Personal calls charged to JCLD or to the employee's room and paid by JCLD must be reimbursed by the employee.
5. Registration and tuition fees and expenses for conference registration, conference meals, activities, and tuition fees are allowable expenses. A copy of the registration must be attached to the Travel Expense Report.
6. Travel to and from one's residence to a work site to perform either paid or volunteer tasks is exempt from eligibility for reimbursement.
7. No cash advances shall be issued.
8. Any expenses for family members who accompany the employee on a trip are not reimbursable.
9. Expenditures for alcoholic beverages will not be reimbursed by JCLD.

Policy 4-4-3. Education, Training, and Conference Compensation

Adopted 4/25/2019

The following guidelines identify the conditions and circumstances for which an employee is compensated for travel and hours worked for education, training, conferences, and other such lectures and meetings (“Training”).

Training Time

Federal and state rules (OAR 839-020-0044) define work time as both time worked and time of required attendance. Non-exempt employees are paid regular hourly wages when *required* by Josephine Community Library District (JCLD) to attend Training. When a non-exempt employee’s attendance results in compensable hours in excess of regular hours as defined in Policy 4-3-1, the employee will be paid at the overtime rate. Supervisor may adjust work time within the pay period to avoid overtime wages.

Required Training

Training is considered required or involuntary when the employee understands or is led to believe that present working conditions or the continuance of the employee’s employment would be adversely affected by non-attendance.

Training is directly related to an employee’s job if it is designed to make the employee handle the employee’s job more effectively as distinguished from training the employee for another job or teaching a new additional skill in the same job.

Voluntary Training

Training is considered voluntary and is not considered work time if the following four criteria are met.

1. Attendance is outside of the employee’s regular working hours;
2. Attendance is voluntary;
3. The course, lecture or meeting is not directly related to the employee’s job; **and**
4. The employee does not perform any productive work during such attendance.

Independent training is time spent by the employee on the employee’s own initiative attending an independent school, college, or independent trade school after work hours.

There are special situations where the time spent in attending lectures, training sessions and course of instruction is not regarded as hours worked. For example, an employer may establish for the benefit of its employees a program of instruction which corresponds to

courses offered by independent bona fide institutions of learning. Voluntary attendance by an employee at such courses outside of working hours would not be hours worked even if they are directly related to the job or paid for by the employer. OAR 839-020-0044(5)

Time spent in required training outside regular working hours at specialized or follow up training which is required for certification of employees by any law or ordinance does not constitute compensable hours of work. The time spent in training as provided in this section is not compensable, even if all or part of the cost of training is borne by the employer.

Travel Time

Travel time is considered work time per OAR 839-020-0045 and will be compensable as follows.

- Time spent by a non-exempt employee in travel as part of the employee's principal activity is counted as hours worked. Where an employee is required to report to a location other than a JCLD branch to start the workday, work time shall include the employee's travel from the designated location to the work site.

Example: An employee who regularly starts the day at the Grants Pass branch is required to attend a meeting at the Williams branch. In this case, work time will include the employee's travel from the designated location (Williams) back to the work site (Grants Pass).

Example: If an employee who normally ends work at their work site at 5 pm is required to attend Training at a different site and finishes at 8 pm and then is required to return to the work site arriving at 9 pm, the employee will be compensated for the time up to 9 pm, excluding lunch/dinner periods. However, if the employee goes home instead of returning to the work site, the travel time after 8 pm is considered normal work to home travel and is not compensable.

- An employee who regularly works at a specific branch is required to work at another site outside of a 30-mile radius of the employee's specific branch, and not required to stay overnight, is paid travel time.

Example: An employee is required to attend a full-day meeting in Roseburg. If the employee leaves for Roseburg from home, the employee's work time begins when they leave from home to travel to Roseburg and ends when they arrive home following the meeting, excluding lunch/dinner periods.

- Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is work time when it cuts across the employee's work day. The employee is substituting travel for other duties. The time is not only hours worked on regular working days of the normal work week, but also during the corresponding hours on nonworking days. Time spent in travel away from home outside regular work hours as a passenger on an airplane, train, boat, bus, or automobile is not considered work time.
- If an employee is offered public transportation but requests permission to drive their own car instead, the employer may count as hours worked either the time spent driving the car or the time the employee would have had to count as hours worked during working hours if the employee had used public transportation.

Example: An employee working Monday-Friday 8 am to 5 pm is attending required Training in Seattle. JCLD offers to fly the employee to Seattle at 1 pm arriving at 4 pm with transportation to hotel by 5 pm. The employee is paid all travel time as it occurred during regular working hours.

Example: An employee works Monday-Friday 8 am to 5 pm is attending required Training in Portland. JCLD offers to fly the employee to Portland but the employee requests to drive own vehicle. The employee leaves work at 3 pm for Portland and arrives at the hotel at 7 pm. JCLD need only pay the employee through 5 pm. Hours driving after 5 pm are not considered work time as the hours are outside the employee's regularly scheduled hours and the employee refused public transportation.

- When an employee is required to travel as a passenger on an airplane, train, boat, bus, or automobile, hours outside the employee's regular work hours are not considered work time unless the employee is performing work while a passenger.

Policy 4-4-4. Educational Assistance Plan

Adopted 12/18/2019

Adopted 01/20/2021

Objective

Josephine Community Library District (JCLD) offers educational reimbursement benefits to encourage self-development and professionalism by providing financial assistance for job related education expenses.

This Educational Assistance Plan (EAP) includes assistance with the cost of tuition and certain other educational expenses in the pursuit of an undergraduate or graduate degree and non-degree college courses, as related to the employee's current job description or in pursuit of advancement in job position.

Eligibility

JCLD provides the EAP to regular full-time who work at least 40 hours per week, or at least 80 hours on a bi-weekly basis and part-time employees who regularly work 20 hours a week or more. Eligibility for the EAP begins on the 91st day of employment.

Plan Benefits

JCLD will reimburse the employee no more than \$1,000 a fiscal year for qualified educational expenses. Under Section 127 of the Internal Revenue Code, the employee receives the reimbursements under this EAP as tax-free fringe benefits.

Approval

Employees must gain approval for reimbursement from library director and manager prior to enrolling in any degree or non-degree courses. This will alleviate any potential expenses being incurred which are ineligible. An EAP Request Form must be completed and submitted to manager and library director for approval prior to enrollment. Approval for the EAP is at the discretion of the library director in conjunction with employee's manager.

Eligible Tuition, Fees and Expenses

The following expenses may be eligible for reimbursement as related to the employee's job description:

1. Tuition fees for college/university eligible courses. Eligible courses include college-credit course offered by an accredited college or university; online courses offered by an accredited college or university; and, adult education non-credit and/or non-degree courses offered by an accredited institution.
2. Required textbooks, supplies and required fees. These may include books printed or electronic; supplies if they are required as part of the course; and, fees assessed by the institution which are required for enrollment in and completion of an approved course or degree and are not refundable after completion of a course.

An employee is eligible for reimbursement of a course under this EAP only if he or she is an active employee at the time the course commences and at the time of reimbursement.

Ineligible Tuition, Fees and Expenses

Ineligible fees and expenses include:

1. Recreation or leisure time courses such as golf, bridge, sewing, etc. are not covered.
2. Dale Carnegie, Evelyn Wood Reading Dynamics, and other similar programs are not covered under this EAP. If a manager recommends one of these courses, it may be eligible for reimbursement as a business expense.
3. Optional supplies and fees are not reimbursable.

Reimbursement Qualifications

To qualify for reimbursement, an employee must receive a grade of 3.0 or better, or a "Pass", if taking a "Pass/Fail" course. No benefit will be payable unless these requirements are met.

Once a course has been satisfactorily completed, an employee may request reimbursement for eligible fees and expenses related to the course up to a maximum of \$1,000. An EAP reimbursement form will be submitted to the employee's manager with documentation of grade received. Manager will then submit form to library director for signature.

Reimbursement requests must be submitted no later than 90 days following completion of the course. A reimbursement submitted after 90 days is not eligible for reimbursement.

Repayment Requirements

The JCLD Education Assistance Plan Repayment Agreement requires that an employee repay amounts reimbursed for tuition, fees and expenses in the event the employee voluntarily separates employment from JCLD.

By signing the Repayment Agreement, an employee agrees to repay tuition, fees and expense benefits received under the EAP based on voluntary separation and the following schedule:

| Time Worked The time between the date of the reimbursement and the employee's termination date. | Percentage of Repayment As related to the amount of tuition, fees and expenses reimbursed to the employee prior to the employee's termination date. |
|---|---|
| 6 months or less | 100 % |
| Greater than 6 months, less than 12 months | 75% |
| Greater than 12 months, less than 18 months | 50% |

| | |
|---|-----|
| Greater than 18 months, less than 24 months | 25% |
|---|-----|

Time Off Work

Course associated research, projects, homework, and the like, should not be performed during the employee’s scheduled work hours.

Modification and Termination

JCLD reserves the right to modify or terminate this EAP, in whole or in part, in such manner as it shall determine. Modification or termination may be made by JCLD for any reason.

| | |
|---|-------|
| 6 months or less | 100 % |
| Greater than 6 months, less than 12 months | 75% |
| Greater than 12 months, less than 18 months | 50% |
| Greater than 18 months, less than 24 months | 25% |

Time Off Work

Course schedules should not conflict with the employee’s work schedule.

Modification and Termination

JCLD reserves the right to modify or terminate this EAP, in whole or in part, in such manner as it shall determine. Modification or termination may be made by JCLD for any reason.

Section 4-5. Time Off

Policy 4-5-1. Vacation

Adopted 12/16/2017

Revised 1/25/2018

Revised 7/18/2019

Revised 11/20/2019

Josephine Community Library District (JCLD) vacation benefits are intended to provide eligible employees with a period of paid rest and relaxation away from work. Accordingly, employees are encouraged to schedule vacations each year, and to use all earned vacation benefits.

If a holiday falls during an employee's scheduled vacation, the employee will receive holiday pay for the day, if eligible for such pay, and will not be charged for vacation benefits for the day.

JCLD provides vacation benefits to its regular full-time and part-time employees who work 20 hours a week or more. Eligible employees will commence earning vacation benefits on the 91st day of employment. Vacation hours are accrued for each paid hour. Vacation credits shall not accrue during any unpaid leave of absence. Accrued and unused vacation benefits shall be paid upon termination of employment.

| Years of Employment | Full-time 40 hours per week | Vacation hours accrued per pay period | Part-time 20 hours per week | Vacation hours accrued per pay period |
|----------------------------|------------------------------------|--|------------------------------------|--|
| For year 1 | 80 hours | 3.08 | 40 hours | 1.54 |
| For year 2 | 100 hours | 3.85 | 50 hours | 1.92 |
| For year 3 | 120 hours | 4.62 | 60 hours | 2.31 |
| For year 4 | 140 hours | 5.38 | 70 hours | 2.69 |
| For years 5 or more | 160 hours | 6.15 hours | 80 hours | 3.08 |

Any variance in regularly scheduled hours worked per week between 20 hours and 40 hours would be prorated in the same manner as outlined in the chart.

Vacation accrued shall not exceed the maximum of 120 hours in a year for full-time employees and 60 hours in a year for part-time employees, to be carried over on an employee's anniversary date. Any hours in excess of that amount will be forfeited. For example, full-time employees who accrue 120 hours of vacation forfeit any unused hours in excess of 120 hours.

Utilization of vacation time shall be approved by the library director or direct supervisor for all employees. Vacation time may be used for sick leave as defined in Policy 4-5-3, *Sick Leave*, when the sick leave accrual has been exhausted, or for family leave as defined in Policy 4-5-4, *Leaves*. All time granted shall be compensated at the normal pay rate for the employee. Vacation time for the library director shall be reviewed and approved by the president of the JCLD Board of Directors.

Policy 4-5-2. Holidays

Adopted 10/19/2017

Revised 1/25/2018

Revised 4/26/2018

Revised 11/15/2018

Revised 11/18/2020

Revised 8/18/2021

Josephine Community Library District (JCLD) recognizes the following holidays and the library will be closed on the identified day or a prior or subsequent designated day. Regular full-time employees will receive a day off with pay on each of these recognized holidays.

1. New Year's Day
2. Martin Luther King, Jr. Day
3. President's Day
4. Memorial Day
5. Juneteenth
6. Independence Day
7. Labor Day
8. Veterans Day
9. Thanksgiving Day
10. Day after Thanksgiving
11. Christmas Day

When Christmas Eve falls on a Monday, it will be observed as an additional holiday that year. This occurs once every seven years.

Part-time employees receive pro-rated holiday benefits. For example, an employee scheduled to work six hours on a holiday earns six hours of holiday pay.

No employee will be scheduled to work on a holiday. If an employee works on any holiday observed by the district, the employee shall either be paid overtime or given compensatory time for all hours worked at the rate of one-and-one-half times the regular rate of pay.

Employees who are off work on a leave of absence shall not receive holiday pay. Employees who are off work due to sickness or vacation shall be paid for the holiday in lieu of using vacation or sick leave credits.

Full-time employees who are not regularly scheduled on a holiday will be permitted to take the holiday on another workday during the pay period in which the holiday falls, with approval by the library director.

Policy 4-5-3. Sick Leave

Adopted 10/19/2017

Compensated sick leave will be provided on an accrual basis for all Josephine Community Library District (JCLD) personnel.

Employees may use sick leave when a personal illness or injury prevents them from safely performing their normal job duties. Employees may also use sick leave to care for an immediate family member (spouse, children, step-children, parent, parent-in-law, registered domestic partners) residing in the home who is suffering from an illness or injury. Sick leave may also be used for preventive care appointments for the employee and employee's family members. More details regarding the use of sick leave can be found on the Requirements of Oregon Sick Time Law poster displayed in the break area.

Notification of Inability to Work

Employees are expected to be able to attend work reliably, predictably, and regularly. Employees who are unable to report to work due to personal or dependent illness or injury must contact their immediate supervisor at least two hours prior to the scheduled start of the work shift. If an employee becomes sick during the day, the supervisor or designee must be notified before the employee leaves work. In the event of a bona fide emergency (such as car wreck, flood, natural disaster), the individual shall provide notice as soon as practical.

When sick leave is taken to care for a dependent, the District expects that other care arrangements will be made as soon as possible, except where leave for dependent care purposes is provided for by family leave laws and the employee is eligible for such leave. The employee must comply with the notice requirements under family leave laws, which may provide for later notification of inability to work than is otherwise required by this policy, if the need for the leave is unanticipated.

If an employee takes sick leave in excess of three regularly scheduled consecutive days, or before or following scheduled holidays or breaks, the library director may request the employee provide evidence from a medical provider or a similar specific representation regarding the nature of the illness causing the sick leave use. If there is a cost to the employee to obtain such documentation, the District will reimburse the employee. Failure of the employee to provide requested evidence within 15 days of the requested sick time may result in discipline.

Accrual

Upon hire, employees will commence earning sick leave benefits at the rate of .03846 hours for paid hours worked. For example, an employee normally working 80 hours in a pay period would earn 3.08 hours of sick leave. Following 90 days of employment, employees may begin using previously accrued sick leave and earned sick leave. Sick leave shall be earned and accrued based upon the employee's paid hours, not including holidays and overtime. Any variance in regularly scheduled hours worked per week would be prorated.

Unused sick leave benefits accumulate from year to year.

Sick leave for full-time and part-time employees shall accrue to a maximum of 120 hours. Any time in excess of the accrual limit is forfeit. The sick leave balance has no value upon termination or voluntary resignation. Employees are not paid for unused sick leave upon employment termination.

Concurrent Leaves

Sometimes more than one type of leave may apply to a situation. Where allowed by federal or state law, leaves will run concurrently. This means that sick leave, workers' compensation leave, personal leave, leave as a reasonable accommodation for a qualified individual with a disability, federal family medical leave, and unpaid leaves of absence may all run concurrently and be counted against the employee's family medical leave entitlement. The District may designate any type of leave as Family Medical Leave if the leave is used for a family medical leave purpose.

Medical Certification

An employee on sick leave that is running concurrently with another type of leave, for example family medical leave or personal leave, must provide the medical certification required for any and all applicable types of leave. This means an employee on sick leave may be required to have their medical provider complete the certification of physician or practitioner form required for federal or state family medical leave, obtain second or third medical opinions, as provided by family medical leave laws, and provide fitness for duty medical certifications before returning to work as provided by the family medical leave policy.

Policy 4-5-4. Leaves

Adopted 4/26/2018

Leaves of Absence

Josephine Community Library District (JCLD) offers leaves of absence for qualifying reasons as outlined in this policy. When an employee is granted a leave of absence, benefits may be suspended for that period of time unless otherwise indicated.

Family Leave

JCLD offers Family Leave in conjunction with the Family Medical Leave Act (FMLA), or the Oregon equivalent for employees who have been employed by JCLD for at least 90 days. It is the policy of JCLD to grant 12 weeks of uncompensated time per year to any employee with a qualifying family event. Qualifying events are determined by FMLA or the Oregon equivalent. Family leave time taken may be drawn from any balances of sick leave or vacation which may be available, or may be taken without pay. JCLD will assure the employee shall have the same or an equivalent position offered upon the completion of said leave. Continuing employees will receive health, life, and disability insurance during qualified FMLA or the Oregon equivalent. All other benefits will be suspended during the unpaid leave.

Jury Duty

When employees receive notice of jury duty, they must submit a request for leave with documentation from the court and inform their supervisor of schedule changes. Upon daily dismissal from jury duty the employee is expected to return to the work site to resume that day's scheduled hours, as long as an eight-hour day would not be exceeded. Employees will be compensated for hours of jury duty served during the regularly scheduled work week and may retain any compensation they receive from the court system.

Jury duty compensation as provided herein is limited to hours used for jury duty up to 80 hours annually.

Military Service

Full-time employees shall be granted time off, without compensation or benefits, for service in the National Guard. Should any employee be called to active service, JCLD will assure that the individual will be rehired upon completion of such service in the same or equivalent position.

Bereavement Leave

In the event of the death of an immediate family member (spouse, children, step-children, parent, parent-in-law, registered domestic partner), an employee who works 20 hours a week or more shall be granted up to two weeks of bereavement leave, without compensation, within 60 days of the date on which the employee receives notice of the death of a family member. Qualifying bereavement leave includes leave to attend the funeral of a family member, making arrangements necessitated by the death of a family member, and grieving the death of a family member. Bereavement will count toward the total amount of FMLA or the Oregon equivalent.

Any additional time needed may be taken with the approval of the library director, or in the case of the library director, by the JCLD Board of Directors.

Bereavement time taken may be drawn from any balances of sick leave or vacation, which may be available, or may be taken without pay.

The library director, or the board, has no obligation to grant more than the base two weeks identified herein.

Policy 4-5-5. Donating Personal Time Off

Adopted 5/17/2018

Employees of Josephine Community Library District (JCLD) may donate accrued sick and vacation time (personal time off) to other employees on validated sick leave for more than two weeks or family medical leave preapproved by the library director. The recipient employee must have exhausted their sick and vacation leave benefits before receiving donated sick or vacation time.

Donations of sick time are made on a one-for-one basis; that is, for every hour the donor offers, the recipient receives one hour of sick time. The recipient is compensated for the sick leave at the recipient's own regular rate of pay.

Donations of vacation time are based on the donor's hourly rate and translated to the recipient's hourly rate. For example, if an employee earning \$12/hour donates two hours to an employee earning \$24/hour, the recipient receives one hour of vacation.

Employees may only donate sick or vacation time they have already accrued. Donating employees must have at least nine sick days—based on the employee's part- or full-time status—remaining in their own sick leave accrual after the transfer.

Sick or vacation time must be donated in whole-hour increments.

There is no cap on the amount of donated sick or vacation time one employee may receive in a year.

If the amount of donated sick or vacation time exceeds the amount needed by the recipient for the qualifying leave, the donated time will be transferred back to the donating employees in the order of the most recently donated ("last-in-first-out").

See Policy 4-5-1 *Vacation* for information about vacation accrual. See Policy 4-5-3 *Sick Leave* for information about sick leave benefits accrual and valid reasons for sick leave. See Policy 4-5-4 *Leaves* for information about qualifying events for family medical leave.

Policy 4-6. Safety and Accidents

The Josephine Community Library District (JCLD) Board of Directors and district management are sincerely concerned for the safety and welfare of its employees and the public it serves. It is the district's policy to prevent accidents and to ensure that employees are provided safe and healthful working conditions, free from recognized hazards.

Policy 4-6-1. Workplace Safety

Adopted 9/27/2018

Employees are responsible for guarding the safety of themselves, other employees, and the public. Employees are expected to use common sense and good judgment in work habits, to follow safe work practices, and to bring any unsafe condition to the attention of a supervisor.

It is the employee's responsibility to learn applicable safety regulations and to use safety equipment and safe practices in their performance of duty.

A Safety Committee is established to oversee safety matters and make recommendations to management for improving safe practice and correcting unsafe conditions.

Policy 4-6-2. Accident Response

Adopted 9/27/2018

A. Accident Reports

For the employee's protection, job-related injuries or illnesses must be reported immediately. An employee is responsible for notifying the library director immediately following an accident unless the seriousness of the accident makes it impossible to do so.

If the injury or illness does not require medical treatment, the employee shall submit a written JCLD Incident Report to the library director before leaving work for the day. If the injury or illness does require medical treatment, the employee shall complete and submit the Report of Job Injury or Illness (Worker's Compensation Claim Form #801) within 24 hours of the accident. In the event the employee is incapable, the library director or employee's supervisor is responsible for preparing the Report of Job Injury or Illness.

B. Workers' Compensation Insurance

If an employee is injured on the job, in most cases the injured worker will be entitled to benefits under the state Workers' Compensation law. The district carries Workers' Compensation coverage and will assist the employee in obtaining relevant benefits.

C. Returning to Work

An employee must report injured status to his or her supervisor once a week to assist the supervisor in determining the employee's potential for light-duty work.

Policy 4-6-3. Reporting Suspected Child or Elder Abuse

Adopted 9/27/2018

Oregon law mandates that workers in certain positions must report if they have reasonable cause to suspect child abuse or elder abuse. District employees and volunteers are such mandatory reporters.

A. Definitions

Oregon law recognizes these types of child abuse:

- Mental injuries
- Sexual abuse or exploitation
- Rape or incest
- Neglect or maltreatment
- Threatened harm
- Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured
- Unlawful exposure to a controlled substance that subjects a child to substantial risk of harm to his/her health or safety.

A child is an unmarried person under the age of 18. Mandatory reporting requirements apply to any child with whom a district employee comes in contact either on or off duty.

Oregon law recognizes these types of elder abuse:

- Physical abuse
- Neglect
- Self-neglect
- Abandonment
- Verbal or emotional abuse
- Financial exploitation
- Sexual abuse
- Involuntary seclusion
- Wrongful restraint

An elder is any person 65 years of age or older. Mandatory reporting requirements apply to any elder or resident of any age in a long-term care facility with whom an employee comes in contact while acting in an official capacity.

B. Reporting Procedure

Any employee who has reasonable cause to believe that a child, elder, or resident of a long-term care facility has been abused or who comes into contact with someone suspected of abusing a child, elderly person, or resident of a long-term care facility shall comply with reporting requirements by completing the Suspicion of Child or Elder Abuse Report form. The employee shall then immediately inform the library director.

C. Immunity of Persons Reporting in Good Faith

Anyone reporting in good faith and who has reasonable grounds for making the report shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of such report. Any such participant shall have the same immunity with respect to participating in any judicial proceeding resulting from such report.

D. Failure to Comply

Any district employee subject to this policy who fails to report suspected child or elder abuse as provided by this policy commits a violation punishable by law. Intentionally making a false report of child or elder abuse is also a violation of law. Employees who fail to report suspected child or elder abuse or who fail to maintain confidentiality of records as required by this policy will be disciplined.

E. Training

The district shall provide training for all new district staff and volunteers subject to this policy and review the policy and procedures at least once annually at general staff training events. The training shall cover the prevention and identification of child and elder abuse and the obligations of district employees and volunteers to report suspected child and elder abuse.

Policy 4-6-4. Driving

Adopted 6/20/2019

To carry out its mission, Josephine Community Library District (JCLD) occasionally rents vehicles or asks employees to use their personal vehicles.

A. Insurance

JCLD's commercial insurance covers employees while they are properly and legally driving a personal or rental vehicle to conduct approved JCLD business.

If an employee has a vehicle accident while driving their personal car on JCLD business, JCLD insurance will pay the costs of the accident, including vehicle repair and medical expenses. If the JCLD employee was at fault in the accident, the employee will be responsible for paying any deductibles. If another party was at fault, that party's insurance will cover all costs, including deductibles.

B. Drivers

An employee driving a vehicle for JCLD business must maintain a valid driver's license and, if using a personal vehicle, current automotive insurance. An employee is required to notify the library director of any changes to driver's license status. JCLD may check the driving records of employees at any time. (See policy 4-2-5, *Driving Record*.)

C. Safety Regulations

JCLD employees will comply with all safety laws and regulations that apply to motor vehicles in the applicable jurisdiction.

No vehicle should be operated with a known safety deficiency.

Drivers and passengers of vehicles being used for JCLD business must wear seat belts.

District employees may not operate vehicles for JCLD business while under the influence of alcohol, controlled or illegal drugs, prescription medication that warns against operating a vehicle or equipment, or under any condition that impairs the driver's ability to operate the vehicle in a safe and legal manner.

Use of any hand-held electronic device while operating a vehicle for JCLD business is unlawful and prohibited.

D. Restrictions on Vehicles Leased or Rented by JCLD

Vehicles leased or rented by JCLD may only be used to conduct JCLD business.

The library director may authorize an employee to take a rental vehicle home if it's more efficient and cost-effective to the district.

Tobacco products may not be used in any vehicle leased or rented by the district.

E. Accidents and Citations

Any accident involving a vehicle being used for JCLD business must be reported immediately to the police in accordance with state law. After an accident is reported to the police, it must then be reported to the library director. All accidents must be documented according to policy 4-6-2, *Accident Response*, and reported to JCLD's insurance company.

An employee receiving a traffic citation while conducting JCLD business will be personally responsible for its payment and must report this fact to the library director.

Policy 4-7. Intellectual Property

Adopted 1/17/2019

Josephine Community Library District (JCLD) asserts the district's proprietary rights to its intellectual property. It also respects the intellectual property rights of others.

Work Product Ownership, Copyrights, and Patents

The JCLD Board of Directors recognizes the importance of encouraging its staff to engage in professional writing, research, and other creative endeavors. All physical and electronic publications, instructional materials, documentation, reports, programs, data, property, or other work products will be the exclusive property of JCLD if that work product:

- Is conceived, created, developed, or made entirely or in any part during employment for JCLD or on JCLD time; or
- Uses any equipment, supplies, facilities, assets, materials, information, or resources of JCLD or any party under contract with JCLD; or
- Results from any work performed by the employee or any JCLD employee for, or on behalf of, JCLD.

JCLD will apply for copyrights and patents when deemed appropriate by the library director. Employees are expected to cooperate with JCLD's efforts.

In the event that an employee produces items partly on his or her own time and partly on JCLD time, JCLD reserves the right to claim full ownership. The employee, however, may petition JCLD for assignment of copyright or patent rights. Employees will not attempt to copyright or patent such items without the knowledge and consent of the library director.

Intellectual Property Rights of Suppliers

JCLD respects the intellectual property rights of its suppliers, partners, patrons, and others, including original equipment manufacturers, software developers, and other independent service organizations. No JCLD employee, independent contractor, volunteer, or agent should steal or misuse the intellectual property rights owned or maintained by another.

Policy 4-8-1 Non-Discrimination

Adopted 3/15/2018

Josephine Community Library District (JCLD) is committed to a work environment free from discrimination and will prohibit a work environment that would be intimidating, hostile, or offensive to reasonable people. It is unlawful to discriminate against any individual based on sex, race, color, sexual orientation, religion, national origin, ancestry, pregnancy, age, marital status, disability, genetic information or other characteristics protected by law.

Any employee who believes he or she has experienced discrimination should report the information immediately to their supervisor or the library director. All employees are responsible for notifying their supervisor or the library director of any acts of discrimination at the workplace or affecting the workplace which they have witnessed, received, or have been told that another person has witnessed or received. All claims shall be investigated either by the supervisor or by the library director, and the individual who initiated the complaint will be informed as to when the investigation is complete and if corrective actions have been taken.

Should the complaint involve the library director, the complaint shall be reported to the president of the JCLD Board of Directors. The president shall have an affirmative duty to investigate and share the findings with the individual initiating the complaint.

Policy 4-8-2. Harassment

Adopted 3/15/2018

Adopted 2/19/2020

I. EQUAL EMPLOYMENT OPPORTUNITY

Josephine Community Library District (“JCLD”) is committed to fair employment practices and non-discrimination, including pay equity for all employees. JCLD does not discriminate based on a protected class such as race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law including in the payment of wages or screen applicants based on their current or past compensation.

II. PURPOSE - STATEMENT PROHIBITING WORKPLACE HARASSMENT

JCLD is committed to providing a work environment in which all individuals are treated respectfully. All employees of JCLD should have the expectation that they work in a professional environment and that JCLD promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.

JCLD expects that all relationships among persons will be respectful and professional, free of bias, prejudice and harassment in the workplace, at work related event, or any activity coordinated by or through the organization.

III. POLICY

This policy applies to all employees, elected officials, board or commission members, volunteers, interns and any other person we interact with in the course of accomplishing the work of the organization.

This workplace harassment policy has been developed to ensure that all employees can work in an environment free from unlawful harassment, discrimination and retaliation. JCLD will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Discrimination, harassment and retaliation are not acceptable.

Any employee who has questions or concerns about these policies should talk with our primary contact the JCLD library director or as an alternative you may reach the JCLD business manager.

A. RETALIATION

JCLD encourages reporting of all perceived incidents of discrimination or harassment. Reports of incidents of discrimination and harassment will be promptly and thoroughly investigated. JCLD prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

B. SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal and state laws.

For the purposes of this policy, “sexual harassment” is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Under Oregon Law sexual assault is defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

C. HARASSMENT

Harassment based on any other protected class is also strictly prohibited. For this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual’s work performance, or c) otherwise adversely affects an individual’s employment opportunities.

D. REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

JCLD encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem. JCLD recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

JCLD encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with the JCLD library director or the JCLD business manager. See the complaint procedure described in section E.

Following receipt of a complaint or concern management will follow-up every three months for one year to ensure no further concerns or retaliation are experienced. However, employees should not wait for the management follow-up to share related experiences. If an employee would like the follow-up to discontinue the follow-up process a request must be submitted in writing to the JCLD library director.

E. COMPLAINT PROCEDURE

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with the JCLD library director if you are unable to reach the primary contact please reach out to the JCLD business manager. We encourage employees to document the event(s), associated date(s), and potential witnesses.

Should the complaint involve the library director, the complaint shall be reported to the president of the JCLD Board of Directors. The president shall have an affirmative duty to investigate and share the findings with the individual initiating the complaint.

JCLD encourages the prompt reporting of complaints or concerns so that action can be taken quickly. Early reporting and intervention are very often the most effective method of resolving actual or perceived incidents of harassment. However, complaints and concerns may be brought forward within four years of the alleged violation. We encourage employees to document the events, associated dates, and potential witnesses.

Any reported allegations of harassment, discrimination or retaliation will be investigated quickly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the event(s) or may have other relevant knowledge.

JCLD will maintain confidentiality throughout the investigatory process to the extent possible with acceptable investigation and appropriate corrective action.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include training, referral to counseling or corrective action. Examples of possible corrective action may include a warning, written reprimand, reassignment, temporary suspension without pay, or termination as JCLD believes appropriate under the circumstances.

False and malicious complaints of harassment, discrimination or retaliation, as opposed to complaints that, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

We encourage employees to bring their concerns and complaints to the organization, and understand that, at times however, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:
https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to the Oregon Bureau of Labor in accordance with ORS 30.275.

F. EMPLOYMENT AGREEMENTS

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to change their mind.

G. ADDITIONAL EMPLOYEE SUPPORT SERVICES

Employees may choose to use other support services throughout and following instances related to concerns and complaints. The organization provides the following for additional assistance:

- Bureau of Labor and Industries (971) 673-0761
- State of Oregon Law Library (503) 986-5640

Policy 4-8-3. Bullying

Adopted 3/15/2018

Josephine Community Library District (JCLD) is committed to a work environment free from bullying on any basis. For the purposes of this policy, bullying is defined as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise (including electronically transmitted acts – i.e. cyberbullying, through the use of internet, cell phone, computer, or wireless handheld device, currently in use or later developed and used by employees), conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Bullying is behavior that is intentional, repetitive, and hurtful resulting in an imbalance of power between the bully and the target. Such behavior violates JCLD's Harassment and Non-Discrimination policies.

JCLD prohibits acts of bullying as defined above. It must be noted that where an allegation of bullying is made the intention of the alleged bully is irrelevant, and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual which is important. JCLD considers the following types of behavior examples of bullying:

- **Verbal Bullying:** slandering, ridiculing or making evil, harmful, and often untrue statement toward a person or his/her family; persistent name calling which is hurtful, insulting, or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- **Physical Bullying:** pushing, shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
- **Gesture Bullying:** non-verbal threatening gestures.

Any employee who believes he or she has experienced bullying should report the information immediately to their supervisor or the library director. All employees are responsible for notifying their supervisor or the library director of any harassment behaviors at the workplace or affecting the workplace which they have witnessed, received, or have been told that another person has witnessed or received. All claims shall be investigated either by the supervisor or by the library director, and the individual who initiated the complaint will be informed as to when the investigation is complete and if corrective actions have been taken.

Should the complaint involve the library director, the complaint shall be reported to the president of the JCLD Board of Directors. The president shall have an affirmative duty to

investigate and share the findings with the individual initiating the complaint.

Policy 4-9. Whistleblower Reporting and Protection

Adopted 11/15/2018

Josephine Community Library District (JCLD) is committed to lawful and ethical behavior in all of its activities and requires its employees, volunteers, and contractors to conduct themselves in a manner that complies with all applicable laws and regulations. This policy is based on ORS 659A.199 to 659A.224, Whistleblower Law.

Reporting

JCLD encourages any employee with knowledge or concern of illegal, dishonest, or fraudulent activity to report it to the library director or designee.

Examples of illegal, dishonest, or fraudulent activity are violations of federal, state, or local laws; billing for services not performed; and other fraudulent financial reporting.

The employee may also provide the information to the district board of directors, a state or federal regulatory agency, or a law enforcement agency. If confidential communication is made regarding the alleged violation, the employee may provide the information to an attorney licensed to practice law in Oregon. Attorneys employed by JCLD may report violations of law to the State Attorney General, subject to rules of professional conduct.

Employees must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to corrective action up to and including termination.

All reports of illegal or dishonest activities must be promptly submitted verbally or in writing to the library director or designee who is responsible for investigating and coordinating corrective measures in a timely manner.

Protections to maintain confidentiality and prevent retaliation

Efforts will be made to treat a report of illegal or unethical conduct as confidential, consistent with the need to investigate and prevent or correct the action.

The individual making the report will not be discharged, threatened, harassed, or discriminated against for reporting in good faith what they perceive to be unethical conduct or violations of law. Any whistleblowers who believe they are being retaliated against should inform the library director or designee. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Policy 4-10-1. Acceptable Use Policy

Adopted 02/19/2020

Objective

This policy describes the acceptable use and monitoring of Josephine Community Library District's (JCLD) electronic communication / information systems including computers, electronic mail, internet access, operating systems, storage media, voicemail, copy machines, etc. These are the property of JCLD and are to be used for business purposes in serving the interest of JCLD, patrons, vendors and partners in the course of normal operations. The use of the district's electronic communication / information systems for non-job-related purposes is strictly prohibited and employees should not have any expectation of privacy when using these systems or any related equipment.

This policy applies to employees, contractors, consultants, partners, temporaries and other paid workers at JCLD. This policy applies to all equipment and software that is owned or leased by JCLD.

JCLD reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Josephine Community Library District (JCLD) implements this policy not to impose restrictions that are contrary to JCLD's culture of openness and trust. JCLD is committed to protecting its employees, partners and the district from illegal and damaging actions by individuals either knowingly or unknowingly.

General Use

Only authorized users may access the internet on district owned equipment and software. The district's name should not be used in social media forums without prior written authorization from the library director. Employees should not mail, upload or broadcast any information for personal gain including but not limited to: chain letters, solicitations, employment opportunities, sale of products, and / or searches of non-business related sites or any obscene or offensive material.

All JCLD computing devices must be secured with a password protected screensaver. An individual must lock the screen / log off when the device is unattended.

Employees, contractors and partners must use extreme caution when opening email attachments received from unknown senders, which may contain malware.

Employees, contractors and partners have a responsibility to promptly report any theft of unauthorized disclosures of JCLD proprietary information.

Unacceptable Use

Employees, contractors, consultants, partners, temporaries and other paid workers are prohibited to engage in the following activities while using district owned or leased resources. This list is not meant to be exhaustive, but an attempt to provide a framework for unacceptable usage:

- Any activity that is illegal under local, state, federal or international law.
- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, including but not limited to the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by JCLD.
- Unauthorized copying of copyrighted material including but not limited digitization and distribution of photographs, music, etc.
- Introduction of malicious programs in the network of server (e.g. viruses, worms, trojan horses, email bombs, etc.)
- Revealing your passwords and use of your account by others.
- Circumventing user authorization or security of any host, network or account.
- Providing information about or lists of JCLD’s employees to outside parties.
- The use of devices, technologies or software that has not been authorized by JCLD, designed to conceal a user's location and usage, including but not limited to: onion routing, virtual private networking connections, proxy servers, etc. Any form of harassment via email or telephone.

Non-compliance and violations of this policy may be subject to disciplinary action, up to and including termination of employment, contract or partnership.

A separate volunteer Acceptable Use Policy is established and located in the Volunteer Policies.