

Bucks County Free Library
PAY, TIMEKEEPING, AND LEAVE
HANDBOOK
FOR BARGAINING UNIT EMPLOYEES
FINAL DRAFT

APPROVED BY BOARD OF DIRECTORS

AUGUST 18, 2009

REVISED APRIL 20, 2021

REVISED _____

Table of Contents

Table of Contents

Section 1: Introduction

- 1:1 Overview of Pay, Timekeeping, and Leave Handbook**
- 1:2 Handbook Acknowledgement Form**
- 1:3 Employee Self-Service Accounts (List of what's new in Paycom)**
- 1:4 Staff Web Site**
- 1:5 Part-Time and Full-Time Employees**
- 1:6 Probationary Periods**
- 1:7 Library Paid Status**

Section 2: Pay Policies

- 2:1 Payday**
- 2:2 Payment of Wages (Updated information about direct deposit)**
- 2:3 New Hire Law Reporting Requirements**
- 2:4 Payroll Deductions**
- 2:5 Wage Garnishments**
- 2:6 Pay Corrections**
- 2:7 Meal and Rest Breaks**
- 2:8 Lactation (New language reflecting laws)**
- 2:9 Overtime**
- 2:10 Person in Charge Pay (New in handbook maps to CBA)**
- 2:11 Sunday Work**
- 2:12 Insufficient Leave Balance (New/expanded language)**
- 2:13 Closure of Facilities (New in handbook maps to CBA)**
- 2:14 Final Paychecks**
- 2:15 Continuing Health Care Coverage**

Section 3: Time Records and Timekeeping

- 3:1 Time Records (Expanded/new language)**
- 3:2 Electronic Time Clock System (Expanded/new language)**

Section 4: Punctuality and Attendance

- 4:1 General (Expanded/new language)**

- 4:2 Lateness (Expanded/new language)
- 4:3 Unscheduled Absences (Expanded/new language)

Section 5: Leave and Time Off

- 5:1 Vacation Time for Full-Time Employees
- 5:2 Personal Days for Full-Time Employees
- 5:3 Negative Paid Leave for Full-Time and Part-Time Employees
- 5:4 Sick Leave and PTO as Sick Leave
- 5:5 Paid Time Off (PTO) for Part-Time Employees
- 5:6 Unpaid Time Off for Part-Time Employees (New in handbook maps to CBA)
- 5:7 Holidays
- 5:8 Bereavement Leave
- 5:9 Voting
- 5:10 Jury Duty
- 5:11 Witness and Crime Victims Leave

Section 6: Family and Medical Leave (Expanded)

Section 7: Unpaid Family and Medical Leave for Part-Time Employees (New in handbook maps to CBA)

Section 8: Organ and Tissue Donor Leave (New in handbook reflects current laws)

Section 9: Emergency Response Leave (New in handbook reflects current laws)

Section 10: Military Leave (New in handbook reflects current laws)

Section 1 Introduction

1:1 Overview of Pay, Timekeeping, and Leave Handbook

This Handbook applies only to bargaining unit (union) employees. For reference, each employee's job description at the Bucks County Free Library (BCFL) identifies which positions are in the Bargaining Unit and which are not.

The Collective Bargaining Unit at BCFL is represented by AFSCME, District Council 88. Bargaining Unit employees include all full-time and part-time non-supervisory employees of BCFL, excluding confidential employees.

We believe that your employment relationship with BCFL will be enhanced if you know what you can expect from BCFL and what BCFL expects from you. In the following sections, we introduce you to our pay, timekeeping, and leave policies.

Please understand that this Handbook can only highlight and summarize our policies and practices. For detailed information, you are welcome to ask your manager or an administrator.

Please also know that the provisions in this Handbook are not intended to, nor in any way create, any contractual obligations with respect to your employment. Nonetheless, it is a basic expectation for ongoing employment at BCFL that employees should read and become familiar with the information contained in this Handbook, as well as adhere to and follow all BCFL policies.

BCFL reserves the right to interpret and administer the provisions of its policies and this Handbook, as needed.

Employees will be provided with information about library policies and notified by managers when changes are made. It is the responsibility of each employee to keep informed concerning the policies and procedures of BCFL.

Importantly, an employee's failure to comply with BCFL's policies or procedures may result in discipline, up to and including termination.

Please be advised that the contents of this Handbook work in conjunction with, and do not replace, amend, or supplement any terms or conditions of

employment stated in the Collective Bargaining Agreement (CBA). The CBA should be consulted, along with this Handbook, for information pertinent to union employees in Bargaining Unit positions. This Handbook incorporates some information from the CBA, and refers to the CBA for more detailed information for bargaining unit staff. If there is any conflict between the language of this Handbook and the current CBA, the CBA prevails.

At BCFL, as in the rest of the world, circumstances are constantly changing. As a result, we may have to revise, rescind, or supplement the policies and content of this Handbook from time to time, and BCFL has the right to do so, at any time and without warning, subject to any language in the CBA that may address such changes.

BCFL is always looking for ways to improve communications with its employees. If you have suggestions for ways to improve this Handbook, please feel free to bring them to your manager or an administrator.

As of the date of its adoption, this Handbook supersedes all prior versions distributed by BCFL and all inconsistent oral or written statements.

1:2 Pay, Timekeeping, and Leave Handbook Acknowledgement Form

Using the Paycom employee portal, each Bargaining Unit employee is required to e-sign the Pay, Timekeeping, and Leave Handbook Acknowledgment Form confirming that you have received and are required to read and become familiar with its contents. The Acknowledgement Form that you must sign will state as follows:

“By signing this form, I acknowledge that I have been given access to the Bucks County Free Library (BCFL) Pay, Timekeeping, and Leave Handbook. I understand that it contains important information about BCFL’s policies, that I am expected to read the Handbook and familiarize myself with its contents, and that the policies in the Handbook apply to me.

I understand that nothing described in the Handbook sets forth terms or conditions of employment, creates an employment contract nor constitutes a contract or promise of continued employment.

I also understand that the employment terms set out in this Handbook work in conjunction with, and do not replace, amend, or supplement any terms or

conditions of employment stated in the Collective Bargaining Agreement (CBA). I further understand that BCFL may change the policies in the Handbook at any time, subject to any provision in the CBA that may address such changes.

In addition, I understand that if there is a difference between the current Pay, Timekeeping, and Leave Handbook and the current CBA, that the CBA applies and controls.”

1:3 Employee Self-Service (ESS) Accounts

Employee Self Service Accounts

Every BCFL employee is provided with an employee self-service account (ESS) in the BCFL’s Paycom system.

BCFL requires employees to use the ESS to:

- Maintain and update personal contact information
- Maintain and update emergency contact information
- Request and receive time off approvals
- Enroll in and make changes to direct deposit
- Maintain and update tax withholding information
- Access pay statements and tax documents
- Access important BCFL policy documents that employees are required to review and sign
- Access training in how to use the ESS

If you have any questions about using the ESS, please ask your manager or the Associate Director.

1:4 Staff Web Site

You can find detailed information about BCFL and your employment on our staff web site, including documents related to our strategic plan, job

descriptions, organization charts, performance evaluations, bargaining unit, benefits, and forms.

The staff web site is a primary communication tool at BCFL. It includes policies, procedures, meeting minutes, and other current information. We expect all employees to be familiar with and regularly review the information posted on the staff web site to stay informed. If you have suggestions for ways to improve it, please feel free to bring them to your manager.

1:5 Part-Time and Full-Time Employees

Depending on the number of hours per week you are regularly scheduled to work, you are either a part-time or a full-time employee. It is necessary that you understand which of these classifications you fit into, because it will be important in understanding of the types and amounts of leave time and benefits to which you are entitled.

- Part-Time— Employees who are regularly scheduled to work for less than 70 hours and 30 or more hours per pay period are defined as part-time employees
- Full-Time—Employees who are regularly scheduled to work at least 35 hours per week or 70 hours or more per pay period are defined as full-time employees

For more information, speak with your manager or see Article 1 of the CBA.

1:6 Probationary Periods

The length of your probationary period is based on whether your position is classified as clerical or paraprofessional. Probationary periods are as follows:

- Clerical: the first three months of your employment
- Paraprofessional and professional: the first six months of your employment

When you are hired, your hourly rate is set at a probationary rate. Once you have successfully completed your probationary period, as documented by a

successful performance evaluation, you will be paid at the regular rate for your position.

For more information about probationary periods, speak with your manager or see Article 2 of the CBA.

1:7 Library Paid Status

“Library Paid Status” is a term defined in the CBA. Any full-time or part-time employee is in “library paid status” when that employee is actively working (or in paid leave status) for more than 75% of the time period in question.

For full-time bargaining unit employees, you must be in “library paid status” in order to accrue vacation, sick, and personal days or compensation for holidays.

For part-time bargaining unit employees, you must be in “library paid status” in order to accrue paid time off.

For more information about “library paid status,” speak with your manager or see Article 28 of the CBA.

Section 2 Pay Policies

2:1 Payday

Employees are paid biweekly, and checks are dated every other Friday. When a payday falls on a holiday, checks are issued on the last workday immediately before that payday.

BCFL does not make employee payroll advances. Employees are paid for hours worked plus any approved paid leave time they have used during a pay period.

2:2 Payment of Wages

Employees may be paid by physical check or through direct deposit of funds to either a savings or checking account at the financial institution of their choice.

If your paycheck appears to be inaccurate or, for a physical paycheck, it has been lost or misplaced, notify the Chief Financial Officer (CFO).

BCFL encourages the use of direct deposit as a safe, convenient, and efficient method for the distribution of employee paychecks. All employees are eligible to participate in direct deposit.

Employees may enroll in direct deposit using the BCFL Paycom ESS portal. Employees will be required to provide accurate and up-to-date banking information and may cancel or make changes to their banking information at any time. New enrollments or changes generally will take effect in the next pay cycle. Employees participating in direct deposit will receive electronic pay statements, which will be accessible through the ESS.

Upon enrollment or changes to banking information, BCFL's payroll provider may conduct a test transaction to ensure the accuracy of the provided information. Employees are responsible for verifying the successful completion of the test transaction.

BCFL does not require any employee to enroll in direct deposit. However, employees receiving physical checks should be aware that checks are delivered to BCFL by commercial carriers whose delivery operations may be impacted by inclement weather or other circumstances beyond BCFL's control.

If there is a delay in employees receiving paychecks, BCFL will notify employees of the delay and any alternative arrangements for delivering paychecks or an employee's wages for the relevant pay period.

This policy complies with all applicable federal and state laws and regulations regarding the electronic deposit of paychecks. For questions or help with direct deposit, please contact the Chief Financial Officer (CFO).

2:3 New Hire Law Reporting Requirements

Federal and state laws require BCFL to report current biographical information, including the name, address, and Social Security number of each new employee hired. This information is reported to a state agency called the State Directory of New Hires. The state collects this information to aid in the enforcement of child support orders.

If the state agency determines that a new employee of BCFL owes child support, the agency will direct us, by order, to withhold money from the employee's paycheck for payment of the employee's child support obligations. This information may also be used by Pennsylvania's Department of Labor and Industry in connection to workers' compensation and unemployment compensation programs, including fraud detection.

2:4 Payroll Deductions

Paychecks reflect an employee's total earnings, mandatory deductions, and voluntary deductions for the pay period. Mandatory deductions are deductions that are required by law. Such deductions include federal income tax, Social Security tax (FICA), and any applicable state or local taxes.

Voluntary deductions are deductions an employee has authorized. Such deductions might include insurance premiums, flexible spending accounts, retirement account contributions, union dues, charitable contributions, or credit union contributions.

If you need to change the amount of your federal withholding (Form W-4), please make those changes using your ESS account in Paycom. If your place of residence changes or you transfer to a different work unit, you are required to complete a new Residency Certification Form for Local Earned Income Tax Withholding with updated and correct information. Willful failure to report

accurate information on the federal W-4 Form or Residency Certification Form, violates federal and/or state laws which carry criminal and/or civil penalties.

2:5 Wage Garnishments

A wage garnishment is a legal procedure whereby an order from a court or government agency directs BCFL to withhold a certain amount of money from an employee's paycheck for payment of a financial obligation or debt of the employee. Wages can be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, or other monies owed.

If BCFL is instructed by a court or agency to garnish an employee's wages, the employee will be notified of the garnishment immediately.

Please note that we are legally required to comply with these orders. If you dispute or have concerns about the amount of a garnishment, you must contact the court or agency that issued the order.

2:6 Pay Corrections

In the event of a payroll error, discrepancies must be brought immediately to the attention of the CFO so that corrections can be made as soon as possible. Just as BCFL works to immediately correct any pay shortages made in error, employees are expected to immediately correct any overpayment made in error. Failure to report or repay payments made in error may result in disciplinary action.

If an employee loses their library-issued check, the CFO must be notified as soon as possible to stop payment on the lost check. Checks not cashed within 60 days of receipt also will be subject to a stop payment. The staff member will be responsible for any bank fees for stop payment for a lost or uncashed check. Thereafter, a new check will be issued within ten (10) days of notification that a paycheck was lost or that a stop payment was made of an uncashed paycheck.

2:7 Meal and Rest Breaks

Meal and rest breaks for bargaining unit employees are defined by the CBA. Meal and rest breaks at each branch and department are taken on staggered schedules so that public service desks and office operations remain covered.

Employees are not permitted to skip meal or other breaks or “take breaks” at the beginning or end of a shift to make up for lateness or leave early, or be scheduled to report to work for breaks at the beginning or end of a shift.

Full-Time Employees

Full-time employees who work a 7.5 hour day are required to take a half-hour unpaid meal period approximately in the middle of their shift and two ten-minute paid rest periods in the course of the workday.

With approval from their manager, a full-time employee may extend their meal period to one hour unpaid total by adding a half hour meal break. They will not be permitted to extend their meal periods on any day where it would require them to report to work while their branch is closed to the public or outside of their department’s regularly scheduled service hours.

Part-Time Employees

Meal and break times for part-time employees depend on the number of hours they work and when they are scheduled.

For part-time employees who are scheduled to begin work at 12 p.m. or later and end work before 6 p.m.: Those who work 3.5 to 6 hours are permitted one paid 15-minute break. For those who work exactly 6 hours, they are permitted to take a one-half hour unpaid meal period and one paid 15-minute break. The employee is permitted to opt out of the unpaid meal period with permission from their manager.

For part-time employees whose scheduled shifts overlap either with 12 p.m. or 6 p.m.: Those who work 3.5 to 6 hours are permitted one paid 15-minute break. Those who work more than 3.5 but less than 7.5 hours are permitted to take a one-half hour unpaid meal period and one paid 15-minute break. The employee is permitted to opt out of the unpaid rest period with permission from their manager.

For part-time employees who work 7.5 or more hours, they are required to take a half-hour unpaid meal period approximately in the middle of their shift and may take two ten-minute paid rest periods during the course of the workday. With approval from their manager, they may extend their meal period to one-hour unpaid total by adding a half hour meal break. They will not be permitted

to extend their meal periods on any day where it would require them to report to work while their branch is closed to the public or outside of their department's regularly scheduled service hours.

For more information about meal and rest breaks, speak with your manager or see Article 24 of the CBA.

2:8 Lactation

Reasonable break times are granted to nursing mothers who desire to express milk while at work. Nursing mothers will be permitted lactation breaks for up to one year after a child's birth. The space provided will be functional as a place for expressing milk, will not be in a restroom, and will be shielded from view and free from intrusion by co-workers and the public. Employees will be permitted to use paid meal and break times for this purpose. Should more time be needed, employees will be provided with additional unpaid break times.

Please contact the Associate Director so that appropriate advance arrangements can be made to prepare locations and address scheduling concerns. Retaliation is prohibited against any employee who requests lactation breaks while at work.

2:9 Overtime

The CBA governs overtime earnings for all employees in bargaining unit positions, including bargaining unit positions that might otherwise be classified as exempt. All bargaining unit employees may be required to work overtime at the discretion of BCFL. However, all overtime must be authorized and approved by BCFL.

For any hours worked in excess of forty (40) hours in any one work week, a bargaining unit employee shall be paid time and one half of their base rate of pay for each hour or part of an hour, using 15-minute increments, rounded up.

BCFL will try to give employees advance notice when overtime work is necessary; however, it will not always be possible to notify workers in advance. When advance notice is not given and an employee, due to unusual circumstances, is unable to work overtime hours, the employee will be excused. However, two refusals to work overtime that are in succession within a nine-months period will subject an employee to discipline.

For more information about overtime, speak with your manager or see Article 23 of the CBA.

2:10 Person in Charge Pay

Branch library staff in clerical and para-professional classifications earn extra pay per hour for time worked as Person in Charge (PIC). This premium pay is called Person in Charge Pay (PICP). PICP is calculated in quarter-hour increments and rounded up or down to the nearest quarter hour. Employees whose position requires a master's degree in library science (MLS/MILS) are not eligible for PICP. Employees who work in support departments that are not open to the public are not eligible for PICP. Employees in centralized support positions, such as Program Leaders, Delivery Drivers, and Maintenance Workers, are not eligible for PICP.

When a manager is absent, the PIC handles immediate customer service and facilities issues that are immediate and cannot wait. This includes, but is not limited to handling escalated customer complaints, taking the lead with emergency services or law enforcement, completing Incident Report forms, contacting IT, Facilities, or Administration in the event of an emergency, and submitting Help Desk tickets for non-emergency items. It does not include management of staff.

PICP will apply only when:

- A branch is open to the public. It does not apply when the branch is not open to the public.
- There is no manager in a branch for three or more hours. If there is no manager in a branch for less than three hours, a PIC will be appointed but not receive PICP. If there is no manager in the branch for three or more hours, the PIC will receive PICP for the entire time the manager is not there, not to include any hours the branch was closed to the public.

For more information, speak with your manager or see Article 25 of the CBA, Wages.

2:11 Sunday Work

Bargaining unit employees who work on any Sunday receive overtime pay, as outlined in the CBA.

If an employee calls out sick on a Sunday, BCFL will require a doctor's note indicating that the employee was unable to work that day. If an employee does not comply, the absence will be considered unexcused and the employee will be subject to discipline.

If an employee fails to show or call when scheduled on a Sunday, they may be subject to discipline. In addition, they forfeit their right to be scheduled for Sunday work for the following three-month period.

For more information about Sunday pay or scheduling, speak with your manager or see Article 22 of the CBA.

2:12 Insufficient Leave Balance

If, at the time of payroll submission, it is discovered that an employee does not have sufficient accrued paid leave time to cover any absences, they will not be paid for the missed time.

BCFL managers do not approve any paid or unpaid time off for scheduled or unscheduled absences when an employee does not or will not have sufficient leave time available in the future to cover the requested time off. For unpaid or negative leave, the employee must meet all requirements for approval of the applicable unpaid or negative leave.

If an employee takes time off but does not have sufficient paid leave to cover the absence or does not qualify for any form of unpaid leave as provided by law or addressed and authorized in the CBA, the employee will be terminated by BCFL.

2:13 Closure of Facilities

The library may close a facility because of inclement weather, an emergency, or a renovation. Pay, scheduling, and reassignment to alternate locations are handled differently in each case for full-time and part-time employees. If you have questions that your manager can't answer about closure of facilities, please speak with the Associate Director.

Procedures for closing during inclement weather are fully addressed in BCFL's Inclement Weather policy, MNG 9, which is posted on the staff website. As noted in the policy, BCFL makes the effort to notify employees of delayed openings or closures not later than 7 a.m. for morning openings and not later than 11 a.m. for afternoon openings. When the library is open, staff and library users are given not less than 30 minutes notice before closing. Information about closures is posted on the library's public website, public calendars, and sent to staff using @ALL e-mail and the staff text alert account.

For emergency closings, BCFL administrative staff notify branch and department managers immediately when the decision is made to close. Branch and department managers are responsible for notifying their staff and making arrangements with staff for alternate reporting or time off requests, as applicable. In cases where a manager evacuates a building because of a serious, life-threatening problem, the manager proceeds with the evacuation and notifies administrative staff as soon as possible.

For planned renovations, BCFL provide managers and staff with estimated closing times as soon as renovations are scheduled. Notification of estimated dates may take place as early as several months before a closing. Because of contractor scheduling constraints outside BCFL's control, specific dates may be subject to change. BCFL makes every effort to notify managers and staff of firm dates for renovation closures before or when monthly schedules are posted on deadline per the CBA, and not less than two weeks before a renovation closure.

There are times when BCFL is able to re-open a facility after an emergency or renovation sooner than the anticipated opening date. An employee who modifies their usual schedule to report to an alternate location, and would have difficulty changing the schedule back for an earlier opening should resolve problems with reporting times directly with their manager.

Inclement Weather

Full-Time Employees: If BCFL or the library branch at which a full-time employee works closes before a full-time employee reports to work, the employee will receive paid administrative leave for their scheduled hours that day. If the library closes after a full-time employee has reported to work, the employee will receive pay for hours worked and paid administrative leave for the remainder of the time scheduled.

Full-time employees who were scheduled off for the day on approved leave, such as vacation, sick, or personal, will not receive administrative pay. The applicable time off will be subtracted from the employee's leave bank.

Should BCFL or a library branch at which the employee is scheduled to work remain open, but a full-time employee is unable to report for work due to road closures in Bucks County or the county in which the employee resides and the road closures are due to a state of emergency declared by the Governor, the full-time employee will receive administrative pay.

Part-Time Employees: If BCFL or the branch at which a part-time employee works closes before the part-time employee reports to work, the employee has three options: take PTO if available, take unpaid time off, or take a make-up day within 14 calendar days after the closing at a date, time, and location chosen by the library. If an employee declines an offered make-up day they lose the ability to make up the lost time.

If the library closes after a part-time employee reports to work, the employee will be paid for time worked plus two hours of administrative leave, not to exceed the number of hours the employee was scheduled to work.

Should BCFL or a library branch at which the employee is scheduled to work remain open, but a part-time employee is unable to report for work due to road closures in Bucks County or the county in which the employee resides and the road closures are due to a state of emergency declared by the Governor, the leave for the part-time employee shall be unpaid. However, the part-time employee may choose between the same three options, above, as if the library closed before the part-time employee reports to work.

Employees who fail to report to work when BCFL remains open during inclement weather, or who leave work before the library closes due to inclement weather, will not be paid for the missed hours or be permitted to make up the missed hours. Employees will be permitted to use PTO, vacation, or personal time, as applicable, to remain in paid status for the missed time. Employees may request negative leave for the missed time, which BCFL will approve in circumstances that constitute a bona fide emergency, as outlined in Section 5.6 of this Handbook, Negative Paid Leave for Full-Time and Part-Time Employees.

Emergencies

An emergency exists when a library branch must close because of a situation beyond the library's control, other than the weather, such as lost power, plumbing, or building safety issues.

Full-Time Employees: If a library branch closes due to an emergency while a full-time employee is at work, BCFL may offer the employee an assignment at an alternate location for the remainder of the day. If the employee declines the assignment, they must use their vacation or personal paid time off for the remainder of the day. If the employee does not have sufficient paid time off, the time will be unpaid.

For the remaining days of the branch closure, BCFL will transfer the full-time employee to an alternate location. There is no guarantee that an employee's schedule will not change as a result of assignment to an alternate reporting location. Employees are assigned to alternate locations solely based on the business needs of BCFL.

If the full-time employee declines the transfer, their employment relationship will be ended.

Part-Time Employees: If the library branch closes due to an emergency while a part-time employee is at work, and the library does not offer an assignment to an alternate location, the employee will be released from work and paid for the hours the employee worked. The employee's remaining scheduled time will be unpaid or the employee may use available paid time off, at the employee's discretion, to make up for the lost hours. In order to use paid time, the employee must notify the library of their intent to use paid time within two days of reopening.

If the library offers a part-time employee an assignment at an alternate location, and the employee declines, the employee will be required to use the employee's paid time off or, if the employee lacks sufficient paid time off to cover the lost hours, the time will be unpaid only.

For the remaining days of the branch closure, the library will transfer the part-time employee to an alternate location. There is no guarantee that an employee's schedule will not change as a result of assignment to an alternate reporting location. Employees are assigned to alternate locations solely based on the business needs of BCFL.

If the employee declines the transfer, their employment relationship will be ended.

Renovations

A renovation is a planned and scheduled closure of a facility for facilities work, such as a remodeling or work on a building's infrastructure. Importantly, BCFL may opt to keep a facility open during this type of work. In this case, if an unanticipated safety or other issue arises beyond the library's control, the unexpected closing of a facility is treated as an emergency closing.

Full-Time and Part-Time Employees: In the event of a planned and scheduled closure, the library will provide impacted employees with a list of available alternate reporting locations by classification and job title. Employees will indicate their preferred reporting locations and the library will assign alternate reporting locations based on seniority.

If the library does not need employees to cover alternate locations, employees may request paid or unpaid time off.

There is no guarantee that an employee's schedule will not change as a result of assignment to an alternate reporting location. Employees are assigned to alternate locations solely based on the business needs of BCFL.

For more information, please speak with your manager or see Article 20 of the CBA, Closure of Facilities.

2:14 Final Paychecks

Some benefits are due and payable to the employee upon termination. Others may be continued at the employee's expense if the employee so chooses.

For all employee terminations, final paychecks will include all compensation earned but not paid through the date of termination. This will include all hours worked and any payments for accrued but unused vacation, sick, or paid time off, as applicable. Final paychecks are issued on the next regularly scheduled pay date following the termination.

Employees will not have access to BCFL's payroll software, Paycom, and the ESS after their last day of employment. Documents or information should be accessed and downloaded prior to the last day, such as past tax forms or pay records.

Prior to separation from BCFL, each employee must provide BCFL with the correct address to forward upcoming tax information and any other necessary communication.

2:15 Continuing Health Care Coverage (COBRA)

The Consolidated Omnibus Budget Reform Act (COBRA) provides certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of their health coverage, provided through BCFL, at group rates. This coverage, however, is only available when coverage is lost due to certain qualifying events, such as employment ending (for reasons other than gross misconduct), a reduction in hours, or an employee's death. The cost for those who qualify for COBRA's temporary group health coverage is generally greater than that for active employees because employers typically pay for a portion of the active member's insurance premium, but not for COBRA participants. Also, COBRA coverage may be more or less expensive than other individual health plan, as depending on your needs, there may be more affordable or more generous coverage options for you or your family, such as in the Health Insurance Market.

If you are eligible for COBRA coverage, you will receive an initial notice of the right to continued health insurance coverage when you first become eligible for health insurance under BCFL's group plan. You will receive an additional notice when your hours are reduced, you resign, or your employment relationship is ended. This second notice will explain how to choose continuation coverage, what your obligations will be, and the costs of the continued coverage. You must notify BCFL if any of your family members becomes eligible for continued coverage due to divorce, separation, or reaching the age of majority.

This Section provides only general information regarding COBRA. For more detailed information, questions should be directed to the CFO.

Section 3 Time Records and Timekeeping

3:1 Time Records

Accurately reporting the time worked is the responsibility of every employee. “Time worked” is the time actually spent on the job performing assigned duties. Managers and authorized employees regularly review and approve electronic time records. Any changes to an employee’s time record must be approved by their manager. Any attempt to falsify the time worked by an employee may result in disciplinary action up to and including termination.

Following Department of Labor (DOL) guidelines, BCFL tracks employee hours worked in 15-minute increments, rounding employee time to the nearest quarter hour. Employee time from 1 to 7 minutes is rounded down, and employee time from 8 to 14 minutes is rounded up and counted as a quarter hour of work time.

Importantly, while this rounding practice is in compliance with DOL guidelines, it is not to be construed by any BCFL employee as a “grace period” for lateness. Employees are expected to adhere to their scheduled work hours and arrive promptly at designated start times. Any and all lateness is subject to BCFL’s lateness policies, addressed in Section 4 of this Handbook.

Employees will not be permitted to end their shift later or start their shift earlier to make up for lost time at the beginning or end of a shift. The lost time will be unpaid and employees may not substitute paid leave time to make up for the lost time. Without manager approval, clocking in after the scheduled start time or clocking out prior to the scheduled end time will be subject to discipline.

3:2 Electronic Time Clock System

In order to accurately track all time worked and leave taken during a pay period or other reporting period, BCFL manages and maintains an electronic time clock system. The data recorded in this system is considered the official record of an employee’s work hours and usage of time off. Generally, any disputes over actual hours worked or attendance will be resolved by referring to these official timekeeping records.

All BCFL employees are enrolled in the time clock system at the time of hire and instructed in its use.

- Employees may use the biometric (hand punch) system located in each facility or may use the time clock app, which uses a geolocation system, to clock in and out.
- Employees are required to clock in at the start of their work day and clock out at the end of their work day.
- Employees are required to clock out at the start of their meal and break times and clock in at the end of their meal and break times.
- Employees are encouraged to check the screen display of the time clock system to ensure the accuracy of their time entries. If the reading is not accurate, employees should immediately notify their manager so their manager can make corrections.
- Employees are not permitted to have anyone, other than their manager, clock in or out on their behalf. “Buddy punching” is strictly prohibited.
- Employees who realize they have missed a clock-in or clock-out are required to report the oversight to their manager immediately. Employees who consistently miss clocking in or clocking out their time will be subject to disciplinary action.
- Employees who begin or end their day offsite are required to report their beginning, ending, meal, and break times to their manager so their manager can input the information manually. Managers will enter notes in the employee’s time record in indicating the location and business reason for the remote reporting.
- Employees are expected to report any issues or malfunctions with the electronic time clock system to their manager. Managers will provide employees with a physical time sheet to record their time in the event of a failure with the electronic system.

Section 4 Punctuality and Attendance

Every employee is important to the effective operation of the library. When you are not here at expected times, someone else must do your work or delay doing their work while waiting for you to arrive. Opening on time with sufficient employees on duty to attend to library users is critical to fulfilling our mission. If you work with internal staff or outside vendors, they may grow frustrated if they can't reach you during your scheduled work times.

As a result, we expect you to keep regular attendance and to be on time and ready to work at the beginning of each scheduled workday.

Things will sometimes happen that will prevent you from showing up to work on time. If you are going to be more than five minutes late, please call your manager. If you cannot reach your manager, please leave a message at the Administrative Office. Do not leave a voicemail or message with a colleague, but rather speak directly with your manager or speak with someone in the Administrative Office. Please give notice of any delay as far in advance as possible.

Arriving for work late more than two times in a rolling four week period is considered excessive. For first instances the employee will be given a verbal warning. Continued instances will result in a written and then a final warning, which may result in disciplinary action, up to and including termination.

If you must miss a full day of work for reasons other than vacation, sick leave, or other approved leave (such as leave to serve on a jury or for a death in a family), you must notify your manager as far in advance as possible. If you cannot reach your manager or assistant manager, please speak with someone in the Administrative Office. Please do not leave a voicemail or a message with a colleague.

When you will be absent from your department or branch on work time, you are expected to make sure your manager and co-workers know when you will be away, where you will be, how you can be reached, and when you anticipate returning.

Arriving late for work or failing to appear without calling in as required by this policy or by other policies in this Handbook by any employee may result in disciplinary action, up to and including termination.

Section 5 Leave and Time Off

5:1 Vacation Time for Full Time Employees

Eligible full-time bargaining unit employees accrue vacation consistent with the CBA and must adhere to procedures for scheduling vacation as outlined in the CBA. Vacation time may be taken in fifteen-minute increments.

Full-time employees may accrue but are not permitted to use any vacation time until after they have been employed by BCFL for six months.

Employees must schedule their vacation time in advance, with prior approval from their managers. BCFL will try to grant as many vacation and other time off requests as possible. However, we must have enough workers to meet day-to-day scheduling needs. This means that not every request will be granted, especially during peak times and holiday periods.

Employees with at least one year of continuous service who resign, retire, or are severed by the BCFL, through no fault of the employee, are paid for accrued but unused vacation leave. If an employee is discharged, the employee will not be paid their accrued but unused vacation leave.

For more information about vacation requests and approval, speak with your manager or see Article 31 of the CBA.

5:2 Personal Days for Full-Time Employees

A full-time employee who has been employed for more than four months and who was in Library Paid Status the prior calendar year will be granted three personal days as of the first of the calendar year.

A full-time employee who has been employed for more than four months and who was in Library Paid Status the prior calendar year will be granted three personal days as of the first of the calendar year.

For those hired between January and April, they will be granted two personal days for the remaining calendar year, which may be used after four months of full-time employment have been completed. For those hired between May and August, they will be granted one personal day for the remaining calendar year, which may be used after four months of full-time employment have been completed. For employees hired between September and December, no personal days will be granted any personal days for the remaining calendar year.

Employees are asked to request and get prior approval from their managers for personal days at least five days in advance, except when the need for the personal day is unexpected. Otherwise, BCFL asks that the employee provide as much notice as possible. BCFL will try to grant as many personal days and other time off requests as possible. However, we must have enough workers to meet day-to-day scheduling needs. This means that not every request will be granted, especially during peak times and holiday periods.

Any unused personal days at the end of the calendar year are lost. Upon separation from BCFL or transfer to a part-time position at BCFL, the employee will not be paid for their accrued but unused personal days.

For more information about personal days and approval, speak with your manager or see Article 30 of the CBA.

5:3 Negative Paid Leave for Full-Time and Part-Time Employees

General

Employees are expected to make every effort to monitor their leave balances so that they have sufficient balances available for needed time off.

BCFL approves negative paid leave only on rare occasions for bona-fide emergencies. Approval will be contingent on the library determining that an employee's situation is a bona fide emergency. BCFL has the right to seek documentation from the employee supporting the need for the leave. BCFL does not approve negative leave requests to extend paid leave for non-emergency purposes to those with insufficient paid leave balances.

All Employees

All requests for negative paid leave must be submitted directly to the Associate Director in writing by the employee requesting the leave. No manager or administrator other than the Associate Director is authorized to approve use of negative paid leave for any employee.

- Negative leave is not extended to any employee who is in a period of close supervision.
- Employees who are approved for negative leave will be required to complete an authorization form for the library to deduct funds from their final paycheck for unreimbursed negative leave if they leave employment at BCFL with a negative leave balance,
- Once negative leave is used, regardless of whether the total amount of time permitted has been used, an employee is not eligible to use negative leave again for a 12-month period after the return date from the time off that resulted in the negative paid leave.
- If an employee continues to be unable to report to work as scheduled with no leave time or remains in a negative balance, their absence will be considered unexcused leave. They will not be paid, and may be subject to disciplinary action, up to and including termination. Please note that this does not include instances where an employee's absence is due to qualifying circumstance under the Family and Medical Leave Act ("FMLA").

Full-Time Employees

- Negative leave may be approved up to a maximum 21 hours of negative vacation time on a one-time basis.
- The employee will pay back the negative leave time taken through the employee's subsequent accrual of vacation time which will be used against the negative leave until the negative balance is zero.
- The employee is not eligible to use vacation time again until after they have earned enough time to apply to and eliminate the negative balance.

Part-Time Employees

- Negative leave may be approved up to a maximum 15 hours of PTO on a one-time basis.
- The employee will pay back the negative leave time taken through the employee's subsequent accrual of PTO time which will be used against the negative leave until the negative balance is zero.

- For part time employees, the employee is not eligible to use PTO until after they have earned enough time to apply to and eliminate the negative balance.

If you have questions about your leave accrual or negative paid leave, speak with your manager or the Associate Director. For full-time employees, see Section 31.10 of the CBA, Use of Vacation Time Beyond What an Employee Has Accrued. For part-time employees see Section 34.17 of the CBA, Use of Negative Balance.

5:4 Sick Leave and PTO as Sick Leave

General

BCFL offers paid sick leave to full-time employees and allows part-time employees to use PTO hours for sick leave. Employees may use sick leave or PTO hours when they are unable to work due to illness or injury. For full-time employees, sick leave is not to be used as extra vacation or personal time.

Employees may also use sick leave and PTO for:

- The care of a seriously ill parent, spouse or child (up to five workdays)
- Medical, dental, or optical appointments that cannot be scheduled outside of work hours because of the medical professional's office hours. BCFL may request, at its discretion, proof of office hours.
- For a work-related injury until such time that Workers' Compensation Insurance coverage begins. For further information concerning use of sick leave by a full-time employee for a work-related injury, see Section 32.3 of the CBA.

Requesting Sick Leave

If you will need to call in to take unscheduled sick leave, you must speak directly with your manager. BCFL expects, at minimum, that you will notify your manager before the regular start of your workday if you will need to take sick leave. If you cannot reach your manager or assistant manager, please speak with the Associate Director. Do not leave voicemail on the library's phone system or a message with a colleague.

When you request sick leave, be prepared to let your manager know the following:

- The amount of leave you are requesting;
- An estimate of the date you expect to return-to-work; and
- Any deadlines, commitments, or work assignments that need to be taken care of by someone else during your absence.

You must report to your manager by phone each day you are out on leave.

Medical Certification

If you have been or will be out on sick leave for four or more workdays, you will be required to have your health care provider complete BCFL's Return to Work Certification Form. You will not be allowed to report to work until after your certification has been reviewed by the Associate Director and has let your manager know you are cleared to return to work.

Sick Leave Abuse

BCFL actively tracks employees' attendance for symptoms of sick leave abuse and reserves the right to request a doctor's certificate on a case-by-case basis. Although not an exhaustive list, the following are some examples where BCFL may require medical certification:

- More than average absences
- Sick leave used as soon as it is earned
- Sick leave used when other leave is exhausted
- Low balance relative to length of employment
- Patterns of use on Mondays, Fridays, evenings, weekends, and before or after holidays or other scheduled leave.

Any employee having five (5) or more instances of sick leave in a rolling twelve-month period will receive a written warning and a notice that a doctor's note is required for any additional sick leave for the next six months, except in the following circumstances:

- The absence is covered by the FMLA

- The absence is supported by a certificate from the employee's health care provider
- The absence is allowed by BCFL as a reasonable accommodation for a disability, or
- The absence is otherwise covered by an applicable federal or state law

Absences of multiple consecutive days will count as a single instance. A partial day, such as reporting to work late or leaving work early, will count as a single instance.

Abuse or fraudulent use of sick leave may result in disciplinary action, up to and including termination.

5:5 Paid Time Off (PTO) for Part-Time Employees

Eligible part-time bargaining unit employees accrue PTO consistent with the CBA and must adhere to procedures for scheduling PTO as outlined in the CBA. PTO may be taken in fifteen-minute increments.

Part-time employees may accrue but are not permitted to use any PTO until after they have been employed by BCFL for four months.

When accrued, PTO may be taken as vacation, personal, or sick time. For more information about use of PTO as sick time, see Section 5.5 of this Handbook.

Employees must schedule their PTO for vacation in advance, with prior approval from their managers. BCFL will try to grant as many PTO and other time off requests as possible. However, we must have enough workers to meet day-to-day scheduling needs. This means that not every request will be granted, especially during peak times and holiday periods.

For use of PTO as personal time for a foreseeable reason, BCFL requires employees to make the request to their manager in writing at least five working days in advance of the leave date. Otherwise, BCFL asks that the employee provide as much notice as possible.

Employees with at least one year of continuous service who resign, retire, or are severed by the BCFL through no fault of the employee, will receive payment of their accrued but unused PTO.

If an employee is discharged, the employee will not be paid their accrued but unused PTO.

For more information about PTO, speak with your manager or see Article 34 of the CBA.

5:6 Unpaid Time Off for Part-Time Employees

Unpaid time off for part-time employees is a benefit defined in the CBA and strictly regulated by the terms outlined in the CBA. BCFL allows part-time employees this benefit so they have more opportunities to take time away from work than their PTO earnings will allow.

In order to be approved for unpaid time off, an employee must be employed by BCFL for more than six months in “library paid status.” After an employee has been in “library paid status” for six months, they will be eligible to request unpaid time off as of the first day of the following calendar year.

Unpaid time off must be requested and approved during vacation selection periods outlined in the CBA. It may not be requested and will not be approved outside of those selection periods.

Eligible employees may request one instance of up to seven consecutive days of unpaid time off per calendar year. Fewer than seven days may be requested for this one instance, however unused days will be lost for the year. There is no carryover.

For more information, about unpaid time off, speak with your manager or see Article 35 of the CBA.

5:7 Holidays

BCFL observes the following holidays each year: New Year’s Day, Martin Luther King Day, Memorial Day, Juneteenth, Independence Day, Saturday before Labor Day, Labor Day, Thanksgiving, Friday after Thanksgiving, Christmas Eve Day, and Christmas Day.

Full Time Employees

Full-time employees who have been employed for more than 30 calendar days and are in “library paid status” are eligible to be paid at their regular rate for all BCFL-approved holidays.

When a holiday falls on a day that an employee is not normally scheduled to work, such as a Saturday or Sunday, the employee will receive holiday pay for that day.

When a full-time employee actually works on a BCFL-approved holiday, they will be paid 1 ½ times their regular rate for the hours they work and, in addition, receive regular holiday pay for the holiday.

All full-time employees are expected to work as scheduled the day before and after the holiday in order to receive pay for that holiday date. Any employee that calls out of work with an unscheduled absence the day before or after a holiday will forfeit holiday pay.

For employees who are separating from BCFL, the last day cannot be a holiday, since they would not be working the day after.

Part Time Employees

Part-time employees are not eligible for holiday pay. For those who do not work a scheduled workday when they would otherwise be scheduled to do so, they have three options:

- Make up the lost hours by working a day and time of their manager’s choosing within 14 calendar days after the holiday;
- Decline to make up the lost hours and be unpaid for the lost time; or
- Decline the lost hours and, at least two calendar days before the holiday, request to be paid PTO for the lost hours.

Also, all part-time employees are expected to work as scheduled the day before and after the holiday in order to choose the above three options. Any employee that calls out of work with an unscheduled absence the day before or after a holiday will forfeit any holiday make-up hours and be unpaid for the lost time.

For more information about holidays, speak with your manager or see Article 28 of the CBA.

5:8 Bereavement Leave

For all employees, BCFL reserves the right to request and receive proof of death.

Full Time Employees

Full-time employees may take bereavement leave with pay as follows:

- Up to five days with pay for each regularly scheduled workday for the death of a spouse or domestic partner, parent or step-parent, and child or step-child.
- Up to three days with pay for each regularly scheduled workday for the death of a grandparent, grandparent-in-law, father-in-law, mother-in-law, brother, step-brother, sister, or step-sister.
- Up to one day with pay for each regularly scheduled workday for the death of an aunt or uncle.

For more information about bereavement leave for full-time employees, speak with your manager or see Article 33 of the CBA.

Part Time Employees

Part-time employees may take the same amount of time off for bereavement leave as full-time employees, but without pay. BCFL will attempt to adjust a part-time employee's schedule for the employee to make up the missed hours, however, adjustment and rescheduling is not guaranteed. The employee is allowed to use PTO hours for any missed time.

For more information about bereavement leave for part-time employees, speak with your manager or see Article 34 of the CBA.

5:9 Voting

BCFL encourages employees to exercise their right to vote. If your work schedule and the location of your polling place will make it difficult for you to get to the polls before or after you are scheduled to work, you may request that your schedule on Election Day be adjusted so that you are able to vote. Your manager will make every effort to adjust your work schedule while ensuring that your absence does not negatively impact BCFL operations.

Requests for leave to vote must be made no later than two weeks before the branch or department schedule is posted. Leave can be requested closer to or on Election Day, but cannot be guaranteed.

Any leave approved to permit you to vote will be unpaid. However, you may choose to use available accrued but unused vacation or paid time off in lieu of unpaid leave.

If you have any questions about leave time for voting, please speak with your manager.

5:10 Jury Duty

All Employees

BCFL encourages employees to fulfill their civic duties. If you are called for jury duty, you are entitled to take time off, as necessary, to fulfill your obligations.

If you receive a jury summons, immediately inform your manager so that arrangements can be made for your absence. If you are chosen to sit on a jury, you must inform your manager of how long the trial is expected to last. You will be expected to check in with your manager daily during jury service so that BCFL knows when to expect you back at work.

Upon returning to work, you will be required to submit a statement signed by the clerk of the court (“Proof of Service”) certifying your attendance. Any check paid by the court to an employee for jury duty while on BCFL paid time must be paid, in full, to BCFL. You will be required to provide the Associate Director with copies of any checks you received from the court and write a check to BCFL for the total amount.

Should your absence for jury duty adversely affect BCFL operations, you may be asked to cooperate with BCFL to request a delay of jury duty service.

Any employee who violates this policy may be subject to disciplinary action, up to and including termination of employment.

Full Time Employees

Full-time employees may use paid time off for jury service for a maximum of ten days, not including Saturdays, Sundays, or holidays. Beyond ten days, time off will be unpaid; however, full-time employees may opt to use any available accrued vacation time or personal days in place of unpaid leave.

Full-time employees are expected to return to work if excused from jury duty during their regular working hours or released from jury duty earlier than expected.

For more information about jury duty for full-time employees, speak with your manager or see Article 33 of the CBA.

Part Time Employees

Part-time employees do not receive any paid time off for jury duty. However, if an employee requests that the missed hours be rescheduled, BCFL will make a good faith effort, albeit not guaranteed, to adjust the employee's schedule so that the employee may still be able to meet their regularly scheduled number of hours. Part-time employees may use their available PTO to remain in paid status during jury service.

For part-time employees, if jury service ends before the end of your usual work day, you must check in with your manager to find out whether you need to return to work for that day to finish your scheduled shift.

For more information about jury duty for part-time employees, speak with your manager or see Section 34 of the CBA.

5:11 Witness and Crime Victims Leave

BCFL understands that, on occasion, employees may have an obligation to participate in civil or criminal legal proceedings as a witness, or, in criminal proceedings because the employee or a close family member was victimized by a criminal act. BCFL authorizes leave to attend those proceedings under circumstances described in this policy.

For purposes of a request for leave in criminal proceedings, "close family member" means your spouse, and your or your spouse's parent, child (including foster child, legal guardianship or *in loco parentis* relationship), sibling, grandparent, grandchild, aunt, uncle niece, nephew, great-grandchild,

great grand-parent, step-parent, step-child, daughter-in-law, son-in-law, sister-in-law, and brother-in-law. "Family member" also includes anyone residing in your household. BCFL reserves the right to request proof of residence and familial relationship as required by law.

If you are required to attend a civil or criminal proceeding as a witness, or in a criminal proceeding as a crime victim, or a close family member of a crime victim, you must inform the Associate Director as soon as possible to make arrangements for leave time. BCFL may require you to provide proof of the need to attend the court or other proceedings to the extent authorized by law.

Full-time employees who must attend court or other legal proceedings, as authorized by this policy, will receive your regular daily rate of pay for each day of service up to two days, not including weekends or holidays. For any additional days you are required to attend such legal proceedings, time off will be unpaid. Employees may opt to use any available accrued vacation or personal time off in place of unpaid leave.

Part-time employees who must attend court or other legal proceedings, as authorized by this policy, will not receive any paid time off for any date of service. However, if a part-time employee requests that the missed hours be rescheduled, BCFL will make a good faith effort to adjust the employee's schedule for the employee to be able to meet their regularly scheduled number of hours; however, this is not guaranteed. Part-time employees may use their available PTO to remain in paid status during service as a victim or witness. Any employee excused from the civil or criminal proceedings during regular working hours or released from the proceeding earlier than expected must immediately contact the employee's manager as the employee may be expected to return to work.

An employee may have to submit evidence to BCFL of the employee's attendance at the proceedings. Any witness fee paid by the court to a full-time employee shall be paid to BCFL, in full, when the witness fee was for the same date that the employee received the regular daily rate of pay from BCFL.

This policy does not extend leave for court proceedings for an employee that has or is alleged to have committed a criminal act. This policy does not extend leave to employees where they or a family member is a party to a civil lawsuit.

If you have any questions regarding witness and crime victims leave, please speak with the Associate Director.

An employee who abuses this policy will be subject to disciplinary action, up to and including termination of employment.

For more information about witness duty see Article 33 of the CBA.

Section 6 Family and Medical Leave

BCFL provides leave according to the Family and Medical Leave Act of 1993 (FMLA), which allows for unpaid, job-protected leave to covered employees in certain circumstances. This section provides a general description of FMLA rights for eligible BCFL bargaining unit employees. For further information concerning any aspect of FMLA leave, speak with the Associate Director.

Eligibility

To be eligible for FMLA leave, an employee must have worked for BCFL for at least one year with at least 1248 hours worked prior to the date that FMLA leave would begin. The one-year period of employment does not have to be consecutive.

If you are eligible under the FMLA, you may take up to 12 weeks of unpaid leave in any 12-month period for the reasons specified below. BCFL will measure the 12-month period as a rolling 12-month period, measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, BCFL will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at that time.

Under certain circumstances, families caring for a service member recovering from a serious injury or illness may take up to 26 weeks of unpaid leave during the 12-month period as described in Section 10 of this Handbook.

Upon returning from FMLA leave, you will be restored to your original position or to an equivalent position with equivalent pay, applicable benefits, and other terms and conditions of employment.

BCFL respects the particularly sensitive nature of an employee's medical records and information. We do not place any medical records in an employee's personnel file and will take steps to maintain all medical information confidentially in accordance with the American with Disabilities Act. (ADA)

Reasons for FMLA Leave:

FMLA leave will be granted to eligible employees for any of the following reasons:

- The care of the employee's child after birth or adoption or a foster placement.
- The care of a spouse, child, or parent with a serious health condition (12 weeks)
- The employee's own serious health condition (12 weeks)
- A qualifying exigency arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan (12 weeks)
- The care of a covered family member who has become seriously ill or seriously injured in the line of duty in the Armed Forces (26 weeks)

Definition of "Serious Health Condition"

Under the FMLA, a "serious health condition" means an illness, injury, impairment, or physical or mental condition involving:

- The period of incapacity or treatment in connection with, or after, inpatient care in a medical facility;
- The period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days and involving continuing treatment by a health care provider;
- The period of incapacity due to pregnancy or for prenatal care;
- Continuing treatment by a health care provider for a chronic or long-term condition that would likely result in a period of incapacity of more than three calendar days.

Generally, the common cold, the flu, upset stomachs, headaches, or orthodontic problems will not be considered serious health conditions, unless there are complications or otherwise develop into a serious health condition. Routine physical, eye, or dental examinations are not considered treatments indicative of a serious health condition.

Intermittent Leave and Reduced Scheduling

FMLA leave is usually taken for a period of consecutive days, weeks or months. However, leave may also be taken, if medically necessary, on an intermittent

schedule. Under certain circumstances, a reduced schedule may be utilized when the employee or the employee's covered immediate family or covered service member has a serious health condition.

With intermittent or reduced schedule leave is taken, the leave may not exceed a total of 12 work weeks (or 26 work weeks for military caregiver leave) in one 12-month period.

When FMLA leave is being used for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt BCFL's operations.

FMLA and Spouses

If spouses are both employed by BCFL and both are eligible for FMLA leave, FMLA leave may be limited to:

- A combined total of 12 weeks of leave during the 12-month period for the birth, adoption, or placement (foster care) of a child, or to care for a parent with a serious health condition; and
- A combined total of 26 weeks in a single 12-month period if the leave is either for military caregiver leave or a combination of military caregiver leave and leave for another FMLA-qualifying reason.

Requesting FMLA

An employee must provide the Associate Director with 30 days' advance written notice when a request for leave is foreseeable. If not foreseeable, the employee must give written notice within two business days of learning of the need for FMLA leave. Notice may be provided by your spouse, family member or other representative if you are unable to do so. Failure to provide this notice could delay your leave or otherwise jeopardize your FMLA status.

If you are seeking FMLA leave for medical treatment or intermittent leave, you must first consult with the Associate Director about scheduling any hours you may continue to work, if applicable, and to work together with the Associate Director to determine a schedule that avoids work-related disruption. For appointments that cannot be scheduled to avoid work-related disruption because of the medical professional's office hours, if and where applicable, BCFL may request, at its discretion, proof of office hours.

When you request leave because of your own or a covered relative's serious health condition, the Associate Director will provide you with Medical Certification forms. You and the relevant health care provider will be required to supply appropriate medical certification within 15 days of when you give notice of the need for leave. The time for providing the medical certification may be extended by BCFL if the circumstances reasonably prevent an employee from submitting the certification on time. Under certain circumstances, a second or third medical certification may be required, at BCFL's expense. Failure to provide requested medical certification in a timely manner may result in the delay or denial of FMLA-covered leave until it is provided.

In all circumstances, employees must provide sufficient information for BCFL to determine whether the requested leave qualifies for FMLA protection and the anticipated timing and duration of the leave. Please note that if a request for leave qualifies under the FMLA, BCFL shall designate the leave as FMLA leave.

New medical certifications may be required by BCFL for the following reasons:

- When the initial certification indicates that the employee will be on leave for a certain period of time, and the time period has expired without the employee's return;
- Following the six-month period after FMLA leave began and is expected to continue;
- When the employee requests an extension of leave beyond what was indicated in the initial certification;
- When the circumstances set forth in the initial certification have changed significantly; or,
- When BCFL receives information or later has reason to question the employee's stated reasons for leave or the appropriateness of the leave or its duration.

Checking in While on FMLA Leave

While on FMLA leave, you are required to report periodically to the Associate Director with updates about your status and your plans to return to work. It is not sufficient for you to check in with your direct supervisor. You must report directly to the Associate Director.

FMLA Leave and Continuation of Pay

FMLA leave is unpaid, except when an eligible employee has available sick, vacation, personal, or other paid time off. This means that, during the period of FMLA leave, the employee's available paid leave will be used first before the remainder of the leave becomes unpaid. However, full-time employees are permitted, if they choose, to retain the equivalent of three accrued vacation days and one accrued sick day before their leave becomes unpaid.

For employees that have fully exhausted their accrued paid leave, they will be permitted to substitute negative paid leave, as outlined in Section 5.6 of this Handbook.

Employees who remain in Library Paid Status will continue to accrue paid leave during FMLA leave, including vacation, sick, personal days, and holiday pay. Employees will not accrue paid leave during unpaid FMLA leave or when they are no longer in Library Paid Status. Both paid and unpaid FMLA leave periods will be treated as continued service for the purpose of calculating retirement plan vesting and eligibility.

Benefits during FMLA Leave:

While you are on FMLA leave, BCFL will maintain your group health insurance coverage at the same level and under the same circumstances as if you continued to be actively employed.

Where paid leave is being used during FMLA leave, BCFL will deduct your portion of the health plan premium as a regular payroll deduction. If or when your FMLA leave becomes unpaid, it is your responsibility to arrange to pay your portion of the premium payments. Failure to make the appropriate premium payments may result in the cancellation of your insurance coverage.

BCFL will maintain and pay its portion of the premiums for other benefits during FMLA as long as you pay your contributory portion on a timely basis where applicable.

Returning to Work

If you have taken FMLA leave because of your own serious health condition, except for intermittent leave, you are required, as are all employees returning from other types of medical leave, to provide medical certification that you are fit to resume work. You will not be permitted to return to work until after medical certification is provided, reviewed by the Associate Director, and you are notified that you are approved to return to work. If you report to work without prior approval by the Associate Director, you will not be permitted to work and will be sent home.

If elect not to return to work at the end of the FMLA leave period, you will be required to reimburse BCFL for the cost of any health benefit premiums paid by BCFL for maintaining coverage during the unpaid portion of your leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control. Employees who work for 30 days after FMLA leave ends will not be required to reimburse BCFL for premiums paid while the employee was on FMLA leave.

Inability to Return to Work

If you exhaust all of your available FMLA leave time and you are unable to return to work, your active employment with BCFL will be ended, and your employment relationship will be governed by Section 14.2 (iii) of the CBA. Your employment status will be marked as “inactive,” for a period of 12 months. If you are able to return to work within this period, you should notify the Associate Director of your availability to be placed in a vacant position if a position is available. If you are not available to return to work within this period, or no position is available, your employment relationship with BCFL will be ended.

If you have exhausted all of your available FMLA leave time and believe you are able to return to work with a reasonable accommodation under the Americans with Disabilities Act (ADA), please notify the Associate Director and provide BCFL with medical documentation that shows you have a qualifying disability that requires a reasonable accommodation. Your request for a reasonable accommodation will be addressed by BCFL under the ADA. See BCFL’s ADA policy.

Any employee who fraudulently requests or uses FMLA leave, or otherwise abuses this policy, will be subject to disciplinary action, up to and including termination.

Returning to Work Following Medical Leave

Full-time employees may be provided a transitional assignment when temporarily unable to perform their normal work assignment as the result of an injury or illness, providing the following requirements are met:

- The transitional assignment shall be determined by the need for BCFL to have someone perform the work and will fall within the abilities set by the health care provider
- The transitional assignment shall not create a new job
- All transitional assignments shall be handled on a case-by-case basis, and because one may have been available at one time does not imply it will be available in the future.

Transitional assignments are provided on a temporary basis only for a period not to exceed ten (10) business days. The transitional assignments are based on the employee's skills, abilities, and quality of work performance, including but not limited to attendance. To be granted a transitional assignment, the employee must have their health care provider certify in writing that all restrictions preventing the employee from performing their regular work will be lifted after ten business days.

Any employee who has used all time off under the FMLA but declines a transitional assignment, which meets the health care provider's requirements and does not conflict with other applicable regulations, may be subject to disciplinary action up to and including termination, as well as the possible reduction or termination of benefits under the Pennsylvania Workers' Compensation Act.

Section 7

Unpaid Family and Medical Leave (UFML) for Part Time Employees

In order to give part-time employees who do not qualify for regular FMLA leave the flexibility to manage health concerns without jeopardizing employment, BCFL allows for unpaid family or medical leave. This form of leave is addressed in Section 34.18 in the CBA and is referred to in the CBA as “mini-FMLA.” While some of the same terms and conditions of regular FMLA leave apply to this type of leave, there are significant differences. This type of leave is not governed or regulated by the federal government, but governed by the CBA. If a part-time employee is eligible for FMLA, then FMLA will govern.

Please note that BCFL respects the particularly sensitive nature of an employee’s medical records and information. We do not place any medical records in an employee’s personnel file and will take steps to maintain all medical information confidentially in accordance with the American with Disabilities Act.

Eligibility

In order to qualify for unpaid family or medical leave (UFML) , a part-time employee must have been employed by the BCFL for a full and continuous calendar year prior to the date that the UFML would begin. There is no requirement for total hours worked.

If you are eligible for UFML, the amount of time depends on your regularly scheduled work hours. While the amount of time is designed to approximate six weeks, it is calculated on a pro-rated hourly basis. To determine the amount of leave time, the number of an employee’s regularly scheduled hours is multiplied by six. This means that if you are a 20-hour employee, you would be eligible for 120 hours of unpaid UFML. If you are a 16-hour employee, you would be eligible for 96 hours of UFML.

Once an employee has used all of their eligible hours of UFML in a rolling calendar year, they are not eligible for unpaid medical leave until 12 months have passed after the date of their latest absence.

Reasons for Unpaid Family or Medical Leave:

UFML will be granted to eligible part-time employees for any of the following reasons:

- The employee's own serious health condition
- The care of a spouse, child, or parent with a serious health condition
- The care of the employee's child after birth or adoption or a foster placement.
- A qualifying exigency, as identified under the FMLA, arising out of the deployment to a foreign country of the employee's spouse, parent, or child who is in the Regular Armed Forces or National Guard or Reserves[, such as making financial, legal or childcare arrangements to address a military member's absence; and
- The care of a spouse, parent, child, or next of kin who has become seriously ill or seriously injured in the line of duty in the Armed Forces.

Definition of "Serious Health Condition"

The same definition used by the federal government for regular FMLA applies to UFML. Under the FMLA, a "serious health condition" means an illness, injury, impairment, or physical or mental condition involving:

- The period of incapacity or treatment in connection with, or after, inpatient care in a medical facility
- The period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days and involving continuing treatment by a health care provider
- The period of incapacity due to pregnancy or for prenatal care
- Continuing treatment by a health care provider for a chronic or long-term condition that would likely result in a period of incapacity of more than three calendar days

Generally, the common cold, the flu, upset stomachs, headaches, or orthodontic problems will not be considered serious health conditions, unless there are complications or otherwise develop into a serious health condition. Routine physical, eye, or dental examinations are not considered treatments indicative of a serious health condition.

Limitations to Unpaid Family or Medical Leave

There is no intermittent UFML. UFML is approved only for continuous time off for an employee's or family member's serious medical condition or other qualifying reasons set forth above.

Requesting Unpaid Family or Medical Leave

Part-time employees requesting UFML will be required to complete the same forms and follow the same procedures as for regular FMLA, including timelines.

An employee must provide the Associate Director with 30 days' advance written notice when a request for leave is foreseeable. If not foreseeable, the employee must give written notice within two business days of learning of the need for UFML. Notice may be provided by your spouse, family member or other representative if you are unable to do so. Failure to provide this notice could delay your leave or otherwise jeopardize your unpaid leave approval.

As with leave under the FMLA, when you request leave because of your own or a covered relative's serious health condition, the Associate Director will provide you with Medical Certification forms. You and the relevant health care provider will be required to supply appropriate medical certification within 15 days of when you give notice of the need for leave. Under certain circumstances, a second or third medical certification may be required, at BCFL's expense. Failure to provide requested medical certification in a timely manner may result in denial of unpaid medical leave until it is provided.

In all circumstances, employees must provide sufficient information for BCFL to determine whether the requested leave qualifies for UFML and the anticipated timing and duration of the leave. BCFL may request a new Medical Certification should the information be insufficient or there is a question concerning the employee's request for leave.

Checking in While on Unpaid Family or Medical Leave

While on UFML, you are required to report periodically to the Associate Director with updates about your status and your plans to return to work. It is not sufficient for you to check in with your direct supervisor. You must report directly to the Associate Director.

Unpaid Family or Medical Leave and Continuation of Pay

Unpaid family or medical leave is unpaid, except when an eligible employee has available PTO to use. If there is available PTO, BCFL requires that the PTO be used first during the UFML before the leave becomes unpaid. However, part-time employees are permitted to retain from their PTO a maximum of 20 hours for future use after their UFML is completed, if they choose to do so.

For employees that have fully exhausted their accrued paid leave, they will be permitted to substitute negative paid leave, as outlined in Section 5.6 of this Handbook.

Employees who remain in Library Paid Status while on UFML will continue to accrue PTO during that time. Employees will not accrue PTO during the period when the leave period becomes unpaid or when they are no longer in Library Paid Status. Both paid and unpaid UFML for part-time employees will be treated as continued service for the purpose of calculating retirement plan vesting and eligibility.

Returning to Work Following Unpaid Family and Medical Leave

If you have taken UFML because of your own serious health condition, you are required, as are all employees returning from other types of medical leave, to provide medical certification that you are fit to resume work. You will not be permitted to return to work until after medical certification is provided, reviewed by the Associate Director, and you are notified that you are approved to return to work. If you report to work without prior approval by the Associate Director, you will not be permitted to work and will be sent home.

Inability to Return to Work

If you exhaust all of your available UFML time and you are unable to return to work, your active employment with BCFL will be ended, and your employment relationship will be governed by Section 14.2 (iii) of the CBA. Your employment status will be marked as "inactive," for a period of 12 months. If you are able to return to work within this period, you should notify the Associate Director of your availability to be placed in a vacant position if a position is available. If you are not available to return to work within this period, or no position is available, your employment relationship with BCFL will be ended.

If you have exhausted all of your available UFML time and believe you are able to return to work with a reasonable accommodation under the Americans with

Disabilities Act (ADA), please notify the Associate Director and provide with medical documentation that shows you have a qualifying disability that requires a reasonable accommodation. Your request for a reasonable accommodation will be addressed by BCFL under the ADA. See BCFL's ADA policy.

Any employee who fraudulently requests or uses UFML, or otherwise abuses this policy, will be subject to disciplinary action, up to and including termination.

Returning to Work Following Medical Leave

Part-time employees may be provided a transitional assignment when temporarily unable to perform their normal work assignment as the result of an injury or illness, providing the following requirements are met:

- The transitional assignment shall be determined by the need for BCFL to have someone perform the work and will fall within the abilities set by the health care provider
- The transitional assignment shall not create a new job
- All transitional assignments shall be handled on a case-by-case basis, and because one may have been available at one time does not imply it will be available in the future.

Transitional assignments are provided on a temporary basis only for a period not to exceed ten (10) business days. The transitional assignments are based on the employee's skills, abilities, and quality of work performance, including but not limited to attendance. To be granted a transitional assignment, the employee must have their health care provider certify in writing that all restrictions preventing the employee from performing their regular work will be lifted after ten business days.

Any employee who has used all time off under the UFML provisions but declines a transitional assignment, which meets the health care provider's requirements and does not conflict with other applicable regulations, may be subject to disciplinary action up to and including termination, as well as the possible reduction or termination of benefits under the Pennsylvania Workers' Compensation Act, where relevant.

Section 8 Organ and Tissue Donor Leave

All BCFL employees are entitled to take Organ and Tissue Donation Leave when eligible to do so. Organ and Tissue Donation Leave covers the preparation and recovery from surgery related to organ or tissue donation by or for the employee or the employee's spouse, child, or parent.

The eligibility requirements for such leave are the same requirements as described in this Handbook, Section 6, Family and Medical Leave and Section 7, Unpaid Family or Medical Leave for Part-Time Employees. In addition, all terms and conditions that apply to a "serious health condition" set forth in Sections 6 and 7 for requesting leave, medical certification, length of leave, unpaid leave, use of accrued leave, periodic reporting, and return to work requirements equally apply to Organ and Tissue Donation Leave. Further, the medical certification required for this leave must include verification of the purpose and length of leave needed for the organ or tissue donation.

This leave shall run concurrently with any FMLA or UFML for part-time employees.

Section 9 Emergency Response Leave

Full-time and part-time employees who are active volunteer firefighters, fire police, or members of a volunteer ambulance service or rescue squad will be provided with time off from work or be excused for being late to work when late or absent for the purpose of responding to a fire or ambulance call prior to regular hours of employment.

Emergency response leave will be unpaid, except that employees may opt to substitute accrued vacation, personal, or PTO leave to be paid for the missed time.

Prior to missing work, employees must make every effort to notify their manager that they may report to work late or be absent from work in order to respond to an emergency call.

For employees to receive time off or be excused for lateness under this policy provision, if an employee fails to report to work, they must submit a written statement from the chief executive officer of the volunteer fire company, ambulance service, or rescue squad documenting that the employee responded to a call and the time at which they responded.

BCFL will not discriminate against any employee who has been injured in the line of duty as a volunteer firefighter, fire police officer, or member of a volunteer ambulance service or rescue squad or who has received workers' compensation benefits as a result of such an injury.

Section 10

Military Leave

BCFL recognizes that employees may need to be absent from work to serve in the United States or state military. BCFL provides military service leaves of absence to all full-time, part-time, and probationary employees in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable Pennsylvania's Military Leave of Absence Law.

Notice of Leave

If you need to take military service leave, you or an authorized military service officer should provide advance notice to the Associate Director. When possible, you should give at least 30 days' notice of your request for leave. If 30 days' notice is not possible because of military necessity or giving notice is impossible or unreasonable under the circumstances, you should give as much advance notice to the Associate Director as possible.

Written notice is preferred. Where possible, please submit a copy of your military orders, training notice, or order to active duty to the Associate Director.

Eligible Employees

All regular full-time, part-time, and probationary employees are eligible for military service leave if they are absent from work because of eligible military service.

Eligible Military Service

For purposes of this policy, eligible military service means service in the following branches of the United States and state military:

- Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard), including the Reserves
- National Guard, including the Army National Guard and Air National Guard, when the employee is engaged under federal authority in active duty for training, inactive duty training, or full-time National Guard duty
- National Guard or reserve service when the employee is ordered to active state or special state duty
- Commissioned corps of the Public Health Service

- Commissioned officer corps of the National Oceanic and Atmospheric Administration
- System members of the National Urban Search and Rescue Response System (appointed under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act)
- Intermittent personnel appointed into the Federal Emergency Management Agency (appointed under 42 U.S.C. § 5149(b)(1) or to train for such service)
- Any other category of persons designated by the President in time of war or national emergency

Eligible employees may take leave under this policy for the following types of military service:

- Active duty
- Active duty for training
- Initial active duty for training
- Inactive duty training
- Full-time National Guard duty
- Active state service by a member of the Pennsylvania National Guard, Pennsylvania Air National Guard, or any Pennsylvania resident who is a member of the National Guard or reserve component of any other state
- Submitting to an examination to determine fitness for any of these services
- State active duty for a period of 14 days or more
- State active duty in response to a national emergency declared by the President under the National Emergencies Act (50 U.S.C. § 1601)
- State active duty in response to a major disaster declared by the President (42 U.S.C. § 5170)
- Service as intermittent personnel in the Federal Emergency Management Agency (42 U.S.C. § 5149(b)(1))
- Funeral honors duty performed by National Guard or Reserve members
- Service as an intermittent disaster response appointee of the National Disaster Medical System when employees are activated under federal authority or attending authorized training in support of a federal mission

Compensation and Benefits during Leave

Military service leave is unpaid. However, employees may use any or all of their accrued but unused vacation or other paid time off during their military service leave.

During military service leave, all benefits provided under BCFL's employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law.

BCFL will continue health insurance or other benefits at no cost to any employee called or ordered into active state duty, other than active duty for training, for the first 30 days of military duty. Thereafter, employees may continue those health insurance or other benefits at their own expense by paying for the benefits at the same rates paid by the employer.

Reemployment

Employees may be eligible for reemployment after their military service leave. Any employees who would like to return to work must report to work or submit an application for reemployment to the Associate Director, including their military discharge documentation, if available, as follows:

- If their military service was for less than 31 days, they must report to work on the first regularly scheduled workday that is at least eight hours after they return home from military service.
- If their military service was for 31 to 180 days, they must apply for reemployment within 14 days following completion of military service.
- If their military service was for more than 180 days, they must apply for reemployment within 90 days following completion of military service.
- If they suffered a service-connected injury or illness and they are hospitalized or convalescing, they have up to two years following completion of military service to return to their job or apply for reemployment, depending on the length of recovery time required.

If an employee is unable to comply with this reporting schedule through no fault of their own or if they are injured or recovering from an injury and need an accommodation for specific circumstances beyond their control, they should speak with the Associate Director as soon as possible to determine if they are eligible for a reasonable accommodation or additional time to apply for reemployment. Employees who do not report to work or apply for

reemployment within the applicable timeframe will be subject to BCFL's rules about unexcused absences.

Nothing in this policy requires BCFL to reemploy individuals who are not eligible for reemployment rights under applicable law.

Seniority Rights after Reemployment

Employees who are eligible for reemployment will be reemployed with the same seniority and all rights and benefits based on the seniority that they would have attained if they had not taken military leave. Seniority rights include pay and benefits that accrue or are determined based on length of service as outlined in the CBA.

Pennsylvania Military Service Leave

Where the PMAA or local military service leave laws offer more protections or benefits to employees, the protections or benefits that are more favorable to the employee, as provided by such laws, will apply.

If you have any questions regarding military service leave, speak to the Associate Director.