

# Claverack Free Library

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## Termination Policy

**Adopted: May 2015**

## Termination of Employment

Employment with the library is voluntarily entered into, and an employee is free to resign at any time, with or without cause. Similarly, the library may terminate the employment relationship at any time, with or without notice or cause, as long as there is no violation of applicable federal and state law.

That being said, causes for termination generally relate to the below examples. The director must immediately consult with the Board of Trustees President upon initiation of an employee's termination. Written notice specifying the reason for dismissal is given by the director. The library follows the tenants of due process when initiating the proceedings.

In the case of termination of the employment relationship with the director, the Board of Trustees will follow the tenants of due process when initiating the proceedings.

Some examples for which an employee's employment may be terminated are:

1. Poor performance, which takes the form of incompetence, negligence or insubordination. Lowest possible consecutive evaluations, with no significant improvement, shall be considered poor performance. Biannual evaluation (June and Nov) will be performed to assist with improving a prior poor performance rating. An exception to this shall be the probationary period for new employees, when dismissal may be made if the director feels performance has not reached minimum acceptable levels and the employee has been advised of deficiencies and granted an opportunity to correct them. Insubordination shall consist of refusal to carry out work assignments.
2. Infraction of library policy regarding personal conduct, operating procedures, and public service. Termination will depend upon the seriousness and nature of the infraction.
3. Malfeasance or evidence the employee has misused library funds or converted public property to personal use or pilfered and shall be grounds for immediate dismissal.
4. Physical or verbal abuse, harassment, or intentionally or negligently causing distress to patrons, visitors, or employees.
5. Failure to follow reasonable direction given by the director (insubordination).
6. A pattern of absenteeism or tardiness, or other similar cause.

The following disciplinary steps may be taken based upon the nature of the offense:

- 1) Coaching and counseling
- 2) Written warning
- 3) Three (3) days suspension without pay
- 4) Involuntary termination

### Resignation

Notice of resignation should be submitted to the director at least fourteen (14) calendar days before the final working day. The director is requested to give at least thirty (30) days notice to the board, longer notice is desired. All resignations must be in writing and shall include the announcement of intention to resign, the reason for resignation and the date of the last day to be worked. A copy of the resignation will be placed in the employee's personnel file.

A Library Director who chooses to resign or to retire should give at least four weeks written notice. All other employees should give at least two weeks written notice. The effective date of termination shall be the last day worked.

Any employee who resigns and then later returns to the library staff will do so as a new employee. Salary, benefits, leaves, etc. will be determined by the position accepted and not by those granted during the period of previous employment.

### Immediate Dismissal

An employee may be dismissed at any time.

An employee may be dismissed for any legal reason including, but not limited to, the following reasons:

- Violating a customer's right to privacy;
- Incompetence or unfitness;
- Insubordination
- Malfeasance/felony
- Financial exigency of the library requiring the cutting of staff and operations;
- Abolition of position, but only after a reasonable effort has been made to place the employee in a new position
- During the training period when it becomes evident that the employee is not suited to their job. (Employee should have been given written warnings and the opportunity to improve performance);

- Repeated rudeness and poor conduct in dealing with the public;
- Reporting for work intoxicated by alcohol or under the influence of other personality or consciousness altering drugs (immediate dismissal);
- Misuse of sick leave;
- Sexual harassment;

At the discretion of the director, immediate dismissal may be made for serious cases of insubordination or misbehavior. The director must immediately consult with the Board of Trustees President upon initiation of an employee's immediate dismissal.

The Board will be apprised of action taken at the next regularly scheduled Board meeting. The employee may file a grievance if she/he feels the grounds for dismissal are unfair or unjustified.

Upon termination of employment, regardless of reason, a Termination Report shall be completed and filed by the director.

### Preventative Measures

Use of a Skip-Level Meeting and/or an Open Door Meeting is an attempt to inhibit actions leading to an unwarranted employment termination.