

**MONROE COUNTY PUBLIC LIBRARY
BOARD OF TRUSTEES**

**WORK SESSION
Wednesday, January 9, 2013
5:45 p.m.
Meeting Room 1B**

AGENDA

1. Call to Order – Kari Isaacson, President
2. 2013 Library Fee Schedule (page 1) – Gary Lettelleir
3. Proposal to Replace Sick Bank with Short Term Disability Insurance (page 3-27)
– Kyle Wickemeyer-Hardy
4. Quote for Landscaping at Main Library (page 28-32) – Sara Laughlin
5. Board Governance Policy (page 33-37) – Kari Isaacson/Steve Moberly
6. Public Comment
7. Adjournment

Monroe County Public Library 2013 Fee Schedule

Overdue fines	\$0.25/day (Maximum \$10/item) (No charge for children's materials)
Collection Agency Fee	\$10.00
Replacement Library Card	\$1.00
Annual Subscription Card – Non-resident	\$60.00
Lost items	Varies
Photocopies	\$0.10/page (<u>black/white</u>) \$0.30/page (<u>color</u>) (First 3 pages reference material in black/white <u>or</u> <u>1 page in color/day free</u>)
Printing	\$0.10/page (No charge for first 3 pages/day)
Obituaries for those who live out-of-county	\$3/name
Genealogy research for those who live out-of-county	\$10/request
Meeting Room and Auditorium rental for Businesses operating in Monroe County	\$150/hour for Auditorium and 1B/1C combined \$75/hour for 1A, 1B, 1C
Meeting Room Clean-up Fee	Maintenance (reset room, clean carpet, repair furniture, etc.): \$25/hour. Equipment damage or replacement: Cost + \$10 service fee
Test proctoring	\$30/test
CATS dubs	\$10/dub (No charge for dubs of public meetings for elected officials from units with contracts with CATS)
Supplies	
Reusable bags	\$1/bag
Blank CDs	\$1/disc

Adopted by the Board of Trustees December 15, 2010
Revised October 26, 2011
Revised July 18, 2012
Revised December 19, 2012
Revised _____

Monroe County Public Library

RESOLUTION TO REPLACE THE CURRENT SICK BANK WITH SHORT-TERM DISABILITY INSURANCE AND MAKE ASSOCIATED PERSONNEL MANUAL AND INSURANCE CHANGES

Whereas, since 1998 Monroe County Public Library employees have contributed to a voluntary sick bank as partial protection against loss of income in the event of catastrophic illness or injury; and

Whereas, the Board of Trustees now desires to improve income protection to benefit additional employees and in more circumstances, and to protect the privacy of employees' sensitive health information, while further protecting the library from extended liability;

NOW THEREFORE, BE IT RESOLVED that the Board directs library administration to take the following actions:

1. Revise personnel manual sections 4.03, 4.03, 4.04, 4.06, 4.09.2, and 4.19 in order to replace the current sick bank with short-term disability insurance and update language to reflect current law, as outlined in attached documents.
2. Return accumulated sick bank days to the 46 current employees who have contributed, up to the new cap of 65 days allowed in the revised policy.
3. Add short-term disability insurance through Guardian to the library's 2013 package of benefits for employees who work 30 hours/week or more and as a voluntary employee-paid benefit for those working 25 hours/week, retroactive to January 1, 2013.
4. Amend the 2013 contract with long-term disability insurance provider Guardian to shorten the current elimination period for long-term disability insurance from 180 days to 90 days, retroactive to January 1, 2013.

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Monroe County Public Library

Concept Document

Sick Bank and Short Term Disability Benefits

Objectives

1. Eliminate practices that would result in breaches of privacy related to personal medical information in accordance with Family Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Worker's Compensation, Genetic Information Non-discrimination Act, and Health Insurance Portability and Accountability Act (HIPAA) laws.
2. Protect employees' income when they are unable to work, while assuring that the library can continue to operate.
3. Strengthen and clarify expectations of job security for employees facing medical challenges.
4. Allow for the most fair and equitable implementation, with flexibility to meet employee and library needs.
5. Do not exceed the current budget, while reducing the library's long-term liability for accumulated sick leave.

Process

The Director, Associate Director, Human Resources Manager, and Financial Officer developed a comprehensive list of current benefits and possible options for review. Because of the need to address the outdated sick leave bank, they decided to address this area first.

They gathered data about current sick bank participants and accumulated contributions as well as current usage of sick leave and accumulated leave totals.

They worked with insurance broker JA Benefits to investigate options and costs for short-term disability (STD) insurance and to identify best practices in creating a continuum of coverage.

They reviewed options and developed recommendations, including impact on current personnel policies.

They met with managers and with the Labor-Management Committee to explain and discuss the proposed changes.

Findings

Sick bank coverage and privacy issues. The library's current sick bank is a legacy benefit that is voluntary for employees to join and does not comply with our legal obligations to protect private health information under various federal privacy and discrimination laws. Adopted by the Board of Trustees on March 4, 1998, the sick bank was intended for catastrophic circumstances only. Currently, 46 of 145 eligible employees have chosen to contribute days and participate; the remaining 99 employees are not covered by the sick bank. Even with 46 participants, the total days contributed to the sick bank could easily be exhausted if one or two employees suffered long-term catastrophic illnesses.

Under current policy, an employee requesting to use sick bank days is required to submit detailed medical documentation to the HR office. If the HR office denies the request, the employee may appeal to the Staff Association, in which case the medical documentation would be reviewed by this employee group. Both of these situations are breaches of current privacy and discrimination laws, enacted after the sick bank was created.

Continuum of coverage. Currently, an employee may accumulate 130 days (26 weeks) of sick leave. Earning 12 days per year, an employee would need nearly 11 years without absence to accumulate that

amount of sick leave. When an employee needs an extended medical leave, he/she may use up accumulated sick leave. Personal leave may be used to supplement sick leave, with approval of the department manager.

Over the last 12 months, employees in the four groups (full-time, 30 hours/week, 25 hours/week, and 20 hours/week) used between 4.3 and 6.7 days of sick leave, on average, including FMLA leave for the full-time and 25 hour/week group.

Usage of Sick Leave, Full-time and Part-time Employees			
	No. of Employees*	Average Hours of Sick Leave Used	Average Days of Sick Leave Used
Full time (37.5 hr/wk)	91	50.0	6.7
Part time: 30 hr/wk	3	25.8	4.3
Part-time: 25 hr/wk	26	26.2	5.2
Part-time: 20 hr/wk	25	18.6	4.7
TOTAL	145		
*Includes all employees on the payroll for any part of the period.			

The majority of employees have not accumulated enough sick leave to sustain a major illness or injury, leaving them vulnerable to loss of income. Despite the current cap of 130 sick days, the average accumulation of sick leave for full-time and part-time employees as of mid-November 2012 was less than 25 days for both full-time and part-time groups:

Current Average Accumulation of Sick Leave, Full-time and Part-time Employees			
	No. of Employees	Average Accumulated Hours of Sick Leave	Average Accumulated Days of Sick Leave
Full time (37.5 hr/wk)	85	173.7	23.2
Part time: 30 hr/wk	3	149.3	24.9
Part-time: 25 hr/wk	19	87.8	17.6
Part-time: 20 hr/wk	21	41.7	10.4
TOTAL	107		

FMLA offers job protection for employees and limits library liability. FMLA guarantees eligible employees that they can take up to 12 weeks of leave to care for themselves or family members. Employees can use sick leave, personal leave, or unpaid leave, and use of leave can be full-time or intermittent. Employees must have worked 1,250 hours before becoming eligible or re-eligible. FMLA also protects the library, which has the right, after employees have used up the 12 weeks guaranteed leave and are still unable to return to work, to make a business decision as to whether the continued absence will result in termination.

The three systems – sick leave, sick bank, and FMLA – create conflicts in coverage that are awkward for both employees and the library. Employees who have exhausted their FLMA-guaranteed 12 weeks of leave and who still have sick or personal leave available expect to continue in employment until that earned sick leave (and perhaps personal leave) is exhausted. Indeed, they may need the income and may not yet be able to return to work. If they continue to be unable to work after six months, they can qualify for long-term disability, at which time they leave employment with the library and have a source of ongoing income. Those who have exhausted sick and personal leave expect to be able to use the sick bank, but they must have contributed days and must prove their situation is “catastrophic.”

For the library, covering more than 12 weeks’ absence for an employee on sick leave may be very difficult. However, to make the decision to terminate an employee who is not yet (and may not ever be) able to return to work is also very difficult. Continuing to hold the position for an absent employee puts stress on other employees and library operations and may not be sustainable.

Comparison with similar libraries. In a comparative analysis completed by the Evansville-Vanderburgh County Public Library in April 2012, the library’s sick leave benefits, not including the sick bank, compare well in several areas with 15 other Indiana and national libraries serving the same number of people:

- The average number of sick days earned per year was 12; our employees currently earn 12 earned days/year.
- 10 of 15 peer libraries offer long-term disability insurance, including MCPL; 8 of the 10 are 100% employer paid, including MCPL.
- Among the 15 libraries included in the comparison, 7 offer short term disability insurance and 8, including MCPL, do not. Of the 7 libraries offering short-term disability insurance, 3 of the libraries pay 100% of the cost; 4 are completely employee-paid.

Recommendations

1. Terminate the sick bank and return the accumulated days to the 46 current employees who have contributed, up to the new cap of 65 days allowed in the policy.

Discontinuing the sick bank would allow the library to remove itself from reviewing and making decisions based on detailed employee medical information that is protected by HIPAA. An employee’s health information will remain private, known only to the employee, medical professionals, and insurance professionals, who will make the determination whether the employee is able to return to work or not. Consultation with the Human Resources representative may occur in determining if the employee is able to perform essential duties of the position.

2. Add short-term disability insurance to the library’s package of benefits for employees who work 30 hours/week or more and as a voluntary employee-paid benefit for those working 25 hours/week.

For full-time and 30-hour/week employees, STD coverage would begin following a 14 calendar day elimination period and would continue for another nine weeks, for a total of 11 weeks, until employees are able to return to work or until they are one week away from qualifying for long-term disability insurance after 90 days. STD would pay 70% (the maximum available) of the employee’s normal wage, up to \$1,000/week.

All employees working 30 hours/week or more would be covered, not just those who have elected to participate in the sick bank and have a catastrophic illness. In the event of a significant health issue, their income from the library would be replaced by short term disability insurance until they could return to work or qualify for long term disability insurance. Employees who hope to return to work would not have to exhaust their sick and personal leave.

The library could implement FMLA, with the confidence that affected employees working 30 hours/week or more have income through STD insurance.

STD insurance would provide a source of income for covered employees who are facing medium-term medical situations, which the sick bank does not, and would expand coverage beyond the sick bank's limitations. In addition, STD would ensure that every covered employee has some income during an extended absence.

Employees who work fewer than 30 hours/week would not be covered by the employer-paid STD. Most 25 hour/week employees are often ineligible for FMLA, as many do not work the required 1,250 hours/year. However, they would be eligible for voluntary (employee-paid) STD insurance.

20 hour/week employees would not have access to STD insurance, but would continue to earn sick leave.

The approximate cost to the library for 2013 would be \$18,100. The cost of STD insurance to cover employees working 30 hours/week or more would be approximately \$16,000. In addition, we propose to shorten the elimination period for long-term disability from 180 days to 90 days, and this would increase the cost of LTD insurance by approximately \$2,100. Because we budgeted for a 10% increase in employee insurance and had a much lower increase, the library's 2013 budget is adequate to cover this cost.

3. Shorten the current elimination period for long-term disability from 180 days to 90 days and amend the 2013 contract with long-term disability insurance provider Guardian.
4. Reconfigure maximum allowable accumulation of sick leave as outlined in the chart below:

	Annual Sick Leave Earned		Sick Leave Cap	
	Current	Proposed	Current	Proposed
Sick Leave				
37.5 hour employees	12	12	130 days	65 days
30 hour employees	12	12	130 days	65 days
25 hour employees	12	12	130 days	65 days
20 hour employees	12	12	130 days	65 days
Short-term disability insurance eligibility				15-89 days
Long-term disability insurance				90 days+

With expected tight staffing constraints now and in the future, the library's ability to continue service is negatively impacted during lengthy employee absences. Reducing the number of sick days earned and accumulated will help the library create a consistent message about the library's obligations under FMLA.

As of September 7, 2012, the library's accumulated liability for sick leave pay-out upon retirement was \$160,266. No changes are proposed to the current policy of paying for one unused accumulated sick day per year of service for employees upon retirement.

Timeline with FMLA, Comparing Current Sick Bank with Proposed Short-Term Disability

Scenario 1A - Current, Sick Bank Eligible

Medical Leave Timeline with Sick Leave and Sick Bank (46 employees, time available in bank, and situation "catastrophic")

	FMLA Job Protection																															
Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
Leave	Sick & Personal Leave, if available, or Unpaid												Determination based on recovery & business need																			
% Pay	100% Pay, if sick or Personal leave available												assessment by Administrator												LTD - potential coverage 60% Pay							
	Sick Bank Paid Leave, if contributing and meet "catastrophic" definition																								EE off library payroll							
	Potential liability for time off to be paid out of library budget																															

Scenario 1B- Current, Sick Bank Not Eligible

Medical Leave Timeline with Sick Leave (No Sick Bank: 114 employees not contributing, no time available in bank for 46 eligible, or situation not "catastrophic")

	FMLA Job Protection																															
Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
Leave	Sick & Personal Leave, if available, or Unpaid												Determination based on recovery & business need																			
% Pay	100% Pay, if sick or Personal leave available												assessment by Administrator												LTD - potential coverage 60% Pay							
	Potential liability for time off to be paid out of library budget																															
	EE off library payroll																															

Scenario 2 - Proposed

Medical Leave with Sick, STD and LTD (covers illness or injury)

	FMLA Job Protection																															
Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
Leave	Sick Leave		Short Term Disability (STD)*										Long Term Disability																			
% Pay	100% Pay		70% (Voluntary 60%) of MCPL income										60% of MCPL income																			
			EE off library payroll (temp)										EE off library payroll																			
	Gap SL/PL or Unpaid												Decision to terminate based on recovery & business need assessment by Administrator																			

*Voluntary: employees eligible after 90 days of employment

4.02 SICK LEAVE (regular staff working 20 or more hours/week)

As amended by the MCPL Board of Trustees July 19, 2006 and _____.

Staff working 20 or more hours per week are allowed leave with pay for illness. Sick leave time is intended solely to provide income protection in the event of illness, injury, care of a family member, ~~or~~ medical appointment, or as indicated under FMLA and may not be used for any other absence. Abuse of sick leave policies shall result in disciplinary action, up to and including termination.

Staff working fewer than 20 hours/week do not receive paid sick leave and are encouraged to schedule medical appointments on non-working hours when possible. If this is not possible, staff will need to work with their supervisor or department manager to make necessary arrangements to cover or reschedule shifts.

Paid sick leave may be used in minimum increments one quarter (1/4) hour for hourly employees. The quarter (1/4) hour leave increment also applies to *any* employee using sick leave under an approved FMLA leave; especially as it pertains to intermittent/reduced schedule FMLA leave. Otherwise, exempt employees use sick days in full-day increments.

See 3.05 Overtime policy regarding exempt employees.

The employee must use all income protection leave prior to a determination of whether unpaid leave will be classified as approved or unapproved leave.

Employees may use sick leave when incapacitated by illness or injury, when seeking preventive medical attention such as, optical and dental appointments as necessary, when seeking psychological counseling with an accredited therapist, or when it is necessary to care for members of the immediate family who are ill or hospitalized. Immediate family is defined as the employee's spouse, child, parent, sibling, step-parent, step-child, grandparents, grandchildren, any person living in the immediate household, or any of the above as they pertain to the employee's spouse. Exceptions to the above definition may be made with prior approval by the Library Director or Associate Director who will base their decision on the patient's relationship to the employee.

Employees must notify the library at the earliest possible moment when they are incapacitated by illness or injury. This means that every day of a short-term illness (less than three (3) work days) must be reported via a phone call to the supervisor or designated staff member of the department. The designated supervisor must also be contacted on each additional day of absence. Failure to report illness is cause for disciplinary action, up to and including termination of employment.

See 4.19 FMLA Leave for illness/injury extending beyond three (3) work days.

If there is a pattern observed in the use of sick leave, or the illness or injury is prolonged beyond three (3) work days, a doctor's statement or certificate may be required and ~~will~~ may replace the daily phone call. The certification should include the nature of the illness and the earliest date at

which the employee can return to work. The library may require certificates from more than one doctor. The library reserves the right to determine if extensive non-FMLA leaves can be accommodated.

Managers and Supervisors, in consultation with the Human Resources Manager, may require confirmation of a personal illness, injury, or medical/dental appointment, or the need for family care, through a licensed physician's statement, when any of the following apply:

- An employee has been absent on three or more consecutive days, and/or the employee has a pattern of absenteeism.
- The employee has received prior disciplinary action for absenteeism during the prior twelve months.
- The manager/supervisor has substantial cause to believe that the claim is dishonest.

In determining whether there is a pattern of absenteeism, absences approved by the library under the Americans with Disabilities Act or Family and Medical Leave Act will not be considered.

This ~~paragraph~~ policy will not be construed to limit the library's right to require a physician's statement or other medical documentation to support, a long-term absence, including FMLA, an employee's fitness to return to work, an employee's continued ability to perform the assigned tasks, or to determine an employee's eligibility for other benefits or to comply with any state or federal requirement.

~~This certificate will qualify the employee to remain on sick leave until the expiration of accumulated sick days. When illness exceeds four (4) work weeks and recovery date is unknown, a doctor's certificate may be required monthly.~~

STD Leave and FMLA Leave

When an employee is eligible, Short Term Disability (STD) coverage will be used in place of sick leave after the initial waiting period; beginning on the fifteenth day of a qualified absence.

Sick/Personal/and other paid and unpaid leaves, including Worker's Compensation leave, run concurrently with FMLA leave, when applicable.

See 4.19 Family and Medical Leave; D (4) and 4.06 Short Term Disability.

Sick Leave Accrual

One (1) benefit day of sick leave is earned for each full calendar month with the first and last month of employment being prorated. A benefit day is one-fifth of the week or 4 hours for 20 hours per week employees, 5 hours for 25 hours per week employees, 6 hours for 30 hours per week employees, and 7.5 hours for 37.5 hours per week employees. Unused sick leave may accumulate up to a maximum of ~~130~~ 65 working days. ~~-, unless the employee participates in the sick bank, in which case the maximum is decreased by the number of days donated to the sick bank.~~

Personal leave may be used to supplement accrued sick leave with the approval of the Human Resources Manager. ~~If all benefit time has been exhausted and the employee has contributed to the sick bank, the employee may proceed with applying for use of the sick leave bank (see section on sick leave bank).~~ The employee may also request FMLA (see 4.19 on FMLA), or, if not eligible for FMLA, a leave without pay (see 4.11 Leave Without Pay (staff working 20+ hours/week)).

If an employee happens to be on an approved personal leave, sick leave ~~can not~~ cannot be substituted for personal leave unless there is an extreme circumstance, such as employee being is hospitalized for illness or injury and producing documentation from the employee's health care provider stating they are unable to work. The employee must immediately notify his/her ??? the Human Resources ~~department~~ manager who may approve a change in the leave request.

To use sick leave for scheduled medical needs, ~~an employees must notify their supervisor and request a leave of absence. submit an absence approval form.~~ employees are responsible for entering leave requests using the Library's time management system. Managers and supervisors may assist with documenting unanticipated sick leave requests. This form does not need to be submitted after using unanticipated sick leave.

Fitness for Duty

If sick leave is used while on FMLA leave, the Department of Labor certification of health care provider form shall be completed and submitted to the Human Resources Manager.

Before returning to work from a sick leave absence of thirty (30) calendar days or more, an employee shall be required to provide a physician's verification that he or she is fit-for-duty, taking into account the essential duties of the job.

A physician's statement may also be required for shorter periods of absence. Indicated restrictions as related to the employee's job duties will be fully considered in determining the library's ability to accommodate short-term medical restrictions and/or absences.

Unused Sick Leave Accruals

Unused sick leave will not be converted to cash upon termination of employment unless the employee retires under PERF.

See 4.09 Retirement Benefits-Insurance-Sick-Leave Credit and the Public Employees' Retirement Fund web site for further information.

4.03 SICK LEAVE BANK POLICY FOR EMPLOYEES OF THE MONROE COUNTY PUBLIC LIBRARY

The purpose of a Sick Leave Bank is to provide some additional financial assistance to employees of MCPL who are unable to work due to catastrophic or chronic illness or injury and who have exhausted their available sick and personal leave hours. Catastrophic or chronic illness/injury is defined in terms of a life-threatening or emergency situation, or when an individual is incapacitated while recovering from surgery and must be absent from work on a long-term basis. The Sick Leave Bank is not intended to cover all types of absences for which an employee has insufficient leave, for example routine maternity/paternity leave or routine minor surgery. Time from the Sick Leave Bank may be used when an employee must be absent from work in order to care for a family member suffering from a catastrophic illness/injury.

Participation in the Bank is voluntary, and only participants can withdraw from the Bank. The Bank will be established through the voluntary donation of individual employee's accrued sick leave hours. Individuals will contribute time they have saved to the Bank so that other employees who have exhausted their sick leave and personal leave hours may withdraw sick leave hours from the Bank, enabling them to take an extended time off from work with pay. Employees are limited in the number of days they can donate to the Bank. The number of days an employee donates to the Bank will be deducted from the total amount of sick time that may be accumulated for personal use. Once sick time is donated, the time may not be taken back except through the application process. Employees also are limited in the amount of time they can withdraw from the Bank. In no case shall employees withdraw more time than they would normally earn in salary. Employees who are eligible for long-term disability may not use the Sick Leave Bank.

4.04 ~~GROUP HEALTH INSURANCE~~ (Full-Time)

MCPL offers group insurance for full-time employees. Coverage includes medical, life, accidental death and dismemberment, short term disability, long term disability and dental benefits. Specific coverage, limitations and amounts are available from the Human Resources Department. Specific terms and coverages will vary over a period of time and employees with specific concerns may contact the Human Resources Department with any questions about current information.

Enrollment in the Group Benefits Plan: The terms, conditions, individual eligibility and specific coverages are determined by, subject to and controlled by, the insurance companies and the policies, not by MCPL. During the first thirty-one (31) days of employment, eligible full-time employees may apply for coverage under the group benefit plan. An employee is eligible for coverage on the first day of the calendar month following thirty (30) days of employment. Dependent documentation is required at the time of enrollment.

In the event that an employee is eligible for the group benefits plan and does not elect to participate, then the employee will be considered a late applicant if the employee subsequently wishes to apply for coverage. There are restrictions as to when and under what circumstances the employee will be able to participate in the group benefits plan. This is a requirement of the Health Insurance Portability and Accountability Act (HIPAA). Employees or dependents who were eligible for insurance, but waived the coverage, will only be allowed to enroll in the plan during an open enrollment or by meeting one of the following qualifying events: marriage, birth, death of a spouse, divorce, adoption, loss of insurance coverage due to job termination or layoff. As with any change in circumstance the employee is responsible for notifying the Human Resources Department.

Dependent health and dental insurance care, including Domestic Partner coverage, is available for the employee at the group rate. Similar enrollment restrictions apply. Dependent coverage does not include life, accidental death and dismemberment, or long-term disability.

Employees who are eligible for the health insurance plan can pay for their premiums on a pre-tax basis. Other voluntary insurance programs are available to an eligible employee. More information can be obtained through the Human Resources Department.

The library participates in the cost of the full-time employee's coverage, and MCPL's contribution toward the cost of the employee's insurance is determined every year by the MCPL Board of Trustees.

The specifics of the employee's insurance benefit will change as the library works with renewal periods, changes in insurance carriers, changes in the area of health services and the cost of the coverage. Any questions about the changes in coverage or benefits should be directed to the Human Resources Department.

Upon termination of employment, whether voluntary or involuntary, group health and dental insurance benefits will continue until the end of the calendar month in which the termination occurs. Full-time employees become eligible for COBRA continuation of coverage the first day of the month following termination of employment.

4.06 SHORT TERM DISABILITY LEAVE

MCPL provides short-term disability (STD) as an income protection insurance plan for 30 hour and 37.5 hour unable to work due to illness, pregnancy, or injury.

During the first thirty-one (31) days of employment, eligible 30 hour and 37.5 hour employees may apply for coverage under the STD group benefit plan. Eligibility for coverage begins on the first day of the calendar month following thirty (30) days of employment.

Part-time employees working 25 hours a week are eligible for purchasing voluntary STD benefits. There is a 90-day waiting period after hire. The employee may also elect STD coverage during MCPL's annual employee benefit open enrollment period.

Specific coverage information is available from the Human Resources Department. Terms and coverage's will vary over a period of time. Employees may contact the Human Resources Department with questions about current information.

The terms, conditions, eligibility and specific coverage's are determined by, subject to and controlled by, the insurance companies and the policies, not by MCPL.

Eligibility

An employee enrolled in the library's STD plan and unable to work due to illness, pregnancy or injury (other than a self-inflicted injury) is eligible for the benefit coverage. The employee will use available sick/personal leave, or *approved* unpaid leave, prior to the beginning of the STD benefit, which begins on the fifteenth day of absence due to a qualifying event.

An employee receiving workers' compensation or any other disability pay under a state or federal plan is ineligible for this benefit. To be eligible for continued short-term disability benefits, the employee must not engage in outside employment and is expected to avoid activities that may delay recovery and a return to work.

Medical certification

The employee is responsible for contacting and providing information to the disability provider. Specific medical information will be communicated to the STD provider by the employee and/or the medical provider(s). The Human Resources manager will be apprised of the employees' readiness for work status by the STD provider.

Medical certification for FMLA leave will be coordinated between the employer, the insurance provider, and the employee.

See 4.19 Family and Medical Leave

Benefit payment

The short-term disability benefit payment is a percentage of the employee's base weekly wages. For 30 hour and 37.5 hour employees the benefit coverage is 70% of their weekly income up to a maximum of \$1000.00 per week. For enrolled 25 hour employees, the benefit coverage is 60% of their weekly income up to a maximum of \$500.00 per week. The benefit may be paid for a maximum of 11 weeks per calendar year. Payments are made through the STD benefit provider. The benefit is taxable income.

Return to work

The employee must return to work as soon as permitted by his or her health care provider and a fitness-to-return-to-work clearance as determined by the insurance provider. An employee whose absence has been designated as leave under the Family and Medical Leave Act (FMLA) is eligible for reinstatement as provided by the FMLA.

If, at the end of the STD leave, it is determined that the employee is unable to return to work, considerations will be made to determine if Long Term Disability is appropriate (if eligible). In situations where the employee's FMLA leave has expired, the library will determine if the business needs of the library require the employee's termination from employment.

Employees with any questions regarding this policy should contact the Human Resources department.

4.09.2 CREDIT FOR UNUSED ACCRUED SICK LEAVE

~~The MCPL Board of Trustees agrees to compensate employees who retire under PERF prior to January 1, 2008 for two (2) unused accrued sick days for every full year credited to PERF. The maximum amount of sick days paid is sixty (60) (30 years under PERF).~~

~~The MCPL Board of Trustees agrees to compensate employees who retire under PERF ~~on or~~ after January 1, 2008 for one (1) unused accrued sick day for every full year credited to PERF. The maximum amount of sick days paid is thirty (30) (30 years under PERF).~~

4.19 FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act provides eligible employees with up to twelve (12) weeks of unpaid leave (1) to care for the employee's child following birth or placement for adoption or foster care; (2) for absences due to the employee's own serious health condition, including absences for pregnancy-related conditions or childbirth; or (3) to care for the employee's father, mother, spouse, minor child, or disabled adult child who has a serious medical condition. A definition of "serious medical condition" is included on the FMLA Medical Certification Form, a copy of which can be obtained through the Human Resources Manager.

An employee shall use any accrued paid sick, personal, or vacation leave for any part of the 12-week period under MCPL's FMLA policy.

During FMLA, the employee will retain his or her employment status and the benefits he or she has accrued. Benefits, such as vacation, paid personal leave, or holidays, will accrue during family/medical leave. In addition, any employee who completes a period of leave will be returned either to the same position the employee was in prior to the leave, or to a position equivalent in pay, benefits, and other terms of employment.

Employees must meet federal FMLA eligibility requirements. For an employee to be eligible for family medical leave, he or she must have been employed by MCPL for at least one (1) year and worked 1,250 hours within the previous 12-month period.

For purposes of calculating employee entitlement for subsequent FMLA leaves, the "12-month period" is measured forward from the date when the employee's previous FMLA leave began. For example, under this method an employee would be entitled to twelve (12) weeks of leave during the year beginning on the first date FMLA is taken (e.g., March 5, 2004); the next 12-month period would begin the first time leave is taken after completion of that 12-month period ending (e.g., March 4, 2005).

When the need for an FMLA leave is foreseeable, the employee is required to give MCPL thirty (30) days written notice or, if this is not possible, as much notice as is practical.

An employee undergoing planned treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to MCPL operations.

The provisions of this policy shall be governed by The Family and Medical Leave Act of 1993. All requests for FMLA leave must be submitted, in writing, to the Human Resources Manager to make a determination. Such requests shall be supported by medical certification on FMLA forms provided by MCPL. Employees should contact the Human Resources Manager to secure such forms and procedures used for requesting leave under MCPL's Family Medical Leave Act policy. A determination for granting or denying a FMLA leave will be delayed until medical certifications are provided by the employee.

Employees granted family or medical leave for reasons other than parental leave after the birth, adoption or foster placement of a child may be required to obtain certification from a

health care provider describing the circumstances requiring the employee's absence. MCPL requires medical certification to support a claim for leave for an employee's serious illness or injury; or the serious illness or injury of a child, spouse, or employee's parent. For an employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of his or her position.

MCPL reserves the right to require a second medical opinion from an independent medical provider. MCPL will pay for the second opinion and will designate a provider. If the two opinions conflict, a third medical opinion may be sought, MCPL will pay for the third opinion. The opinion of the third medical provider is final and binding on both MCPL and the employee.

For leave to care for a seriously ill or injured child, spouse, or employee's parent, the certification must include an estimate of the amount of the employee's time that will be needed to care for the child, spouse, or parent. MCPL reserves the right to require a second medical opinion from an independent medical provider. MCPL will pay for the second opinion and will designate a provider. If the two opinions conflict, a third medical opinion may be sought, MCPL will pay for the third opinion. The opinion of the third medical provider is final and binding on both MCPL and the employee.

MCPL may require an employee to report periodically during the leave period on the employee's leave status and the employee's intention to return to work. The employer may consider an employee failure to report to work at the end of the leave period as the employee's voluntary resignation.

In situations where both husband and wife both work for MCPL and the FMLA is requested and approved to care for a newborn child or a child newly placed for adoption or foster care the husband's and wife's combined total leave is limited to twelve (12) weeks. Such leave must be taken within twelve (12) months from the date of birth or the date of placement.

Any health plan, including self-insured plans, provided by MCPL will be continued for the employee on Family and Medical Leave on the same terms as such coverage would have been provided if the employee had continued his or her work during the period that he or she was on leave covered by the FMLA. MCPL employees are responsible for paying their share of the premium costs while on FMLA leave. If the employee fails to return to work, he or she shall repay MCPL's portion of the premium costs.

While an employee is on FMLA, he/she shall not be engaged in outside employment; any exceptions shall be approved in advance of taking FMLA by MCPL Library Director.

Section 4.19 FAMILY AND MEDICAL LEAVE

FAMILY AND MEDICAL LEAVE ACT

It is the policy of Monroe County Public Library to comply with the Family and Medical Leave Act of 1993 (FMLA). Monroe County Public Library posts the mandatory FMLA Notice and, upon hire, provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under FMLA.

The Family Medical Leave Act of 1993 as amended is a lengthy, complex law with over a hundred pages of federal regulations written to explain and aid in the application of the act. FMLA can often overlap with other federal laws and regulations. The function of this policy is to provide the library employees with a general description of their FMLA rights. This information is only a general summary of the steps to follow when considering a request or need for family or medical leave. For questions about the applicability of the following provisions and/or assistance with the required forms, please contact the Human Resources office.

The intent of FMLA is to allow an eligible employee to take job-protection covered leave because of a serious health condition that results in the employee being unable to perform the functions of the employee's position. This also applies to certain other caregiver situations for family members and for a qualifying exigency as described under the Military Leave section of this policy.

Under this policy, the library will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

A. ELIGIBILITY

To qualify to take family or medical leave, an employee must meet all of the following conditions:

- 1) The employee must have been employed by the library for at least 12 months (52 weeks).
 - a. Any portion of a week that the employee is on the payroll counts as a full week for FMLA eligibility.
 - b. Separate periods of employment will be counted toward the 12 months of employment requirement. The cumulative employment time need not have been consecutive, provided that the break in service does not exceed seven years, except as provided by the Uniform Services Employment and Reemployment Act of 1994 (USERRA).
- 2) For the 12 months immediately preceding the first day of the FMLA leave, the employee must have worked at least 1,250 hours.

- a. *These hours must be actual work hours, not compensated hours.* Hours using any type of paid time off benefits or holiday time do not count. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee.
- 3) The employee must work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

B. TYPE OF LEAVE COVERED

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) for the birth of a son or daughter, and *to care for* the newborn child;
- 2) for the placement with the employee of a child for adoption or foster care, and *to care for* the newly placed child;
- 3) *to care for* an immediate family member (spouse, child, or parent — but not a parent "in-law") with a serious health condition;
- 4) when the employee is unable to work because of a serious health condition, including injuries covered as part of a Worker's Compensation leave;
- 5) a qualifying exigency which occurs while the employee's spouse, child, or parent is on covered military active duty or has been notified of an impending call or order to covered active duty in the Armed Forces. *See section I. Military Leave, below.*

Time Limits

Leave to care for a newborn child or for a newly placed child must conclude within 12 months after the birth or placement.

A husband and wife that both are employed by the library are limited in the **amount of** family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition. They may only take a **combined total of 12 workweeks**, or 26 workweeks if the leave is to care for a covered service member with a serious injury or illness.

Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Definition of Serious Health Condition

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- 1) An illness or injury that involves an overnight stay in a health care facility and any subsequent treatment in connection with such stay; or
- 2) Continuing treatment by a health care provider including any one or more of the following:

- a. a period of incapacity requiring absence of more than three (3) calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- b. treatment by a health care provider in-person two or more times within 30 days of the first day of incapacity; or
- c. treatment by a health care provider in-person on at least one occasion which results in a regimen of continuing treatment; or
- d. pregnancy and prenatal care; or
- e. chronic condition which requires visits at least twice a year for treatment by a health care provider over an extended period of time and may cause episodic rather than a continuing period of incapacity; or
- f. permanent or long-term conditions; or
- g. conditions requiring multiple treatments by a health care provider including recovery time.

Employees with questions about what illnesses are covered under this FMLA policy or under the library's Sick Leave policy are encouraged to consult with the Human Resource Manager.

C. REQUESTING FMLA LEAVE COVERAGE

All requests for FMLA leave must be submitted in writing, using the library's FMLA request form, to the Human Resources representative to make a determination. The form is available from the Human Resources office.

When the need for an FMLA leave is foreseeable, the employee is required to give the library thirty (30) days written notice or, if this is not possible, as much notice as is practical.

An FMLA leave may be initiated by the employee or the manager of the employee's department. An employee may request a leave, or may provide a supervisor with sufficient information to make the supervisor aware of an absence that may be eligible for FMLA protection. In consultation with the Human Resources representative, the supervisor may seek additional information from the employee to determine whether FMLA applies. If a supervisor is aware that the reason for an absence from work qualifies under FMLA, the absence must be designated as FMLA leave, even if the employee does not request it.

Leave determined to be covered under FMLA shall be supported by the employee's health care provider providing a signed medical statement and/or the federal FMLA certification form. Employees should contact the Human Resources office to secure such forms and receive assistance with procedures. A determination for granting or denying an FMLA leave will be delayed until medical statements/certifications are provided by the employee.

Within five business days after the employee has submitted the appropriate certification form, the Human Resources office will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice (<http://www.dol.gov/esa/whd/forms/WH-382.pdf>).

D. CERTIFICATION/MEDICAL STATEMENT FOR AN EMPLOYEE'S OR FAMILY MEMBERS SERIOUS HEALTH CONDITION

Employees granted family or medical leave for reasons other than parental leave after the birth, adoption or foster placement of a child are required to obtain a medical statement and/or certification from a health care provider describing the circumstances requiring the employee's absence. The library requires medical certification to support a claim for leave for an employee's serious illness or injury; or the serious illness or injury of a child, spouse, or employee's parent. For an employee's own medical leave, the medical statement and/or certification form must include a statement that the employee is unable to perform the functions of his or her position.

The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide a medical statement or requested certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition (<http://www.dol.gov/esa/whd/forms/WH-380-E.pdf>).

The director's designee, generally a Human Resources representative or, in his/her absence, another Administration representative, may directly contact the employee's health care provider for verification or clarification purposes. The Human Resources representative will communicate related information with the employee's manager/supervisor for planning and accommodation purposes. Such information will include expected time lines for recovery/return to work status and work-related restrictions that may be indicated. Before this direct contact with the health care provider, the employee (or the employee's family member if related to caregiver leave) will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the library will obtain the employee's permission for clarification of individually identifiable health information.

If it has reason to doubt the certification, the library reserves the right to require a second medical opinion from an independent medical provider of the library's choosing. the library will pay for the second opinion and will designate a provider. The library may deny FMLA leave to an employee (or the employee's family member if related to caregiver leave) who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If the two opinions conflict, a third medical opinion may be sought. The library will pay for the third opinion. The opinion of the third medical provider is final and binding on both the library and the employee. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Caregivers Leave

For leave to care for a seriously ill or injured child, spouse, or employee's parent, the certification must include an estimate of the amount of the employee will be on leave for caregiving purposes. The library reserves the right to require a second medical opinion from an independent medical provider, as above for employees. the library will pay for the second opinion and will designate a provider. If the two opinions conflict, a third medical opinion may be sought. The library will pay for the third opinion. The opinion of the third medical provider is final and binding on both the library and the employee.

Recertification

The library may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the library receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the library's representative may request recertification for the serious health condition of the employee or the employee's family member every three (3) months in connection with an FMLA absence. The library may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

Periodic Updates

On a basis that does not discriminate against employees on FMLA leave, the library may require an employee to report periodically during the leave period on the employee's on the employee's status and intent to return to work. Or, as caretaker, the family member's medical status and the employee's intention to return to work. The library may consider an employee failure to report to work at the end of the leave period as the employee's voluntary resignation.

E. USE OF PAID LEAVE AND UNPAID LEAVE

Employees that have been approved for the FMLA job protection benefit, including those on Military Leave, shall use any accrued sick and/or personal paid leave time, or any other type of income protection leave, while on approved leave.

Employees must follow the department's procedures for requesting leave and calling in absences. Failure to do so may result in the leave time not being approved. In addition, if an employee simply calls in sick, does not follow the department's call-in procedure, or does not provide sufficient information, the time off may not be designated as FMLA.

Beginning on the first day of the leave, staff must use their time-off accruals as part of the 12-week FMLA leave. Time off accruals that must be used during FMLA leave include holidays, sick and personal leave time. This also applies to FMLA leave that is taken either intermittently or through a reduced work schedule.

An employee undergoing planned treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to operations.

F. EMPLOYEE AND BENEFITS STATUS DURING LEAVE

During FMLA, the employee will retain his or her employment status and the benefits he or she has accrued. Benefits, such as paid leave or holidays, will accrue during family/medical leave. In addition, any employee who completes a period of leave will be returned either to the same position the employee was in prior to the leave, or to a position equivalent in pay, benefits, and other terms of employment.

Coverage for employer-sponsored health plans ~~including self-insured plans~~, and other shared cost/employee-paid benefits plans offered by the library will continue during the leave period at the same level and under the same conditions as if the employee had continued to work. The employee must have been enrolled in the benefit plan prior to taking the FMLA for this benefit to be extended.

Library employees are responsible for paying their share of premium costs for benefits they are actively enrolled in while on FMLA leave. If the employee fails to return to work, he or she shall reimburse portion of the premium costs.

While on library paid leave, payroll deductions to collect the employee's share of the premium will continue. While on unpaid leave, the employee must continue to make the employee's share of payment, either in person or by mail. The payment must be received in the Finance office by the tenth (10th) day of each month. If the payment is more than 30 days late, the employee's coverage may be dropped for the duration of the leave. The library will provide fifteen (15) days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition or under circumstance beyond the employee's control, the library will require the employee to reimburse the library the amount the library paid for the employee's benefit(s) premium during the leave period, as permitted under the Patient Protection and Affordable Care Act (PPACA).

G. INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE

Employees may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or twenty-six (26) workweeks to care for an injured or ill service member over a 12-month period).

The library may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a

serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption, or foster care of a child, the library and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the library before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

H. EMPLOYEE STATUS AFTER LEAVE

An employee who takes FMLA leave may be asked to provide a fitness for duty (FFD) clearance from the health care provider. If so, this requirement is included in the library's response to the FMLA request along with the employee's job description identifying the essential functions of the employee's position.

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits, working conditions, and other employment terms. The library may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

Employees on an FMLA leave are still subject to a reduction in force or reassignment that would have occurred otherwise had the employee been working.

Very infrequently, the reinstatement of a key employee that would result in "substantial and grievous economic injury" to the library may not be possible. All efforts will be made to notify the key employee in a timely manner once such a determination, based on business need, is made.

I. MILITARY LEAVE

Exigency Leave

An employee whose spouse, legal child or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- 1) short-notice deployment
- 2) military events and activities
- 3) child care and school activities

- 4) financial and legal arrangements
- 5) counseling
- 6) rest and recuperation
- 7) post-deployment activities
- 8) additional activities that arise out of active duty provided that the library and employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. (For this type of FMLA leave, the child does not have to be a minor.)

Certification of Qualifying Exigency for Military Family Leave

The library requires certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave (<http://www.dol.gov/esa/whd/forms/WH-384.pdf>).

Caregivers Leave

In addition, An employee whose spouse, legal child, parent or any next of kin (defined as the closest blood relative of service member, is a covered service member may take up to twenty-six (26) weeks of leave in a single 12-month period to care for that service member who has a qualified serious injury or illness.

The term “covered service member” means:

- a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness” means:

- an injury or illness that was incurred while in the line of active duty for the Armed Forces, National Guard, or Reserves

- an injury or illness which existed before the beginning of active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; or
- in the case of a veteran who was on active duty at any time during a period described above, incurs a qualifying injury or illness (as defined by the Secretary of Labor) that existed before the beginning of active duty and was aggravated by his/her military service and that manifested itself before or after the member became a veteran.

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

The library requires certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member (<http://www.dol.gov/esa/whd/forms/WH-385.pdf>).

J. EMPLOYMENT

While an employee is on FMLA leave, he/she shall not be engaged in outside employment; any exceptions shall be approved in advance of taking FMLA by the Library Director.

Monroe County Public Library Main Library Landscaping

The library issued a Request for Quotes in August 2012 for reconfiguring the landscaping on the southwest corner and near Kirkwood and parking lot entrances of the Main Library, 303 E. Kirkwood, following the landscape and sundial designs attached. We received three quotes and recommend J.R. Richardson Contracting. Included in the project will be:

Permits and Locating Utilities:

The contractor will be responsible for locating utilities and acquiring all necessary permits.

Demolition:

Protect 2 limestone bears in plaza and blue spruce in plaza. Please describe in detail how you plan to accomplish this. We don't believe that you will need to disturb the concrete sidewalk or curbing in this area, but we want to make sure the bears are not damaged.

Remove existing fountain in the plaza: Cap off the drains, fill the tank with gravel, and lower the riser on the fountain holding tank, if necessary.

Remove all concrete benches and supports underneath in the plaza as well as in front of the auditorium.

Remove the blue spruce trees in front of the auditorium facing Kirkwood, and retain the one in plaza area. Remove all shrubs in the plaza and to west of Kirkwood doors.

Remove the cobblestone area east to sidewalk in the fountain area, as indicated on design, and the small area near the Lincoln Street sidewalk in the plaza. Do not disturb concrete curb to south, between plaza and sidewalk, or in western part of north curb, beyond the bench area.

Remove all bollard lights as marked on landscape design, but leave the bases (Library maintenance will replace some with poles and LED lights). (Marilyn and I are going to drive by after dark and see how much light is coming from where; Gary and Mark are welcome to do that too.)

Remove stamped concrete in front of Kirkwood doors and parking lot doors. The library will remain open during this work, so access to at least one of the doors must be available at all times.

Remove trash cans and bases from plaza area and Kirkwood entrance. The library would like to preserve the cans and bases.

Construction:

Install sundial as specified in sundial design (attached) and specifications provided by the library, including grading area so that drainage runs away from building. Replace concrete surrounding sundial. Install fencing around area for seven days following installation until protective sealant is complete.

Add retaining wall on northeast corner of plaza and concrete curbs, as specified in landscape design, near Kirkwood doors and in plaza area.

Install bushes and trees as specified in landscape design in plaza area using species selected by the library.

Replace mulch after planting.

Replace stamped concrete removed in front of Kirkwood doors, parking lot doors, and plaza area with concrete to match existing surrounding concrete. Extend new concrete area to align with seams in existing concrete. Fence off entrance during construction.

Restore lights in soffit overlooking plaza to working order.

We received three quotes and recommend **J.R. Richardson Contracting to complete the project above for \$37,350**. (We have already paid \$3,850 for replacement of cobblestones outside parking lot doors, taking advantage of the library's closing for Staff Day on October 10 to minimize disruption in services, so the balance to be paid will be **\$33,500**.)

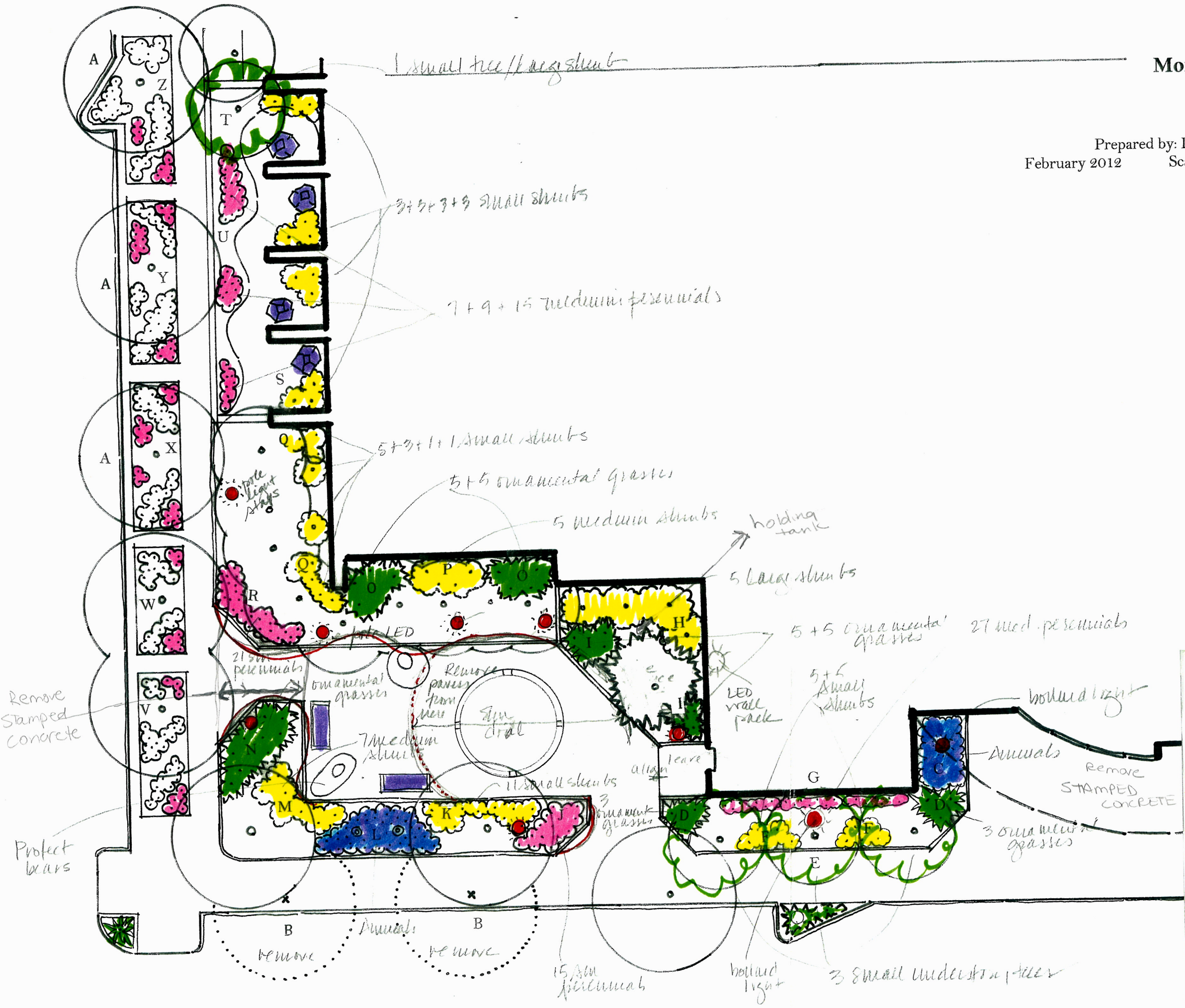
In addition, we recommend **Everlasting Memorials bid for \$5,995** to provide the granite squares with sand-blasted numerals in the sun dial, to be installed by J. R. Richardson.

We budgeted \$42,000 in the bond for the project; total cost will be \$43,345. The remaining \$1,345 will be charged to the Library Improvement Reserve Fund.

Work will begin in the spring when the weather is warm enough to allow pouring of concrete.

Monroe County Public Library
 Bloomington Indiana
 Master Site Planting Plan
 Southwest Corner - The Plaza

Prepared by: Debra Beck
 February 2012
 Scale: 1" = 15'
 Natural Connections IIc
 Page Three of Four



1 small tree / large shrub

3+5+3+3 small shrubs

7+9+15 medium perennials

5+3+11 small shrubs

5+5 ornamental grasses

5 medium shrubs

holding tank

5 large shrubs

5+5 ornamental grasses

27 med. perennials

5+5 small shrubs

holding light

Annuals

Remove STAMPED CONCRETE

3 ornamental grasses

Remove Stamped Concrete

Protect walls

B remove

Annuals

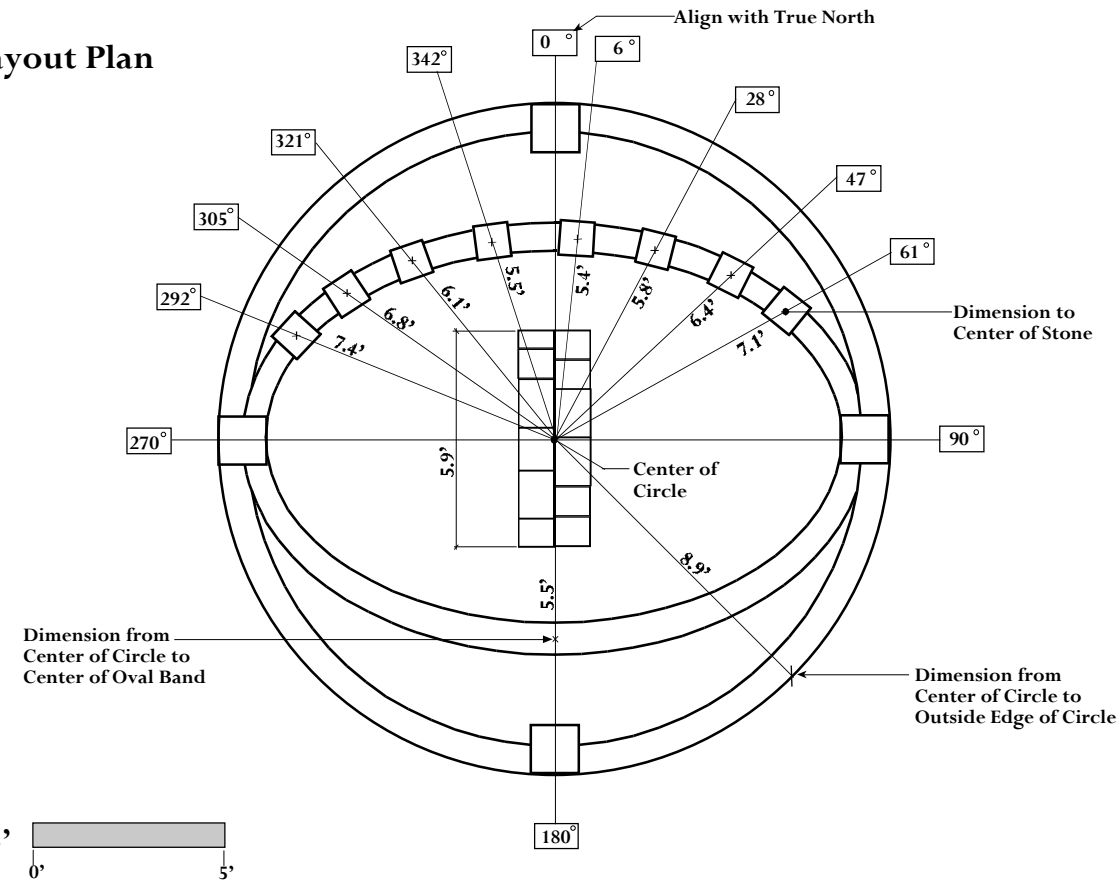
B remove

15 AM perennials

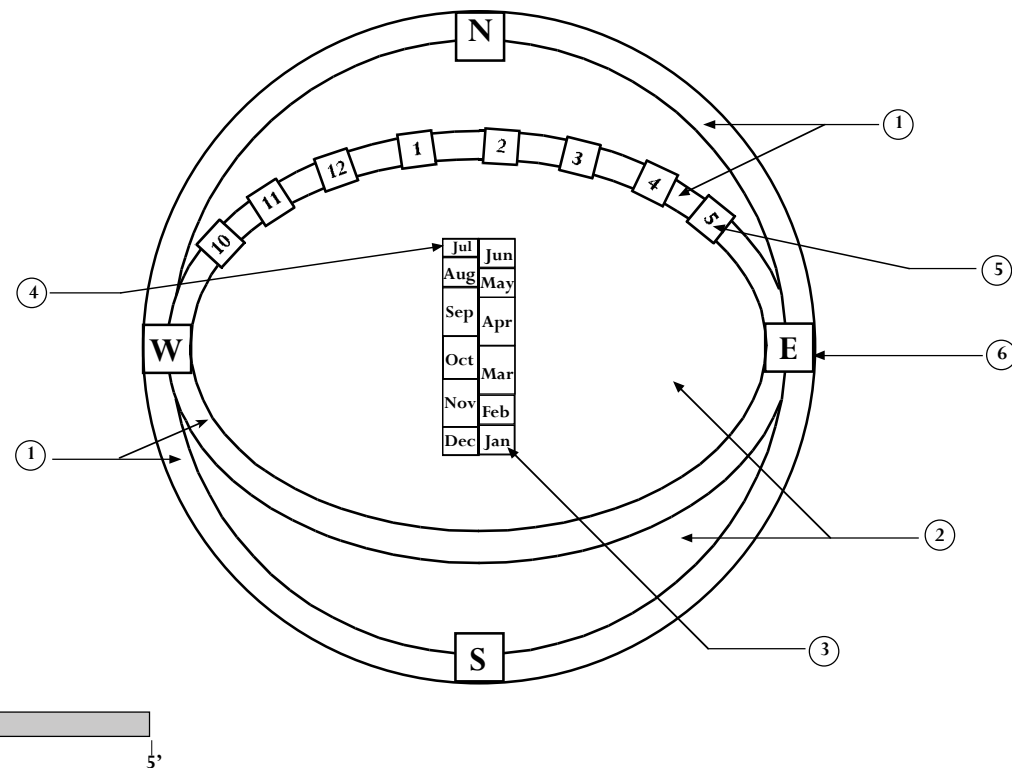
holding light

3 small understory trees

Sundial Layout Plan



Sundial Paving Detail



Sundial Paving Detail Notes:

- 8" Continuous Colored Concrete Band**
 Seek client approval for any control/expansion joint plans
 Final finish grade to match existing plaza
 Manufacturer: Irving Materials, *imix* Spectra brand colored concrete
 Color: Quarry Gray
 Finish: Match surrounding concrete
- Interior Circle Colored Concrete Paving**
 Seek client approval for any control/expansion joint plans
 Final finish grade to match existing plaza
 Manufacturer: Irving Materials, *imix* Spectra brand colored concrete
 Color: Yosemite Sand
 Finish: Match surrounding concrete
- Black Indigo Granite Stone**
 12" width, length/height of stones varies (see chart), min. 2" thickness
 Engraved with month symbols as shown (all except Jul)
 Font: Perpetua Bold
 Upper case: 3.5" height, Lower case: 2.5" height
 Finish: Flamed surface
- Black Indigo Granite Stone**
 12" x 5", min. 2" thickness
 Engraved with month symbol Jul
 Font: Perpetua Bold
 Upper case: 3.0" height/Lower case: 2.5" height
 (Smaller upper case than other months due to height of stone)
 Finish: Flamed surface
- Black Indigo Granite Stone**
 12" x 12", min. 2" thickness
 Engraved with time number as shown
 Font: Perpetua Bold
 Upper case 7" height
 Finish: Flamed surface
- Black Indigo Granite Stone**
 16" x 16", min 2" thickness
 Engraved with N, S, E, W as shown
 Font: Perpetua Bold
 Upper Case: 9.5" height
 Finish: Flamed surface

Height of Month Stones:

- 5" - Jul
- 9" - Jan & Jun
- 10" - Feb, May, Aug & Dec
- 13" - Oct
- 16" - Mar, Apr, Sep & Nov



Natural Connections LLC
 812-339-1820
 naturalconnections@juno.com

Monroe County Public Library
 303 East Kirkwood Avenue
 Bloomington, Indiana

Main Branch
Front Plaza
 Sundial
 Layout Plan

Prepared by:
 Debra Beck
 RLA

Page 1 of 1

Nov 2012

Call 811 before you dig!



Dec	Jan
Nov	Feb
Oct	Mar
Sep	Apr
Aug	May
Jul	Jun

N

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W

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12

11

10

5

4

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6



Monroe County Public Library

BOARD GOVERNANCE POLICY

The governing method of the Board of Directors will optimize teamwork, pro-activity, self-discipline, strategic leadership, resident and patron focus, inclusive deliberation, seeking diverse viewpoints, full participation, and clear distinction of Board, Director, and staff roles.

Annual Board Planning Cycle

The Board will follow an annual agenda that reviews policies, especially the Ends policies, annually, and continually improves Board performance. The cycle will start with the Board's approval of an annual calendar of meetings, including budget, Director performance evaluation, and other recurring activities, at the first meeting of the year.

Meeting Agendas, Supporting Documents, and Minutes

The Board meets monthly, as defined in its By-Laws, and follows Indiana law in regards to conduct and advertising of public meetings and executive sessions (IC 5-14-1.5).

Any Board member and the Director may request that the President add an item to the agenda for discussion at an upcoming meeting or may request a special public meeting or executive session, as appropriate. Board agendas are approved by the President of the Board before distribution to the Board and media.

Agendas and supporting documents will be provided to Board members and posted and submitted to the media, as required by Indiana law (IC 5-14-1.5) 48 hours in advance of the meeting.

Minutes of meetings are approved by the Board at their next Board meeting.

Group Action

Policy development belongs to the Board, and accordingly, Board actions rely upon constructive deliberations based on useful information and shall relate to the interests of the community. The Board-Director Linkage Policy addresses delegation of decision making to the Director.

The Board shall address relevant issues, debate policy and strategy, and act decisively.

New Board members will receive an orientation from the Board President or his/her designee and Director on library issues and governance policy structure and content.

To allow time for discussion and deliberation, the Board prefers to discuss substantive items at a Work Session before taking action during a Board Meeting.

Business between Meetings

Board members may communicate between meetings, but are not permitted to communicate for the purpose of reaching a decision outside of the public view.

Policy Monitoring

The Board shall establish effective and regular ways of monitoring compliance with policies.

BOARD MEMBERS' CODE OF CONDUCT

The Board expects of itself un-conflicted loyalty to the best interests of the community. This commitment includes ethical, businesslike, lawful conduct, proper use of authority, appropriate decorum in group and individual behavior when acting as Board members.

With respect to the library as a whole, Board members will:

1. Support and defend all policies and programs adopted by the Board of Directors.
2. Make public statements (oral or written) of library positions or policies through the President on behalf of the Board.
3. Interact with public and press regarding library business only at the direction or approval of the President.
4. Respect confidentiality of sensitive issues and treat reference and backup materials dealing with meeting agenda items and furnished to Board members with the agenda or separately between meetings as confidential when so designated. Confidentiality shall also pertain to the views expressed by individual Board members during discussions at executive sessions. When requested by the President, and with consent of the Board, confidentiality shall be extended to the full discussion or written interchange by the Board on sensitive matters.

With respect to Board activities:

1. Attend all scheduled meetings. If a Board member is unable to attend, he/she will notify the President at the earliest opportunity. A library board member may be removed at any time by his/her appointing authority for cause and shall be removed when he/she is absent from six (6) consecutive regular board meetings for any cause other than illness, as specified in Indiana law (IC 36-12-2-20).
2. Be prepared for meetings including becoming familiar with Bylaws, policies, legal and fiduciary responsibilities immediately upon appointment and deepening understanding throughout the Board term, with the assistance of staff.
3. Participate in meeting discussions and voting.
4. Contribute individual judgment and expertise including identifying any actions or conditions that are not in compliance with the library's policies and Bylaws and bringing them to the attention of the President.
5. Complete relevant board business between meetings.

With respect to personal integrity and professionalism:

1. Promote and participate in a climate of mutual trust, respect, and teamwork.
2. Avoid conflicts of interest, as identified in the Bylaws.
3. Avoid self-dealing or any conduct of private business or personal services between any member of the Board and the library.
4. Be loyal to the best interest of the Monroe County residents, including openly speaking up on their behalf and dissenting as deemed appropriate.

Failure to comply with the Code of Conduct will be cause for censure by the Board of Directors.

BOARD OF TRUSTEES JOB DESCRIPTION

The Board of Trustees represents the interests of the residents and taxpayers of Monroe County, provides strategic direction expressed in broad policies and offers clear future-oriented leadership, outward vision, and a broad range of viewpoints. The Board is accountable for the organization it governs. It exists on behalf of the residents of Monroe County who morally own the organization. In performance of this duty, under Governance Policy, the Board shall set goals, establish policy and procedures, to obtain such goals.

1. Direct, control and inspire the organization through written Board policies that are forward-looking, including influence of external factors and trends and capturing all relevant values for the successful outcomes and conduct of the library, including.
 - 1.1. Ends policies state library mission, vision, values, plans, and outcomes; the intended recipients; and acceptable costs thereof.
 - 1.2. Board-Director linkage policy, in one document, wherein the Board reserves authorities to itself and delegates specific responsibilities to the Director.
 - 1.3. Means policies prohibit actions unacceptable to the Board, including those related to programs, services, personnel, facilities, and relationships of the library.
 - 1.4. Governance policies state the philosophy and methods of the Board of Directors' own operations.
2. Assure performance of the Director through assessment and response to results-oriented data.
3. Represent the interests of residents of the community and patrons of the library.
4. Provide fiduciary oversight by approving budgets and reports of income and expenditures.
5. Monitor performance: policy compliance, Board performance, and progress toward Ends defined in Ends policies.
6. Act as ambassadors for the library.

ROLE OF THE PRESIDENT

In addition to the general job description of the Board, the President's role is to serve as the Chair of the Board and be the primary representative of the Board of Directors.

1. The President, or person delegated by the President, chairs Board meetings and ensures that the Board behaves consistent with its own policies and those legitimately imposed upon it from by law.
 - 1.1. Meeting discussion content will only be those issues that clearly belong to the Board.
 - 1.2. Deliberation will be timely, fair, orderly, and thorough, but also efficient, limited to time, and kept to the point.
 - 1.3. The President will be responsible for selecting appropriate dates for the Board of Directors' meetings, at least two per annum.

2. The President is authorized to make decisions between Board meetings on behalf of the Board when such decisions are a reasonable interpretation of Board policies. The President has no authority to make decisions beyond policies created by the Board.
3. The President may, at his or her discretion, identify focus areas as long as they are consistent with the Ends established by the Board.
4. The President as well as the Director will actively engage in publicity to promote the library as the official spokespersons of the library within the guidelines of the Board Members Code of Conduct and will establish and maintain contacts with outside associations and organizations which will benefit and promote the interest of the library.

ROLE OF THE VICE PRESIDENT

In addition to the general job description of the Board, the Vice President's role is to be directly responsible to the President and assist him/her in overseeing the work of the Board and Director.

1. The Vice President will assume the duties of the President should the President not be present at the Board of Directors' meetings or be unable to complete the term of office.
2. The Vice President will be responsible for carrying out all tasks or duties as assigned by the President.
3. In the absence or disability of the Vice President the President, shall appoint a replacement with the approval of the Board of Directors.

ROLE OF THE TREASURER

In addition to the general job description of the Board, the role of the Treasurer is to review financial statements, develop fiscal policies, review business plans, and confirm budgets, as outlined in **IC??**.

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In the absence or disability of the Treasurer, the President shall appoint a replacement with the approval of the Board of Directors.

ROLE OF THE SECRETARY

In addition to the general job description of the Board, the Secretary will be directly responsible to the President for the purpose of record keeping for this Association.

1. The Secretary shall record and file the minutes of all Board of Directors' meetings.
2. The Secretary shall be responsible for any request for Bylaws change. This will include proper documentation presentation to the Board and Membership.
3. During voting issues, the Secretary will be responsible for the issuance and count of all votes and for assurance of quorum at Board meetings.

ROLE OF BOARD MEMBERS AT LARGE

In addition to the general job description of the Board, Board Members At Large will be directly responsible to the President. They will assist him/her in overseeing the work of the Board and be responsible for carrying out duties and tasks as assigned by the President.

1. A Director, when designated by the President, will assume the duties of the President should the President and the Vice President not be present at Board of Directors' meetings.
2. A Director, as approved by the Board of Directors, may assume the duties of the President and the Vice President should both of these officers become incapacitated or death occurs.
3. A Director may establish and maintain contacts with outside associations and organizations, which will benefit and promote the interest of the library within the guidelines of the Board Members' Code of Conduct.