

YONKERS PUBLIC LIBRARY  
BOARD MEETING  
GRINTON I. WILL BRANCH  
October 13, 2016

**ATTENDANCE**

TRUSTEES:	Nancy Maron Jim Buckley Gregory Arcaro Anietra Guzman-Santana
LIBRARY DIRECTOR:	Edward Falcone
DEPUTY DIRECTOR:	Susan Thaler
INTERIM BUSINESS MANAGER:	Vivian Presedo
ADMINISTRATIVE SECRETARY:	None
YONKERS REPRESENTATIVE ON THE WLS BOARD OF TRUSTEES:	None
UNION REPRESENTATIVE:	None

The Board meeting began at 7:06 p.m.

**MINUTES**

On motion of Tr. Arcaro, seconded and carried, the Board approved the Minutes of the Board Meeting of September 19, 2016.

**DIRECTOR AND DEPUTY DIRECTOR MANAGEMENT REPORT**

Director Falcone updated the Board on the progress of the Strategic Plan, and said that the planning committee was happy with the latest draft. President Maron asked the Board to send any edits or additions to her by 10/19 so that the document could be finalized in time for the next meeting.

Director Falcone will be attending meetings in October with WLS and Board of Education personnel regarding the issuance of library cards to every student in the Yonkers district, and examining the steps that need to take place.

Director Falcone referred Board members to the Joint Management Report citing that competency profiles for each department are being developed and the profiles will be used to assist future staff training.

Director Falcone informed the Board members that Shauna Porteus, Librarian II, has been hired to fill the position that was originally advertised as a Community Services Coordinator. Ms. Porteus has experience with grant writing, public relations, and community outreach. She will begin on October 21, 2016 and administration expects her duties to evolve over time.

On October 7, Russell Davidson, KG&D architect for the Grinton I. Will Branch façade, reviewed the status of the project with Director Falcone. A written update from Mr. Davidson, included with the Board packet, was referred to the Board members. Director Falcone advised Board members that Mr. Davidson is continuing to work with area contractors and value-engineering the project to bring costs in line with our budget. Director Falcone said he will be inviting Mr. Davidson to come to a future Board meeting.

**UNION REPRESENTATIVE'S REPORT** - None

**WLS REPORT** – Director Falcone informed Board members that the WLS Board voted to approve our Variance Request at their September 27, 2016 meeting.

## **PERSONNEL REPORT**

On motion of Tr. Buckley, seconded and unanimously carried, the Board ratified the following appointments:

Ana Delgado, P/T Page, \$11.00/hr., effective 9/17/16

Nicholas Claudio, P/T Page, \$9.00/hr., effective 9/17/16

Pamela Alvarez, P/T Page, \$11.00/hr., effective 10/1/16

Vivian Presedo, Provisional Business Manager, \$95,000, eff. 10/7/16

Tara Somersall, Perm. Librarian III, \$71,808, effective 10/7/16

The Board acknowledged the following termination:

Namrata Panda, P/T Page, \$9.00/hr., effective 9/12/16

The Board acknowledged the following retirement:

Barbara Quis, Business Manager, \$135,000, effective 10/20/16

The Board acknowledged the following resignation:

Mary Beth Kendrick, Librarian II, \$67,938, effective 10/19/16

## **COMMITTEE REPORTS**

**Finance, Budget & Planning:** Maron, Arcaro, Jannetti

**Employee Relations:** Maron, Buckley

**Buildings & Grounds:** Maron, Touba, Buckley

**Fundraising & Development:** Maron, Arcaro, Jannetti

## **PAYMENT OF BILLS**

On motion of Tr. Buckley, seconded and unanimously carried, the Board approved payment of bills as listed on Schedule #772.

## **UNFINISHED BUSINESS**

A revised policy on Harassment was sent to our attorney who recommended that the attached policy be adopted.

On motion of Tr. Arcaro, seconded and unanimously carried, the Board approved the attached revised policy on Harassment, Discrimination and Equal Employment.

**NEW BUSINESS**

On motion of Tr. Buckley, seconded and unanimously carried, the Board approved the attached 2017 Holiday Schedule.

Director Falcone distributed a list of items for the Board to consider as additions to the FY2017-18 budget. A discussion ensued among Board members.

**NEXT BOARD MEETING DATE** - Thursday, November 17, 2016, 7:00 p.m.,  
Riverfront Library

The Board meeting was adjourned at 9:27 p.m.

Edward Falcone  
Library Director & Secretary

## Yonkers Public Library

### I. Equal Employment Opportunity

The Yonkers Public Library (Library) is an equal opportunity employer that does not discriminate on the basis of race, color, creed, age, national origin, alien or citizenship status, gender (including gender identity), sexual orientation, disability, arrest or conviction record, marital status, military status, partnership status, or status as a victim of domestic violence, stalking and sex offenses, genetic information or any other characteristic protected by federal, state or local law. Our management team is dedicated to ensuring the fulfillment of this policy in hiring, placement, selection for training, promotion, transfer, demotion, layoff, termination, recruitment, advertising, rates of pay or other forms of compensation and general treatment during employment.

Any person who believes that he or she has experienced discrimination in violation of this policy has a right to file a formal complaint with the Director of the Library as well as federal, state, or local agencies. A person does not give up the right to report an infraction to the federal, state, or local agencies when she files a complaint with the Director of the Library.

### II. Policy Against Sexual Harassment

Sexual harassment in the work place is illegal. All individuals, including, but not limited to, employees, volunteers, contractors and/or patrons are forbidden from engaging in such activity in the Library. The Library is committed to providing an environment free from all forms of sexual harassment or intimidation.

The Director, Deputy Director, Branch Administrators, all Department Heads, managers and supervisors are responsible for the implementation of this policy and for taking immediate and appropriate corrective action, when necessary, to assure compliance with the policy. All Library personnel will be held responsible and accountable for avoiding or eliminating the prohibited conduct.

The Administration is responsible for the administration of this policy and has the authority to receive and investigate complaints of violations of the policy and to recommend an appropriate disciplinary action relative to the violation.

- a. No individuals, male or female, may engage in sexual harassment by:

Section II.D.2.

- i. making unwelcomed sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee's employment or a condition of receiving services from the Library; or
  - ii. making submission to or rejections of such conduct the basis for employment decisions affecting the employee or the basis for receiving services from the Library; or
  - iii. unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive environment by such conduct.
- b. Sexual harassment refers to behavior that is not welcome; that is, or would be, offensive to a person of reasonable sensitivity and sensibilities; that fails to respect the rights of another; and that, therefore, unreasonably interferes with an individual's work performance and effectiveness, or creates an intimidating, hostile or offensive environment. It makes no difference if the harassment is "just joking" or "teasing" or "playful." Such conduct may be just as offensive as any other type of harassment. Sexual harassment includes conduct directed by men toward women, conduct directed by men toward men, conducted directed by women toward men, and conduct directed by women toward women. Sexual harassment may take different forms. Specific forms of behavior that the Library may consider sexual harassment include, but are not limited to, the following:
- i. **VERBAL:** Abusive language related to an individual's sex and/or sexual orientation, including sexual innuendoes, sexual comments, slurs, suggestive, derogatory or insulting comments or sounds, whistling, jokes of a sexual nature, sexual propositions, threats and sexually oriented "kidding" or "teasing." Sexually oriented comments about an individual's body that are unwelcome and/or unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive environment including but not limited to, general conversation of any body part i.e. breasts, buttocks and genitals.
  - ii. **NON-VERBAL:** Abusive written language, showing or displaying pornographic or sexually explicit objects or pictures, graphic commentaries, leering, or obscene gestures in the work place such that it unreasonably interferes with an individual's work performance or creates an intimidating hostile, or offensive environment. Sexually oriented cartoons, jokes and written materials displayed or posted in the work place, or stored on or in any Library owned property.
  - iii. **PHYSICAL:** Physical contact which is not welcome, including touching, petting pinching, coerced sexual intercourse, assault or persistent brushing up against a person's body.

c. Reporting Complaints of Sexual Harassment

- i. Any employee who feels that he or she has been subjected to conduct which violates this policy or any employee who witnesses or becomes aware of conduct which violates this policy should immediately report this matter to his or her manager/supervisor. Managers/supervisors who become aware of possible sexual harassment must immediately report such conduct. If for any reason the employee feels uncomfortable reporting to his or her manager/supervisor, or the

conduct involves the manager/supervisor, the employee should report the conduct directly to the Director or the Deputy Director. If for any reason the employee feels uncomfortable reporting to the Director or Deputy Director, or the conduct involves the Director or the Deputy Director, the employee should report the conduct to the Board of Trustees. Any individual who is not an employee of the Library may report conduct which violates this policy directly to the Director, Deputy Director or the Board of Trustees.

- ii. All such reports will be investigated promptly and will be treated as confidential to the extent practicable.
  - iii. The victim of the alleged harassment will be advised of the outcome of the investigation. If the victim of the alleged harassment is not satisfied with the outcome of the investigation or with the actions taken as a result of the investigation, he/she may go to the Board of Trustees who will review the matter and make a final determination.
- d. If the investigation reveals that the complaint is valid, prompt action designed to stop the harassment and to prevent its recurrence will be initiated. Employees who are determined to be in violation of this policy will be subject to disciplinary action which may include, but is not limited to, termination of employment. Disciplinary action shall be consistent with all applicable laws, rules, regulations and collective bargaining agreements, if any.

### III. Policy Against Harassment and Discrimination

It is Library policy to prohibit all forms of harassment and discrimination in the Library. This policy is intended to ensure that all individuals, including, but not limited to, Library employees, volunteers, contractors and patrons can enjoy an environment free from harassment and/or discrimination. All individuals, including, but not limited to, Library employees, volunteers, contractors and patrons must be aware that they may not engage in any acts that threaten, intimidate, harass, demean, bully or torment other individuals in the Library, irrespective of whether those other individuals are members of a protected class.

“Harassment” includes a wide range of verbal or physical conduct that is objectively unreasonable or offensive and that could result in a hostile or intimidating working environment. This may include, but is not limited to, insults and derogatory statements, slander, sabotage, ostracism, badgering, withholding resources, disruptive treatment and/or conduct that intimidates or is hostile, whether this conduct is of a sexual nature or not. “Discrimination” is a failure to treat all persons equally where no reasonable distinction can be found between those favored and those not favored. Examples include, but are not limited to, disparate treatment because of a person’s race, gender (including gender identity), sexual orientation, religion, national origin, age, disability or perceived disability.

The Director, Deputy Director, Branch Administrators, all Department Heads, managers and supervisors are responsible for the implementation of this policy and for taking immediate and appropriate corrective action, when necessary, to assure compliance with the policy. All Library personnel will be held responsible and accountable for avoiding or eliminating the prohibited conduct.

The Administration is responsible for the administration of this policy and has the authority to receive and investigate complaints of violations of the policy and to recommend an appropriate disciplinary action relative to the violation.

a. Reporting Complaints of Discrimination or Harassment

- i. Any employee who feels that he or she has been subjected to conduct which violates this policy or any employee who witnesses or becomes aware of conduct which violates this policy should immediately report this matter to his or her manager/supervisor. Managers/supervisors who become aware of possible harassment/discrimination must immediately report such conduct. If for any reason the employee feels uncomfortable reporting to his or her manager/supervisor, or the conduct involves the manager/supervisor, the employee should report the conduct directly to the Director or the Deputy Director. If for any reason the employee feels uncomfortable reporting to the Director or Deputy Director, or the conduct involves the Director or the Deputy Director, the employee should report the conduct to the Board of Trustees. Any individual who is not an employee of the Library may report conduct which violates this policy directly to the Director, Deputy Director or the Board of Trustees.
- ii. All such reports will be investigated promptly and will be treated as confidential to the extent practicable.
- iii. The victim of the alleged harassment and/or discrimination will be advised of the outcome of the investigation. If the victim of the alleged harassment and/or discrimination is not satisfied with the outcome of the investigation or with the actions taken as a result of the investigation, he/she may go to the Board of Trustees who will review the matter and make a final determination.

- b. If the investigation reveals that the complaint is valid, prompt action designed to stop the harassment and/or discrimination and to prevent its recurrence will be initiated. Employees who are determined to be in violation of this policy will be subject to disciplinary action which may include, but is not limited to, termination of employment. Disciplinary action shall be consistent with all applicable laws, rules, regulations and collective bargaining agreements, if any.

IV. Retaliation

The Library will not tolerate unlawful retaliation against anyone, including not limited to Library employees, volunteers, contractors and patrons, who file a sexual harassment/harassment and/or discrimination complaint, supports a co-worker or other individual in a complaint, speaks as a witness in the investigation of a complaint or otherwise cooperates in the investigation of a complaint. Likewise, the Library will not tolerate unlawful retaliation against any employee who files an equal employment opportunity complaint, seeks a reasonable accommodation for a disability or a religious observance, or cooperates in the investigation of an equal employment opportunity complaint. Employees who experience retaliation in the workplace are encouraged to immediately report it to management. All allegations of retaliation will be investigated. When the investigation is completed, anyone found guilty of retaliatory conduct may be subject to discipline, up to and including discharge.

Adopted by the Library Board of  
Trustees October 13, 2016





## HOLIDAY SCHEDULE – 2017

### Holiday

### Date

New Year's Day

Sunday, January 1

\*Monday, January 2

Dr. Martin Luther King Jr.'s Birthday

Monday, January 16

Lincoln's Birthday

\*Monday, February 13

Washington's Birthday

Monday, February 20

Easter Sunday

Sunday, April 16

Memorial Day

Monday, May 29

Independence Day

Tuesday, July 4

Labor Day

Monday, September 4

Columbus Day

Monday, October 9

Election Day

Tuesday, November 7

Veteran's Day

\*\*Saturday, November 11

Thanksgiving Day

Thursday, November 23

Christmas Day

Monday, December 25

### **Close at 5 p.m.:**

Thanksgiving Eve

Wednesday, November 22

\*Per contract with SEIU 704B: When a holiday falls on Sunday, the Library shall be closed on Monday.

\*\*When a holiday falls on Saturday, schedules shall be arranged so that thirty-five (35) hour-per-week employees work twenty-eight (28) hours Monday through Friday, thirty-seven and one-half (37-1/2) hour per week employees work thirty (30) hours Monday through Friday, and forty (40) hour-per-week employees work thirty-two (32) hours Monday through Friday.