



Employee Guide

May 2009

Introduction

The Mississippi Library Commission's (hereafter referred to as the Library Commission or agency) **Employee Guide** outlines agency policies, procedures, programs, and benefits available to Library Commission staff and is not intended to replace the *Mississippi State Employee Handbook* (July 2005) issued by the State Personnel Board. The 2009 Guide supersedes all previous issues published by the Library Commission.

The Library Commission's **Employee Guide** cannot anticipate every situation that may occur or every question regarding policy matters that may arise. Therefore, the Library Commission reserves the right in its sole and absolute discretion to revise, supplement, interpret, or rescind any portion of the **Employee Guide** as deemed appropriate.

Employees should familiarize themselves with the contents of the **Employee Guide** and forward any questions regarding content to the Human Resources Office. Each employee will be expected to comply with the Library Commission's **Employee Guide**.

Disregard for or failure to comply with the policies and procedures outlined in this document could lead to disciplinary action, up to and including, termination of employment (*Mississippi State Employee Handbook* (July 2005, page 66).

Acknowledgment Form

I acknowledge that I have access to a copy of the Mississippi Library Commission's **Employee Guide** and have been given orientation. It is my responsibility to read and comply with the policies contained in the Library Commission's **Employee Guide** and the *Mississippi State Employee Handbook* and any revisions made.

I acknowledge that the **Employee Guide** is not a contract of employment.

Here after all current employees may access the **Employee Guide** through the intranet and print a copy for their own use.

EMPLOYEE'S NAME: _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

For Human Resource Office use only.

Orientation Given	
Date Issued	
H.R. Personnel	

***A copy of this form with signatures will be maintained in the employee's personnel file.**

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AGENCY HISTORY

Beginnings

When the State Library Commission was established by an Act of the Mississippi State Legislature in 1926, the Commission proposed to work to the end that a free county library for all of the people of the county be established in every county of the state.

The creation of the State Library Commission during the administration of Governor Henry S. Whitfield was due in large part to the interest and persistent efforts of Whitman Davis. Mr. Davis who was a librarian with the State Agricultural and Mechanical College at Starkville, served as President of the Mississippi Library Association for sixteen years. The efforts of Mr. Davis and the Mississippi Library Association to establish a state library agency were strengthened by the work of the Mississippi Federation of Women's Clubs.

Mr. Davis secured the assistance of the American Library Association to draft a bill setting up the Library Commission. The bill was introduced to the Mississippi House of Representatives during the regular session of 1926 by Henry A. Fox of Oktibbeha County. Designated as House Bill 248, it referred to the State Library Committee, of which Mrs. Ellen Sullivan Woodward of Winston County was the Chairperson.

House Bill 248 specified that board members should serve five-year terms and should serve without pay. The bill provided for the annual election of a secretary experienced in modern methods of library work and to meet with the Board of Commissioners and to have charge of its work in organizing libraries, and have all general administrative duties incident to carrying on the work of the commission.

The new state agency was charged with the responsibility of giving advice, when asked, to schools and public libraries and to communities desiring to establish libraries. Further, the agency was required to obtain annual reports from all libraries in the state and to make a biennial report to the Legislature. The bill authorized the Board of Commissioners to purchase and operate traveling libraries which would circulate to any library, organization or group, including charitable and penal institutions.

House Bill 248 was amended and passed the House with a substantial majority and the Senate without a dissenting vote and was signed into law by Governor Whitfield on March 18, 1926.

Although no funds were available in 1926 and 1927, the Commission worked to create interest and to carry on until an appropriation could be made. In this interim, they were able to secure from the Carnegie Endowment for International Peace an annual gift of about one-hundred volumes. The Commission had the support of the State Federation of Women's Clubs for more adequate free library service. It also had strong support from the Mississippi Library Association which, from its organization in 1909, had worked for free library service and the establishment of a Library Commission to direct state library development.

The 1928 Legislature made an appropriation of \$10,000 for the support of the Commission. Headquarters were opened on September 6, 1928 in the Merchant's Bank Building in Jackson. In 1928, having an appropriation with which to work, the Library Commission appointed Miss Elizabeth Robinson of Sioux City, Iowa as the first executive secretary. The secretary's salary was \$2,500 per year; salary of an assistant

was \$1,500; and a part-time cataloger's monthly salary was \$150.00 plus traveling expenses from her home to Jackson. On February 1, 1929 the Commission moved to a small room in the new Capitol building.

The legislative appropriation for the biennium 1930-31 again was \$10,000. In 1931 the Legislature failed to make an appropriation for the Library Commission, and no financial support was available for the next nineteen months. Miss Robinson, who felt that closing the doors would make it difficult, if not impossible, to have the Library Commission office opened again, offered to stay on at her own expense and kept the Commission going. In 1934 the Legislature appropriated \$7,500 for the Commission, with a limit of \$2,500 toward back expenses.

During Miss Robinson's tenure from 1928-1936, state appropriations were inadequate and the work of acquiring a collection of books to circulate throughout the state made little progress. However, advisory service continued, and good will for the library cause was established.

The Depression

With the onset of the great financial depression of the 1930s, library services assumed new dimensions with library forces all over the country rallying to meet the special needs that times of unemployment and enforced leisure brought. The Mississippi Library Commission found its role in helping local libraries to make full use of their books and resources for the benefit of these not unemployed.

In an effort to alleviate the economic conditions that had developed, the Federal Works Program was initiated in the latter part of 1933. The Library Commission became the official sponsor of the state-wide Library Extension Project; funds for the project were supplied through the Federal Emergency Relief Act, later through the Civil Works Administration, and finally through the Works Progress Administration, which was renamed the Works Projects Administration (WPA) in 1939. Mississippi was the only state that used funds supplied through these agencies to place library service in every county at one time. The federal government allotted \$252,752 for the first project which operated from September 20, 1935 to September 20, 1936. This project provided a quota of 588 workers. There was a director for each county with six assistants. Trained library supervisors operated in each of the six districts formed in the state. A small staff of professional and clerical personnel was added to the Library Commission to work on the project. The Secretary of the Library Commission directed the work without receiving additional pay. Because the Commission's appropriation was small and because directors of the governmental agencies thought there was great opportunity, and federal funds were made available to the Library Commission for office supplies, stamps and a few books.

In 1936 Miss. Robinson resigned as Secretary of the Library Commission, and Miss. Pearl Sneed became the new secretary. Under Miss Sneed's direction, the Library Commission continued its sponsorship of the WPA Library Project, which was called the Lending Library. Miss. Sneed served as Secretary until September 1944. Among the accomplishments under her leadership were the enactments of much needed library legislation. Senate Bill 166, passed in 1938, provided for the establishment of public, county, and regional libraries with clear definition as to means of support and a governing board of trustees. House Bill 124, passed in 1940, amended Section 5391 of the Mississippi Code which allowed the Library Commission to administer state aid to public libraries and to establish county and regional libraries. Senate Bill 194, passed in 1944, authorized any municipality to pass a one mill levy for library support.

The 1937-39 Seventh Biennial Report urged the Legislature to provide state aid for libraries and increased support for the Library Commission, pointing out that the library is an educational function and therefore should be a concern of the state. The report recommended the establishment of educational standards for library personnel. As far as public libraries were concerned the establishment of educational standards was not to take place until 1968 when the Mississippi Library Commission's Board of Commissioners would propose the Incentive Grants Program (later Personnel Grants Program) which carried with it a classification and pay scale.

The third person to head the Library Commission was Mrs. Eunice Alexander Eley. She served the Library Commission for more than 10 years as Executive Director from September 1944 until January 1955, and stayed on as Executive Assistant until June 1956.

When Mrs. Eley assumed leadership, the agency was still housed in a cloak room on the second floor of the new Capitol Building. The Commission had an annual appropriation of \$6,250, owned 6,000 books and had two (2) staff members. There were 52 counties in the state without public library service. Ten years later, in June 1954, when Mrs. Eley resigned, the Commission occupied half a floor in the Woolfolk State Office Building, operated on a biennial appropriation of \$191,175, owned 61,602 books, had seen the reduction of non-library counties to 23, maintained three (3) bookmobiles, and employed twelve (12) people.

Library Surveys

Two (2) of the most noteworthy developments during Mrs. Eley's tenure included library surveys, the first of which was the Southeastern States Cooperative Library Survey, a study of all types of library facilities in the nine (9) Southeastern states conducted by the Tennessee Valley Library Council and the Tennessee Valley Authority. The project in Mississippi was sponsored by the Mississippi Library Commission, Mississippi Library Association and the Citizen's Library Movement in the state. *An evaluation entitled Libraries in Mississippi: A Report of a Survey of Library Facilities, 1946-47*, revealed that the survey made the whole state more library conscious, and it brought into view the needs of African Americans as far as library services were concerned. This survey was of great significance for the Library Commission in that as a result, the Legislature passed a bill for state aid to public libraries that were to be administered by the Commission. This was the first such measure recognizing the need for state aid to libraries and providing funds for its establishment. For the first in the history of the Mississippi Library Commission, since it was established in 1926, there were a hundred percent returns on the annual reports from all of the public libraries in the state.

The other development during Mrs. Eley's tenure was that sixteen (16) general recommendations for library development were made as a result of the survey, and a three-point plan of action was presented. They included an outline for increased services of the Commission, state aid for county-wide libraries, library demonstrations, and the development of regional library centers.

State Aid

The first appropriation for state aid to libraries was obtained in 1948. The legislature appropriated \$45,000 for this purpose. Thirty-four (34) public libraries in the state met the first three qualifications in 1948. These libraries were located in the following counties: Alcorn, Coahoma, Harrison, Lauderdale, Lee, and

Washington. Each library received \$400 with the exception of Lauderdale, which was granted \$257.62.

Library Service to African Americans

In its efforts to extend better library service to the state's entire population, the Library Commission made a special point of seeking ways to provide improved library service to African Americans.

In the next biennium (1941-51), part of the money appropriated for State Aid was used to assist public libraries in the development of programs of service to African Americans.

In addition, the Commission sought to recruit African American library science students by publicizing scholarships that were available to African Americans through a grant of the Carnegie Corporation made to Atlanta University.

The report of a Library Commission survey of library service to African Americans traces the gradual improvement in these services over the state. In 1950 the Commission requested a special appropriation of \$100,000 for this purpose and \$8,500 was appropriated. Again in 1952, the Commission asked for \$100,000 for service to African Americans and received an appropriation of \$25,000.

Prior to this time, the State Department of Education had established its School Library Services section in 1946, and this section worked closely with all public schools, both white and black. The School Library Services section directed the organization of school libraries and the Library Commission loaned them books to supplement their collections. At the same time every effort was made to bring about cooperation between school and public libraries. In the 1950's when the National Defense Education Act and Elementary and Secondary Education Act funds became available, there was an increase in school library holdings and a corresponding decline in requests for Commission books for schools.

Bookmobile Service

The Library Commission's bookmobile service, which was an invaluable adjunct to state aid, was established during the 1947-49 biennium with two (2) bookmobiles. A large bookmobile bought by the Commission went into service during the last few weeks of 1948 to circulate books to the smaller public libraries throughout the state as a part of State Aid service. The other, a 1938 Ford panel truck placed at the Commission's disposal by the WPA, was loaned to libraries for use in various capacities.

The 1950 Library Commission Reorganization Bill was a landmark in Mississippi's library development. While this bill had its imperfections, it provided the legal basis for greatly improved operations of the Library Commission. The composition and manner of appointment of the Board of Commissioners was changed. The new law excluded the State Law Librarian and set up staggered terms of office for the board. The five member board is composed of two members from the state at large, two from a list of not less than six names submitted by the Mississippi Library Association (one of whom shall be a librarian who is a graduate of a library school accredited by the American Library Association and actively engaged in full-time library work; and one of whom shall be a member of a legally organized Board of Trustees of a Mississippi free public library), and one member representing the Mississippi Federation of Women's Clubs (the president or a federated club member designated by the president). All appointments are made by the

governor.

Other provisions of the Reorganization Bill were the elimination of the word State and the designation of the State agency as the Mississippi Library Commission to eliminate confusion with the name of the State Library and the State Law Library; the title of the head of the agency was changed from Secretary to Director; and certain educational qualifications for the Director were setup who is now elected by the Board for a term of four years instead of one.

Also enacted in 1950 was legislation to permit counties having an assessed valuation of twelve million dollars or less to levy a one mill tax for library support. This was in the form of an amendment to permissive legislation obtained in 1936 which allowed any county to levy a one-half mill tax for library support.

First Regional Library

Another landmark of the year 1950 was the formation of the First Regional Library in Mississippi. Officially established in October 1950, the Region included four counties, DeSoto, Lafayette, Panola and Tate with headquarters in Hernando.

By 1951 the Commission staff had been expanded to include, in addition to the director, an administrative assistant, a catalog acquisitions librarian, a reference librarian, a circulation librarian, a field representative and supportive personnel.

Adult Education

The biennium of 1949-51 saw the emergence of an interesting development in adult education as carried on by libraries: the American Heritage project. This was a nationwide program of adult discussion in public libraries on the American heritage. Sponsored by the American Library Association and funded by the Ford Foundation for Adult Education, the program was organized on a more or less volunteer basis in the state by the Mississippi Library Association.

The American Library Association sent a representative to Mississippi to assist with the initial training of group leaders and twenty-seven (27) organized groups, five of which were African American.

The American Heritage program proved to be popular in the state and was considered a marked success by the American Library Association. This led to the selection of Mississippi as one of seventeen (17) states to receive funds for promotion of the program on a larger scale. In September 1952, the Mississippi Library Commission, as state sponsor, received a \$10,000 grant from the Ford Foundation to promote the American Heritage program in the state for a three-year period.

An additional grant for adult education was provided by the American Library Association on November 27, 1953. This project was called Another Balance Adult Education with Industry Program. An important result of this project was the publication of Community Self-Analysis Study List which served as tangible evidence of the expanding scope of activities and interests of the Library Commission, from an almost complete orientation with books into the broad stream of the state's economic life.

Mrs. Eley's tenure as Director of the Mississippi Library Commission came to a close with her resignation on February 1, 1955. She was succeeded on that date by Mrs. Lura Gibbons Currier who had served the Commission for five (5) years as field representative and who had taken a vigorous part in the establishment and organization of the state's system of regional libraries.

Federal Aid to Libraries

Seventeen (17) months after Mrs. Currier became Director, an event occurred on the national scene which was to affect vast changes in the scope and activities of the Library Commission. This was Public Law 84-597, the Library Services Act, passed by Congress and signed into law by President Dwight D. Eisenhower on June 19, 1956. It was not until the Congressional Session of 1955-56, however, that the important Library Services Act was passed, which used federal money (a very small proportion) to aid library service in the states.

Under this bill a total of \$7.5 million a year was issued in grants to states matching the grants. It was for a period of five (5) years and its objective was to bring books and other library services to rural families and to improve library service to an additional 53 million Americans served by libraries which were inadequate. No portion of the money could be used for buildings or purchase of land. The public library agency in each state was responsible for administering these funds.

The Act was not fully funded for the first year, so \$2,000,000 was funded for the year's operating expenses.

Under the terms of the Act, every qualifying state received a basic grant of \$40,000 each year. The remainder of the funds was allocated to the eligible state by a formula based on percentage of rural population to urban population. It was also required that federal funds be matched by state funds on a scale graduated according to the per capita income of the state in relation to the national income.

To be eligible, each state had to submit a plan reflecting what it considered the best use of the funds to attain the goals of the Act. Mississippi was one of the first six states to have its plan accepted and to receive the initial first-year allotment of \$40,000.

In subsequent years the federal grant exceeded state appropriations and the Library Commission was able to extend library services to previously unserved areas, improve existing libraries, provide in-service training to library personnel through workshops, purchase books for new libraries, and supplement the collections in existing libraries.

One of the most direct ways to reach rural areas in carrying out the provisions of the Act was through bookmobile service and the extension of this type of service was encouraged by the Commission through demonstrations and grants.

In 1959 there were fourteen (14) counties with no public libraries within their borders and the Commission provided direct service by mail to citizens of those counties who requested such service. In addition the Commission circulated books to schools where school library service was not adequate in meeting the needs of students and faculty.

During the late fifties and early sixties, the stimulus of federal funds plus the gradually increasing state aid provided by the legislature created a constant stir of activity between the Commission and the state's public libraries.

As of July 1, 1959 the staff under Mrs. Currier's direction had been increased to twenty (20) full-time employees.

Since the establishment of the Library Commission in 1926, the emphasis had been placed on improved service by libraries. Through the funds made available by the Library Services Act, these services were greatly expanded in the state. By 1965, 48 of 82 counties were providing bookmobile service (six (6) counties used Commission-owned bookmobiles). There were twelve (12) multi-county library systems in which libraries had banded together to make a wide range of library materials and services readily available to all residents.

Library Construction

A new version of the Library Services Act went into effect on February 11, 1964 when President Johnson signed the Library Services and Construction Act (LSCA). The new LSCA was divided into two parts: Title I - Library Services, and Title II - Construction. The Library Commission was the state agency designated to administer the funds and be responsible for all regulations governing construction details.

There had been very little activity in regard to construction of library buildings in Mississippi since the days of the Carnegie grants. When it became known that the federal government would provide matching funds for library construction, people began to look at the sad condition of most public library housing. The state's public libraries were found in unused rooms in court houses, in old residences, and in various types of unsuitable or makeshift buildings.

A meeting composed of civic leaders representing libraries took place in June 1964. They formulated a State Plan for Public Library Construction with built-in safeguards to assure the best in library construction. The Plan, adopted by the Library Commission's Board of Commissioners, was subsequently approved by the Library Services Branch of the U.S. Office of Education.

In August 1964, when Congress voted to fund the Library Services and Construction Act, Mississippi's share for construction was \$388,883. On September 10, 1964, official application forms for financial participation in the funds were released, and two (2) weeks later all but \$1,703 of the money was allocated.

Services to Institutionalized and Handicapped

In the state's library world the 1964-68 Administration will be remembered as the one responsible for having begun the long-neglected service for people confined to state institutions. The concentrated nature of its work and state-wide spread of its organization made the Library Commission the natural agent and the most economical avenue for planning, initiating, and supervising library service in the state institutions.

The Legislature gave an increase to the Commission in the 1964-66 appropriation with the understanding that the \$25,000 above the amount required for matching money to earn the full Library Services Act funds for

public library development would be spent to begin library service to the state's penal, charitable and eleemosynary institutions. On April 25, 1965, a central library was opened at the Mississippi State Penitentiary. Over a period of several years libraries were provided for the Training Schools at Columbia and Oakley, Mississippi School for the Deaf, Mississippi School for the Blind, Ellisville State School, Mississippi State Hospital, East Mississippi State Hospital and the Mississippi Tubercular Sanatorium.

The availability of federal funds in 1970 under Title IV-B led to the establishment of a regional library to serve the Blind and Physically Handicapped. This library formally opened on July 15, 1970 as a new division of the Mississippi Library Commission. Its formation represented a joint effort of the Commission, the Rehabilitation Service for the Blind, and the Lions Club of Mississippi.

Expansion of Services

In June of 1968 an innovation in reference service was introduced with Wide Area Telephone Service (WATS) by which public libraries were enabled to transmit reference requests to the Commission by telephone. The WATS lines were installed at the Commission to facilitate interlibrary loans between the Commission and local libraries. For the first time, local librarians were able to relay their emergency rush requests toll free.

Processing Center

In early 1969 a technical processing center, which was originally designed to assist those public libraries with book processing, was formed. The center was able to order and process books for twenty-two (22) public libraries or library systems, five (5) state agencies, and eleven (11) institutional libraries.

Personnel Grants

It was not until 1969 that a well-defined program was instituted to bring about the adoption by public libraries of a salary scale, educational qualifications, and the beginning of state standards. This was an outgrowth of the Incentive Grants Program (later the Personnel Grants Program) adopted by the Board of Commissioners in 1968 and put into effect the following year.

Under this program a classification and pay scale was adopted and five basic eligibility requirements were specified for participating libraries. These included the adoption of a classification and pay scale developed by the Library Commission, the employment of at least one graduate of a library school approved by the American Library Association, minimum educational qualifications for professional persons to be employed, a minimum population and service base, and restrictions pertaining to income and mileage rate.

A request for funds for the Personnel Grants Program was included in the Library Commission's annual budget request. While the Program was originally designed as a phase-out program, with participating libraries being expected to gradually assume full financial responsibility for the increased pay scale, it was later decided at a meeting of the Trustee and Public Library sections of the Mississippi Library Association that it would be a better idea to make this program a continuing part of state aid to local libraries. The program was written into the Library Commission's appropriation bill for fiscal year 1973 and the

Legislature approved it.

Summer Reading Program

Statewide summer reading programs were initiated by the Commission in 1969. Materials included reading records, certificates, bookmarks, posters and manuals which were produced by the Commission and distributed free to public and institutional libraries requesting them.

Housing

Space problems have dogged the Commission since its earliest days. There has always been the problem of adjusting an expanding staff and increasing book collection into quarters that seem to shrink as new desk, shelving, and equipment are moved in.

The location of the Commission did not change until July 1947 when the agency moved to a small structure, formerly a carriage house, at 535 College Street. The Commission remained for three years in this nostalgic reminder of the coach-and-four era. The annual rent was \$810. Moving into the Woolfolk State Office Building in 1950 the Commission was assigned the south end of the fourth floor.

In 1971 the entire collection with the exception of fiction, children's books, audiovisual materials and a few dictionaries, directories and professional books, was housed at 419-R Hamilton Street. The official state agency headquarters was located at 405 Woolfolk State Office Building with offices for the Administrative staff, Consultant Services and Circulation. The Centralized Processing Center and the Book Pool were housed on West Monument Street. The Service for the Blind and Physically Handicapped was housed in the Mart 51 Shopping Center at the Intersection of Highway 80, Terry and Raymond Roads in South Jackson.

In the spring of 1973, Reference, Acquisitions, Circulation and the Processing Center were consolidated into one location at 806 West Capitol as the Library Operations Division. The Library for the Blind and Physically Handicapped was moved to the Lions Club Building at 5455 Executive Place in October 1973.

In 1983 the official state agency headquarters with offices for the Administrative staff, Consultant Services, Circulation, Reference, the Centralized Processing center and the Book Pool, relocated to the Miller Center at 1221 Ellis Avenue.

In October of 2000 the Library for the Blind and Physically Handicapped was moved from the Lions Club Building at 5455 Executive Place to the Miller Center at 1221 Ellis Avenue location.

Executive Directors

From 1926 to 1936 Miss Elizabeth Robinson was the Secretary of the State Library Commission. Miss Pearl Sneed was in charge from 1936 to 1944. Mrs. Eunice Alexander Eley took over in 1944 till 1955. Prior to Mrs. Lura Gibbons Currier becoming the Director from 1955 to 1967 the agency changed to the Mississippi Library Commission. Miss Mary Love was over the agency from 1968 till 1976. The first male director, Mr. Jack Mulkey was at the agency from 1976 to 1978. Mr. Joe Forsee directed the agency from 1978 till

1980 when Mr. David Woodburn took over from 1980 till 1992. Ms. Mary Ellen Pellington directed the agency from 1993 till 1996. In 1997 Mr. John Pritchard was appointed as directed till 2000. Ms. Sharman Bridges Smith has been the Current Director of the Mississippi Library Commission since 2001.

The Board of Commissioners

Since its formal organization in 1926, the Board of Commissioners of the Mississippi Library Commission has been instrumental in setting the course of library development in Mississippi. The Board has continually studied and approved plans for library development in the state, and at its regular quarterly meetings for almost half a century, has set the budget, and approved other internal operations of the Commission. In addition, the Board has been responsive to actions of the Mississippi Library Association, consistently following or working to implement recommendations of the organization.

The New Building

The ground breaking ceremony was held in April of 2002 for a new permanent home for the Mississippi Library Commission. The five-story building was completed in the fall of 2005. The agency moved in November 2005 and opened to the general public in January 2006. The official grand opening was held on January 9, 2006 to the first permanent, state owned building for the Mississippi Library Commission.

VISION

The Vision of the Mississippi Library Commission is that all Mississippians have access to quality library services in order to:

- ✦ Achieve their greatest potential,
- ✦ Participate in a global society, and
- ✦ Enrich their daily lives.

MISSION

The Mississippi Library Commission is committed – through leadership, advocacy, and service – to strengthening and enhancing libraries and library services for all Mississippians.

GOALS

1. All Mississippians understand, support, and use libraries.
2. All Mississippians have access to well-managed library services through qualified staff and modern facilities.
3. All Mississippians have access to current technology resources through libraries.
4. All Mississippians have access to quality library resources.
5. The Mississippi Library Commission sets and achieves the highest quality standards for effective and efficient internal management and fiscal integrity.

CORE VALUES

We believe that all Mississippians deserve quality library services. We recognize that our staff is the essential asset in delivering services that ensure customer expectations are met or exceeded. We commit to work hard, to exhibit honorable behavior, to know what is right and to do it. We believe in being fair, honest, and respectful. We value a workplace distinguished by open, direct, and timely communication. To that end, we pursue new ideas with energy and rely upon the talents, skills, knowledge, and abilities of staff and colleagues to meet the changing needs of the people we serve.

*Adopted by the
Mississippi Library Commission
Board of Commissioners
September 24, 2002*

New Employee Section

New Employee Section

1.0 DRUG-FREE WORKPLACE

Each employee of the Mississippi Library Commission is entitled to work in a healthy environment.

The Drug-Free Workplace Act of 1988, found at Title 5, Subtitle D, *Anti-Drug Abuse Act of 1988*, Public Law 100-690 (DFWA), requires grantees of federal agencies to certify that they will provide a drug-free workplace and, therefore, makes the required certification a precondition of receiving a federal grant.

Because of the receipt of federal funds through the Library Services and Technology Act (LSTA), the Mississippi Library Commission has certified that this agency will provide a drug-free workplace. Several provisions in the required certification statement include:

- Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition; and,
- Establishing a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the grantee's policy of maintaining a drug-free workplace, and available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The Mississippi Library Commission's statement regarding a Drug-Free Workplace is posted on the bulletin board in the staff lounge. Brochures and other information regarding employee rights and responsibilities as pertaining to this statement are also available in the HR Office.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 67, states that the use of alcohol or the unlawful manufacture, distribution, dispensing, possession or use of controlled substances while on the job or on the employer's premises is a Group Three Offense. In addition, the *Handbook* states that reporting to work under the influence of, or when ability is impaired by, alcohol or the unlawful use of controlled substances is also a Group Three Offense, page 67.

If an employee of the Library Commission is convicted (including a plea of no contest) of a criminal drug violation *while employed by the agency*, it is the employee's responsibility to notify the agency's Executive Director and/or Human Resources Office of the conviction. As a reminder to all employees, the *Mississippi State Employee Handbook* (July 2005), page 67, states that a criminal conviction of a felony or misdemeanor while employed; a plea or verdict of guilty; or a conviction following a plea of nolo contendere to a charge of a felony or a misdemeanor is deemed to be a conviction within the meaning of this offense and is a Group Three Offense.

If appropriate notification is not given, the employee may receive disciplinary action including, but not limited to: immediate dismissal or required participation in a drug treatment program.

2.0 IMMIGRATION LAW COMPLIANCE

The Mississippi Library Commission employs only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each newly hired employee, as a condition of employment, must complete the **Employment Eligibility Verification Form I-9** and present documentation establishing identity. Former employees who are rehired must complete a new **Form I-9** if one has not been completed within the past three (3) years. The state Legislature of Mississippi passed a bill requiring all agencies of the state to complete E-verification for all employees hired after July 1, 2008 using the I-9 form.

E-Verify is the federal government's web-based program operated jointly by the Department of Homeland Security's (DHS) US Citizenship and Immigration Services bureau in partnership with the Social Security Administration (SSA) that allows employers to electronically verify the employment eligibility of their newly hired employees.

If an employee's records cannot be verified or are returned as unauthorized the agency will allow the employee time to correct the matter before employment separation occurs.

3.0 Benefits

3.1 Enrollment for Health Insurance

All new employees of the Mississippi Library Commission must enroll in the Plan or waive initial coverage. Enrollment is effective on an employee's first day of employment; however, employees must complete their enrollment paperwork within 31 days of the hire date. Additionally, there is an annual Open Enrollment period every October for coverage effective the following January 1.

The State of Mississippi pays the entire premium for "Base" coverage for all eligible active employees' health insurance. If a new employee chooses the "Select" coverage they will have to pay a small monthly portion. The Plan also allows for employees to cover their dependents under the Plan by paying the premiums for their dependents through payroll deductions.

Benefits of the State and School Employee's Life and Health Insurance include the following:

- Network Health Plan;
- Well-Child Care;
- Emergency Care;
- Specialty Services not available In-Network (may be approved through Utilization Review);
- Lifetime Maximum Benefit of \$2,000,000;

- Prescription Drug Plan;
- Wellness Program for completion of annual HRA online.

All questions regarding life and health insurance should be directed to the Human Resources Office.

3.2 Life Insurance

All new employees of the Mississippi Library Commission must enroll in the Plan or waive coverage. Enrollment is effective on an employee's first day of employment; however, employees must complete their enrollment paperwork within 31 days of the hire date. The Plan provides for Life Insurance and Accidental Death and Dismemberment (AD&D) insurance. An employee's group term life insurance amount is equal to two times his/her annual salary, then rounded up to the next highest thousand. The employee and the agency pay \$.12 per thousand monthly in premiums.

The minimum amount of life insurance is \$30,000 and the maximum amount is \$100,000.

4.0 COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) Initial Notices are mailed to all new employees to notify them of the extension of benefits available upon separation of employment.

5.0 INTERNAL COMMUNICATION

Employees of the Library Commission are urged to communicate with supervisors to obtain answers to questions and problems and to express suggestions, ideas, or concerns. Supervisors are encouraged to share information with their individual staff members. This bi-directional exchange of information aids in generating open communication between and among all levels of employees.

The Library Commission endeavors to provide accurate information to all employees through the following channels:

- ❖ **New Employee Tours:** new employees are provided an orientation to the agency;
- ❖ **Staff Meetings:** employee staff meetings are conducted in order to keep staff members informed of agency-related matters;
- ❖ **Employee Guide:** a supplemental handbook is provided to each employee which outlines procedures and policies of the agency.

6.0 PROBATIONARY PERIOD

A newly hired employee of the Mississippi Library Commission must successfully serve a 12-month probationary period before that employee is granted permanent state service status. During the

probationary period, the employee's work and conduct are carefully observed. Through close supervision, the supervisor determines if the individual is progressing toward successful performance of the major duties of the job.

6.1 Termination at Will

During the 12-month probationary period the employee does not have a property right to his/her job and may be terminated with or without cause or notice by the Executive Director of the Mississippi Library Commission.

6.2 Promotional Opportunities

After an employee has served the first six (6) months of the 12-month probationary period, the employee may apply for promotional opportunities and, if found eligible, be referred to state agencies with a vacancy on a promotional/transfer list of eligible applicants.

If the employee transfers to another state service status position within the Mississippi Library Commission or in a different state service status agency, the probationary period ends and the employee obtains state service status at that time.

7.0 NEW STAFF ORIENTATION

The Human Resources Office is responsible for scheduling new staff orientation. This orientation provides the new staff member with policies, procedures and benefits information.

Supervisors are responsible for orientating new staff members with operational procedures of the division, including providing the employee with a copy of the job description and performance appraisal plan.

8.0 RECORDS MANAGEMENT PROGRAM

All records created or received by the Mississippi Library Commission and its employees in the performance of public duty and paid for by public funds are considered public property and constitute records of public acts.

The Library Commission has a comprehensive records management program which is concerned with the full life-cycle of records and information of the agency. The Records Management Program controls the creation, distribution, retention, use, storage, retrieval, protection, preservation, and final disposition of different types of records. Copies of the agency's *Records Management Manual* and training on the Records Management Program are available upon request.

MLC Employees' Section

MLC Employees' Section

1.0 ACCIDENTS

When an employee and/or visitor of the Mississippi Library Commission is involved in or is a witness to an accident, the accident must be reported immediately to a supervisor (branch, division, bureau, etc.). The notified supervisor must then notify the Human Resources Office.

1.1 Workers' Compensation

Mississippi Library Commission employees are covered by Workers' Compensation insurance for physical injuries or occupational diseases which occur as a result of, or during the course of employment. Eligible employees can receive payment for both medical expenses and lost wages. (For more information regarding leave associated with Workers' Compensation claims, see paragraph 30.12.)

A work-related accident or illness may be covered by workers' compensation under the provision of the Mississippi Workers' Compensation Law (*Mississippi Code 1972, Annotated*, Section 71-3-5):

- The employee's first-line supervisor should be notified of the accident or illness immediately;
- The supervisor should notify the Human Resources Office of the accident or illness immediately;
- If medical attention is needed, the Human Resources Office staff will contact the appropriate medical entity and family members if necessary, as listed on the employee's **Emergency Notification Form** which is kept on file;
- If medical treatment is required, the Human Resources Office staff will notify the attending physician in writing that the work-related injury or illness should be filed under workers' compensation;
- The employee sustaining the injury or illness will be required to complete the **Employer's First Report of Injury or Illness** form within ten (10) working days from the date of injury or illness or provide said information for document to be completed by Human Resources Office;
- The completion of the **Employer's First Report of Injury or Illness** form is required by the Workers' Compensation Commission whether or not medical treatment has been received;
- The completed **Employer's First Report of Injury or Illness** form must be returned to the Human Resources Office;
- The Human Resources Office will forward the completed **Employer's First Report of Injury or Illness** form to the third party administrator over state claims for processing;
- The claims management system will communicate directly with the employee regarding the report of injury or illness;

- Failure to complete and submit this form within the specified time frame may result in the:
 - Delay in payment of any claim submitted by the employee;
 - Library Commission being placed at risk and assessed a monetary penalty.

The Legislature during the 2008 session passed SB 2977 affecting Workers' Compensation payments and use of leave time within the agency for payment of work. Under this new bill employees may only use leave time to pay the max of 100% of the employee's normal wages against what they receive from Workers' Compensation payments.

1.2 Risk Management and Safety

The Library Commission endeavors to provide a safe and healthy environment for staff and visitors. It is the responsibility of every employee to promote safety by identifying, reducing, and preventing workplace hazards. Library Commission employees should be aware of their work place surroundings at all times. Any safety hazard or potential hazard should be reported to a supervisor immediately.

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or where appropriate, remedy such situations, may be guilty of committing several group offenses. As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 66, states that violation of safety rules in the absence of a threat to life and is a Group Two Offense. In addition, violation of safety rules where there exists a threat to life or human safety is a Group Three Offense, page 67.

1.3 Safety Seat Belts

Mississippi Library Commission employees are required to wear safety seat belts at all times when riding in state vehicles. (*Mississippi Code 1972, Annotated*, Sections 63-2-1, 3, 5, 7.)

1.4 Motor Vehicle Accidents

Any Library Commission employee involved in a motor vehicle accident while driving a state vehicle should:

- Contact the appropriate law enforcement authorities immediately;
- Contact his/her first-line supervisor and/or notify the agency;
- Refrain from making any public comments or statements concerning the accident, either oral or written, unless it is to law enforcement officers at the scene of the accident.

If the accident is of such a severe nature that the Mississippi Library Commission employee(s) is/are unable to take such actions, the attending law enforcement officer(s) will notify the agency.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 66, states that the conviction of a moving traffic violation while operating a state vehicle is a Group One Offense. In addition, operation of a state-owned vehicle without a valid Mississippi driver's license or a valid driver's license from a contiguous state is a Group Three Offense, page 67.

Each employee while driving a state vehicle shall abide by all laws governing the roads of Mississippi.

2.0 ACE (Access Channel for Employees)

Access Channel for Employees (ACE) is a secure web-based application that hosts a number of state employee and contract worker payroll-related services. ACE also provides access to the Mississippi Enterprise Learning Management System (MELMS).

ACE access is restricted to current state employees and contract workers who possess a valid ACE User ID and Password. If you are a current state employee or contract worker and have not received an ACE User ID and Password, contact the Human Resources Officer, or call the MMRS Call Center at 601-359-1343.

You can currently use ACE to:

- Get your W-2 information electronically;
- Get your pay-stub/direct deposit (EFT) advices electronically;
- Maintain your personal ACE profile information;
- Get your leave balance information /time taken electronically;
- Access the Mississippi Enterprise Learning Management (MELMS) Student Center.

3.0 AMERICANS WITH DISABILITIES

3.1 Applicants/Employees with Disabilities

The Mississippi Library Commission strives to comply with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA), which prohibits discrimination on the basis of disability. It is the Mississippi Library Commission's intent to employ the most qualified candidate for a job whether the candidate is disabled or not. Individuals who satisfy the skills, experiences, education, and other pertinent job-related criteria, and can perform the essential functions of such positions - with or without reasonable accommodations - may be considered qualified candidates for vacant positions.

A disability may be defined as a physical or mental impairment that substantially limits one or more of major life activities. A disabled individual may be considered to have:

- Mobility impairment;

- Mental retardation, emotional troubles;
- Sensory impairment;
- Learning disability;
- Cosmetic disfigurement;
- Neurological impairment;
- Mental illness; or
- Anatomical loss.

3.2 Undue Hardship Determination For Americans with Disabilities

The Mississippi Library Commission will be prepared to modify or adjust the job or work environment to make reasonable accommodations and for a disabled individual unless:

- The accommodation would impose an undue hardship on the operation of the agency;
- Taking into account the disabled individual's qualifications with the requested accommodations, the individual would not be the best qualified candidate; or
- The individual would pose a direct threat of substantial harm to the health and/or safety of himself/herself, or others.

The Mississippi Library Commission will determine its ability to offer reasonable accommodations on a case-by-case basis. Factors which will be examined include:

- The purpose and essential functions of the job;
- The precise job-related abilities and functional limitations of the applicant;
- How the limitations could be overcome with reasonable accommodations;
- The nature and cost of the necessary accommodations as relating to the agency's financial resources; and
- Federal and state regulatory requirements.

If the agency determines that it would be an undue hardship to offer accommodations, the individual requesting the accommodations will be given the option of providing the necessary accommodation, or paying that portion of the cost which constitutes the undue hardship. The Executive Director of the Mississippi Library Commission will provide a written statement within seven (7) working days explaining the determination.

3.3 Reasonable Accommodation Request For Americans with Disabilities

A disabled individual making application for a position with the Mississippi Library Commission may submit a written request for reasonable accommodations to the agency's ADA Coordinator. An employee of the agency may also submit a written request for reasonable accommodations in the same manner. The request should identify:

- Any special methods, skills, or functions which would enable the individual to perform tasks or functions that might not otherwise be performed because of the disability;
- Potential accommodations the agency may make that would enable the essential functions of the job to be performed properly and safely -- including, special equipment and physical layout changes;
- Any special equipment, aids, or services that the individual is able to provide which the agency cannot provide.

An assessment of the essential job functions will be made by a committee comprising the ADA Coordinator, the immediate supervisor, the division director, and the bureau director. The Assessment Committee will present a recommendation to the Executive Director of the Mississippi Library Commission. An applicant or employee will be notified in writing of the agency's decision regarding the request for reasonable accommodations by the ADA Coordinator within five (5) working days of receipt of the request.

3.4 Grievance Process/Procedure For Americans with Disabilities

If a disabled employee of the Mississippi Library Commission believes he/she has been unlawfully discriminated against, the employee may file a grievance in accordance with the *Special Americans with Disabilities Act (ADA) Grievance Procedure* outlined in the *Mississippi State Employee Handbook* (July 2005), page 79.

4.0 BREAKS

Break periods are not required or mandated by law. However, the Mississippi Library Commission does provide its employees two (2) fifteen (15) minute breaks each work day. Break time is accounted and paid for as time worked. The following guidelines pertain to break periods:

- One (1) break may be taken during the morning hours;
- One (1) break may be taken during the afternoon hours;
- Breaks may not be taken at the beginning or end of the work day;
- Breaks may not be combined with the lunch hour;
- Employees who do not utilize break periods may not accrue the time as compensatory time to leave early or to make up for being late to work;

- Employees should coordinate break periods with supervisors to ensure adequate coverage in branches, divisions, and bureaus;
- Employees should not abuse break periods and over-extend this time beyond the fifteen (15) minute allotment.
- Abuse of break times may result in removal of break privilege.

5.0 BULLETIN BOARDS

Bulletin boards are located in the Mississippi Library Commission lounge/breakroom. Information posted on these boards is for informational purposes. If agency employees desire to place other information on these boards, the Human Resources Office should be contacted for approval prior to posting the information in order to insure the appropriateness of the materials.

6.0 COBRA: Consolidated Omnibus Budget Reconciliation Act

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives former employees, retirees, spouses, and dependent children the right to the temporary continuation of health coverage at group rates under the State of Mississippi's Comprehensive Health Plan.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the State's Comprehensive Health Plan group rates. The Library Commission's Human Resources Office will provide each eligible employee/qualified beneficiary with COBRA election forms describing rights granted under COBRA. Benefits include:

- Medical;
- Dental;
- Vision;
- Prescription drugs.

Additional information regarding the COBRA may be obtained from the Human Resources Office.

7.0 COMPUTER USAGE

7.1 Policy For Staff Computer Usage

Employees do not have an automatic right to information technology resources nor is the Mississippi Library Commission obligated to provide these resources. However, each employee of the Library Commission is provided technology resources (computer equipment, software, telecommunications equipment, Internet, CD-Rom products, e-mail, and electronic databases) to support the day-to-day operations of the agency in order to meet the agency's mission and goals.

The Library Commission makes extensive use of computer systems and networks to perform a variety of tasks. Virtually every professional and administrative employee has access to a computer and one or more networks. The Library Commission has established rules and policies relative to the use of computers and networks. It is important that each employee understands and acknowledges these rules and policies which govern the use of all computers, computer-based communications networks, and all related equipment administered by the Network Services Bureau.

A User is defined as a person employed by the Library Commission, including: full-time, part-time, temporary, or contract employees; persons employed by contractors or subcontractors; and any other individuals who are authorized to use the agency's information system(s).

The electronic communications and facility of the Library Commission are the property of the State of Mississippi and by using these facilities, the User acknowledges consent to abide by these policies. The User should be aware that any communications or uses of the information systems resources are not to be considered private or confidential, and may be monitored at any time.

The Library Commission prohibits the use of these technology resources in any manner which is disruptive, offensive, harmful to morale or illegal under state and/or federal laws. It is the responsibility of each staff member to utilize these technology resources in a responsible, courteous manner following accepted standards of behavior and etiquette. Further, employees of the Library Commission may not use these resources for personal gain or for illegal, disruptive, unethical or unprofessional activities.

All Internet data composed, transmitted, or received via the Library Commission's e-mail system is considered to be part of the official records of the Mississippi Library Commission. As such, the information may be subject to disclosure to law enforcement agencies should circumstances arise that require such action. Employees should endeavor to make transmissions that are accurate, appropriate, ethical, and lawful.

Any employee found violating this policy may be restricted from, or denied, the use of the information technology resources of the Library Commission. In addition, if an employee is found committing unlawful activities while using these technology resources, the appropriate law enforcement agency/agencies will be contacted.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 66, states that insubordination, including, but not limited to, resisting management directives through actions and/or verbal exchange, and/or failure or refusal to follow supervisor's instructions is a Group Two offense. In addition, willful or negligent damage to property of the State of Mississippi is a Group Three offense, page 67.

7.2 Hardware/Software Use and Management

All personal computers (PCs), workstations, printers, add-in cards, memory modules, and other associated equipment are the equipment of the State of Mississippi. No changes, modifications,

additions, or equipment removals may be performed without approval and authorization from the Network Services Bureau staff.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 66, states that insubordination, including, but not limited to, resisting management directives through actions and/or verbal exchange, and/or failure or refusal to follow supervisor's instructions is a Group Two offense. In addition, willful or negligent damage to property of the State of Mississippi is a Group Three offense, page 67.

Software, including but not limited to Internet downloads, utilities, add-ins, programs (i.e., shareware, freeware, Internet access software), patches, upgrades, or clip-art, may not be installed on any agency hardware by anyone other than a representative of the Network Services Bureau. All software purchased for use on office equipment must be approved - in writing - by the staff of the Network Services Bureau.

No software may be installed locally (i.e., C: drive) without Network Services' approval.

Software owned or licensed by the Library Commission may not be copied to alternate media, distributed by e-mail, transmitted electronically, or used in its original format other than on office PCs without express written permission from the staff of the Network Services Bureau. In no case is the license agreement or copyright to be violated.

Software licensed to the Library Commission is to be used for its intended purpose according to the license agreement. Employees are responsible for using software in a manner consistent with the licensing agreements of the manufacturer. Software license agreements are maintained by Network Services Bureau.

7.3 Practices Regarding Hardware/Software Use and Management

No materials are to be disseminated in any manner that is derogatory to any person or group or is obscene, racist, sexist, harassing or offensive based on color, religion, creed, national origin, age or disability.

System identification codes and passwords are for the use of the specifically assigned user and are to be protected from abuse and/or use by unauthorized individuals.

All diskettes, e-mail attachments, and executable e-mail messages are automatically scanned for viruses using the virus detection software installed on all computer workstations which have been configured by Network Services Bureau staff. If any configuration changes are made to an employee's workstation, it is the employee's responsibility to ensure virus protection prior to opening/executing diskettes, e-mail attachments, and executable e-mail messages.

While complying with federal/state laws and the stated guidelines pertaining to technology resource usage, employees of the Library Commission will be expected to exercise prudence and care at all times while using technology resources provided by the agency and exhibiting high levels of ethical

and business standards when using technology resources. Employees should:

- Report all technology resource problems to Network Services Bureau staff immediately;
- Take precautions in safeguarding passwords in order to prevent the use of equipment and materials by unauthorized individuals;
- Respect the privacy of others;
- Adhere to copyright laws regarding the use of software, information, and authorship (U.S. Copyright Law);
- Refrain from the use of any state-provided technology resources for illegal or criminal purposes (U.S. Computer Fraud and Abuse Act);
- Refrain from sending, knowingly receive, or displaying of inappropriate materials which may be reasonably construed as obscene;
- Be responsible for regularly checking e-mail and responding in a timely manner;
- Refrain from sending offensive or disruptive messages;
- Be aware that electronic files create records that may be subject to judicial use.

Employees may not use information system resources for solicitation, personal financial gain, partisan political activities, or further disseminating junk e-mail, such as chain letters.

Information contained on the agency's networks and workstations is strictly proprietary to the State of Mississippi and the Mississippi Library Commission. Copying or disseminating any information for any purposes other than state business is strictly prohibited. Access to this information is considered confidential.

Employees are expected to report violations of this policy immediately to management. Likewise, employees are expected to cooperate in any investigation of the violation.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 66, states that unauthorized use or misuse of state property or records and is a Group Two Offense. In addition, a breach of agency security or confidentiality is a Group Three Offense, page 67.

7.4 Policy For Customer Usage

The Mississippi Library Commission offers its customers access to a variety of library materials electronically. Electronic access to information will be made reasonable, fair, and equitable to all customers in accordance with the American Library Association's *Access to Electronic Information, Services, and Networks: An Interpretation of the Library Bill of Rights*.

The Mississippi Library Commission does not monitor information that is made available over the Internet. Patrons are reminded that the Commission does not:

- Guarantee the validity or accuracy of the information found utilizing the Internet;
- Guarantee that information found on the Internet will not be offensive to some individuals;
- Offer protection against fraud and/or other illegal activities in connection with the Internet.

Customers may download information obtained from the Internet and other electronic information sources; however, customers should:

- Be aware of and observe all federal copyright laws;
- Be aware of and observe all state/federal laws regulating Internet/online activity;
- Recognize that downloading information must conform to Mississippi Library Commission's *Customer Computer Access Guidelines*;
- Recognize that the Library Commission does not accept any responsibility for damages incurred as a result of downloading data.

The Mississippi Library Commission does not provide to its customers electronic e-mail accounts, access to news groups, chat rooms, and other interactive services. Customers do not have the capability of sending or receiving private or confidential communications via the Library Commission's Internet service.

Customers who engage in criminal and illegal acts will lose their privileges to use the Library Commission's technology resources. These illegal acts include, but are not limited to:

- Obscenity;
- Child pornography;
- Sexual harassment;
- Theft;
- Unauthorized access.

In addition, customers found to engage in these illegal acts will be reported to federal and/or state authorities.

Parents, guardians or legal care givers must assume responsibility for deciding what library information and Internet resources are appropriate for children. The Mississippi Library Commission will not supervise use by minors.

The Mississippi Library Commission's workstations provide access to the Internet as well as other electronic library resources; however, no provisions have been made for customer use of word processing, spreadsheets, and other office equipment.

This policy is available in printed format upon request. All terminals accessible by Library Commission customers display this policy on an introductory screen. In order to proceed beyond the policy display screen, all customers must agree to the access policy.

7.5 Guidelines For Customer Computer Access

All customers accessing electronic information resources are expected to utilize these resources in a responsible manner, consistent with the educational and informational purposes for which they are provided and to follow the Library Commission's basic computer access guidelines:

- Public access computer time may be limited to half-hour increments (30 minutes) if others are waiting to use the technology resources;
- Children 16 years and under must be accompanied by a parent, guardian, or legal care giver is responsible for the access of the minor;
- The privacy of others must be respected;
- Customers may not misrepresent themselves by access code, password or signature;
- Downloading of information can only be made to 2 inch diskettes which are available on a swap and basis;
- Customers may not utilize computer workstations as a staging ground to gain unauthorized access to the Commission's networks, computer systems, other networks, or other computer systems;
- By proceeding beyond the policy display screen, all customers agree to abide by the Mississippi Library Commission's electronic access policy.

For further information employees should reference the Administrative Rules for public polices as filed with the Secretary of State's Office.

8.0 CONDUCT

The staff of the Mississippi Library Commission is expected to maintain work practices that reflect a commitment to excellence. The agency's reputation is built upon the ethical conduct of its employees. Diligent and careful observances of all applicable laws and regulations, as well as scrupulous regard for personal and businesslike standards are expected of each employee. In this spirit, Library Commission employees are expected to comply in accordance with the letter, spirit, and intent of all applicable laws and refrain from any illegal, dishonest, and unethical conduct.

8.1 Integrity in Communication

Mississippi Library Commission employees will be expected to maintain the highest standards possible regarding personal and institutional integrity in communication, both verbal and written. Employees will communicate truthfully and accurately to internal and external customers at all times in order to avoid conflict and misunderstandings.

8.2 Gifts and Mementos

Mississippi Library Commission employees may not solicit or accept gifts or mementos (i.e., books, paintings, prints, jewelry, clothes, etc.) while representing the agency in an official capacity. This does not include items which may be won as the result of a drawing and while attending exhibits at a convention.

Supervisors may not solicit or accept gifts from employees whom they directly or indirectly supervise. This does not include items (i.e., flowers, memorials, wedding or baby shower gifts, etc.) that may be given as a result of illness or death.

8.3 Respect for Others

By word and deed, Library Commission employees are expected to show respect to fellow staff members, supervisors, and the agency's external customers. Inappropriate statements and acts include, but are not limited to:

- Sexual and physical harassment;
- Racial/ethnic slurs;
- Profane and abusive language;
- Stereotypical behavior, speech or actions.

9.0 CONFIDENTIALITY AGREEMENT

As an employee of the Library Commission I am aware that data and materials to which I have access are to be treated in a professional and confidential manner. This information will be used only in the performance of official business and may not be disclosed to others or used for personal gain.

10.0 CONFLICT OF INTEREST

Mississippi Library Commission employees are required to adhere to all state laws regarding conflicts of interest. Therefore, no state employees should:

- Accept or solicit any gift, favor, or service which might reasonably tend to influence the

discharge of official duties or conduct;

- Accept employment, or engage in any business or professional activity, which might reasonably expect, require or induce the disclosure of confidential information acquired by reason of an official position;
- Accept other employment or compensation which could reasonably be expected to impair independence of judgment in the performance of official duties;
- Make personal investments which could reasonably be expected to create a substantial conflict between private interest and public interest;
- Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the official powers or performance of official duties in favor of another.

Employees of the Library Commission have an obligation to provide courteous, prompt, fair and impartial service to its internal, as well as external customers at all times.

11.0 CREDIT CARDS

Agency credit cards issued to employees of the Mississippi Library Commission for the express purpose of conducting state-related business may not be used for expenditures other than those approved for reimbursement by the Department of Finance and Administration. Employees must follow state purchasing procedures for all business expenses.

12.0 CREDIT UNION

The Mississippi Public Employees' Credit Union is a cooperative savings and loan institution available to Mississippi Library Commission employees. An account may be opened for a minimal fee and deposit. The rate of interest earned is established by the credit union's board of directors.

Additional information regarding the credit union may be obtained from the Human Resources Office and/or the Mississippi Public Employees' Credit Union.

13.0 DECOR

Personal decorative items or accessories may not be placed outside the confines of an employee's office or work space without prior approval from the Executive Director of the Mississippi Library Commission.

The window shades in the office areas should be positioned at:

- From the top of the window;
- Down to the cross bar of window;
- Closed to the window ledge.

Allowable Personal Items in Staff Offices:

- Artificial plants or live plants in attractive drain plates (Limit two (2) total)
- Personal collections (Limit five (5) total – 5 of a kind or a combination of 5)
 - Such as pottery/figurines, cups/mugs, school alma mater souvenirs, etc.
- Calendars with (non-offensive) pictures/language
- Personal CD players or radios
- Musical CDs organized in a case
- Personal framed desktop-size photographs (limit five [5])
- Framed diplomas, degrees, special certificates or plaques
- Framed quotes, library & other posters (non-offensive)
- Framed mirrors
- Desk lamps (office appropriate, within décor of building[black or brushed aluminum])
- Mini refrigerators not in view
- Professional journals/books
- Other items such as bookends, vases, candy dishes
- Personal clocks (office appropriate without chimes)
- Freestanding coat trees

Personal decorative items may be placed within the confines of an employee's office or work space; however, these items must be displayed in a professional manner.

The following are non-allowable items:

- Staff food or drink in view (staff allowed to have food/drink, but must be kept out-of-sight.)
- Open drink containers (tops required to prevent spillage). Same requirement will be made of customers.
- Hygiene products in view
- MLC hard hats
- Empty food containers
- Candles
- Fans/Heaters
- Racial or religious or gender or other materials that may be offensive to others
- Empty boxes
- Helium balloons or small gift balloons on permanent display
- Rugs (area/throw)
- Coffee pots in offices
- Personal items in shared or public areas
- Unframed artwork or posters
- Handwritten, unframed signs
- Tape, particularly transparent (scotch) tape, used to attach items to any facilities or grounds surface (excludes removable tape on book trucks)
- Items placed on window sill
- Any item seen above a system office wall
- Any items posing a danger to an individual or damage to agency facilities/furnishings/grounds
- Any item that diminishes the aesthetics of the new facility (e.g. "tacky, cutesy, country, homemade or homey looking")

- Cluttered offices or work areas regardless of area (public, shared, staff office)
- CD players and radios played loud enough to be heard outside staff office

Seasonal items may be displayed in the office areas for short periods of time if they are professionally displayed and non-offensive.

14.0 DEFERRED COMPENSATION

Deferred compensation is a supplemental, voluntary savings plan administered by the Public Employees' Retirement System (PERS) Board of Trustees offering tax advantages to participants. Mississippi Library Commission employees who choose this plan may set aside part of their salary each year. Income tax liability is postponed on that part of the salary until the year in which the employee actually receives the deferred amount. Interest and/or earnings also are tax deferred until withdrawal.

Interested employees may contact the Human Resources Office for more information. Changes to Deferred Comp may be made at any time during the year.

15.0 DRESS CODE

The Mississippi Library Commission staff are expected to dress in a neat, professional manner. Each employee is to be clean, neat, and dressed appropriately for job responsibilities. Professional discretion must be used in determining appropriate dress to prevent safety hazards.

Business dress is the norm for agency staff Monday through Thursday. Fridays are designated as business casual days, unless agency activities or special events require otherwise. The primary objective of business casual is to continue to project a professional image in a more casual, relaxed atmosphere. This type of dress is less formal than normal business attire, but more formal than personal time casual wear.

Not all clothing is appropriate for the workplace. Stained, wrinkled, frayed, or revealing clothing are inappropriate. Other examples include, but are not limited to:

- Worn, faded jeans
- Spandex or other form fitting pants
- Overalls and coveralls
- Skirts worn excessively short above the knee
- Sweat suits/wind suits
- Spaghetti-strap dresses and shirts
- Visible undergarments

- Tennis shoes, unless required for medical reasons
- Tanks, tube tops, and halter tops (unless worn under a shirt)
- Clothing with offensive messages or images
- Shorts and skorts

Agency staff must adhere to the following guidelines:

- Shoes worn at all times to provide safe, secure footing.
- Hats and head wraps worn only outside.
- Appropriate foundation garments worn.
- Mustaches and beards neatly maintained.
- Hairstyles must not interfere with job safety or performance.
- Offensive body odor and poor personal hygiene unacceptable.
- Perfume, cologne, and aftershave lotion used in moderation so as not to offend.
- Jewelry must not endanger job safety or performance.
- Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, are not appropriate in the workplace.
- Body piercing with visible jewelry, other than ear piercing, or jewelry that can be seen through or under clothing is not appropriate in the workplace.
- Excessive tattoos and body art must not be visible.

If a Library Commission employee's dress and/or grooming are deemed unacceptable, the employee will be required to take personal leave to make the necessary adjustments before returning to the workplace.

16.0 EDUCATIONAL ASSISTANCE PROGRAM

16.1 Policy For Educational Assistance Program

The Mississippi Library Commission, within the limits of available funds, is authorized (*Mississippi Code, 1972, Annotated*, Section 37-101-293) to grant educational assistance to its employees. Education assistance may consist of:

- Any combination of paid education leave (full-time or part-time) at a maximum salary to be established by the Mississippi State Personnel Board;

- Reimbursement for tuition, books, and related fees for undergraduate or graduate level courses.

Reimbursement will not be made for mileage, meals, lodging, etc.

The purpose of the educational assistance program is to encourage employees to develop job-related skills and to develop employees for higher level professional and management positions. Priorities for educational assistance are based on:

- Need within the agency for staff with certain educational credentials;
- Availability of individuals with necessary credentials from applicant pool.

16.2 Eligibility For Educational Assistance Program

To be eligible for paid educational leave, reimbursement for educational expenses, or both, an employee should:

- Consult with direct-line supervisors and seek approval to participate in an educational program that will benefit the employee, as well as, the Mississippi Library Commission if assistance is sought;
- Submit a formal application to the Executive Director of the Mississippi Library Commission for educational assistance;
- Have at least three (3) years of full-time continuous employment with the Mississippi Library Commission, or its predecessor, prior to making application;
- Attend a college or university in Mississippi unless the requested course of study is not available within the state;
- Submit a request for reimbursement for educational expenses for tuition, books, and associated fees and include proper documentation that indicates the course of study has been successfully completed.

(Note) Successful completion will be defined as a grade of C, and or above, a PASS for pass/fail courses, or successful completion of other criteria established by the college or university program.

An employee should not expect reimbursement from the Mississippi Library Commission for expenses which may be reimbursed by other sources.

16.3 Payback Requirements For Educational Assistance Program

Recipients of educational assistance receiving full assistance (tuition, educational assistance, and other related expenses) and are full-time students will sign a contractual agreement stating a willingness to work for the Mississippi Library Commission for a maximum of two (2) years upon completion of the course of study.

Recipients who attend school part-time or who receive partial assistance will sign a contractual agreement stating a willingness to work for the agency for a period of time based on total expenses to the agency as outlined below:

<u>Educational Assistance</u>	<u>Obligation</u>
\$ 500 - \$1,999	6 months
\$ 2,000 - \$2,999	1 year
\$ 3,000 +	2 years

Employees approved for educational assistance or educational leave must enter into a contract with the Mississippi Library Commission. The contractual agreement must be signed by the employee and the Executive Director. If the employee does not fulfill the terms of the agreement, the employee will be liable for repayment on demand of the remaining portion of the agreement, including interest calculated at ten percent (10%) per annum. In addition, the employee will be assessed two thousand dollars (\$2,000) in liquidated damages for each year remaining on the contract.

If any employee resigns or is terminated for cause before the repayment period has been completed, the recipient is liable for repayment. If the recipient is terminated because of a Reduction in Force (RIF), repayments may be waived with the approval of the Executive Director.

If an employee fails or withdraws from school at any time prior to completion, the employee will be liable for repayment on demand of the amount of the total compensation (tuition, books, salary, fringe benefits, and other fees) that was paid by the Mississippi Library Commission with interest calculated at ten percent (10%) per annum. If the employee remains or returns to the agency in the same position which was held prior to accepting educational leave, the employee will not be liable for payment of any interest.

The Mississippi Library Commission may cancel any contract for reasons deemed pertinent and sufficient by the Executive Director. The Library Commission is vested with full and complete authority and power to sue in its own name for any and all uncompleted contracts.

16.4 Procedures For Educational Assistance Program

The time line regarding an employee's request for educational assistance is as follows:

- April 1st Formal request submitted to direct-line supervisor;
- April 2nd - 13th Request follows the employee's chain of command;
- April 14th Request is submitted to the Human Resources Office;
- April 15th Final request submitted to the Executive Director of the Mississippi Library Commission;
- April 30th Final decision by Executive Director.

All appropriate applications and forms required by colleges or universities must be completed and submitted separately by the employee.

Employees of the Mississippi Library Commission requesting educational assistance should make this a part of an individual educational development plan. Both the supervisor and the employee should agree that undergraduate or graduate training is a realistic career goal and that the employee's performance warrants supervisory approval and recommendation when seeking educational assistance from the agency. It should be noted that approval to participate in an education program will not reduce the expected level of standard of work for the employee.

Prior to completing the **Request for Travel, Training, and/or Professional Development** form, the employee should develop an overall educational development plan including:

- Degree sought;
- Required course work;
- College or university offering the degree;
- Total cost of obtaining the degree;
- Time required for completion.

This plan should be attached to the **Request for Travel, Training, and/or Professional Development** form and submitted to the employee's immediate supervisor. All applications must be approved by the appropriate branch, division, and bureau directors prior to being forwarded to the Human Resources Office for review and recommendation to the Executive Director. Final approval rests solely with the Executive Director of the Mississippi Library Commission.

Participation in the educational assistance program will be limited based on available funding and evaluation of the agency's needs. Employee performance and supervisory recommendation will also be used in the final selection of the participants. Any employee requiring assistance with the application process should contact the Human Resources Office.

Individuals approved for educational assistance must enroll in the approved program within twelve (12) months of the start date indicated in the application. Failure to begin the approved program within this time frame will nullify the approval and require re-application for assistance. Individuals who do not complete course-work during twelve (12) consecutive months will need to reapply before continuing the program.

16.5 Reimbursement For Educational Assistance Program

Reimbursements for costs incurred will be made **after** the successful completion of course work. The following documentation is required when making a request for reimbursement:

- Grade report indicating a grade of C and, above or PASS for pass/fail courses, or successful completion of other criteria established by the college or university program;
- Tuition cost receipts (the original and 2 copies) from the college or university indicating the

amount paid; and

- Receipts (the original and 2 copies) for related fees, books, or approved expenses. The receipt should specify the expense and the amount paid.

The Human Resources Office will approve all reimbursements for educational assistance and will forward the requests for reimbursement.

17.0 EMERGENCIES

17.1 Health Related

Employees should be familiar with the agency's emergency exit plan which is posted at strategic locations within the facility and the Incident Response Plan. Specific questions regarding the evacuation of the facility should be directed to immediate supervisors.

If immediate emergency medical assistance is needed, contact the Human Resources Office who will contact the appropriate facility and/or family members.

First aid supplies are located in the workrooms on each floor.

17.2 Weather Related

While schools and other businesses may choose to close during inclement weather, only the Governor and the Mississippi Legislature can close a state agency. Therefore, employees of the Mississippi Library Commission should assume that the agency is open for business unless notified by their immediate supervisor or agency-designee.

If an employee is delayed or absent due to inclement weather, proper notification should be given to the appropriate supervisor as soon as possible. The Executive Director of the Mississippi Library Commission may, under certain circumstances, grant administrative leave to employees who are affected by inclement weather conditions.

18.0 EMPLOYEE ASSISTANCE PROGRAM (EAP)

18.1 Policy For Employee Assistance Program

The Mississippi Library Commission recognizes that a wide range of problems not directly associated with an employee's job function can have an effect on job performance:

Marital;
Family stress;
Alcohol and/or drug abuse;
Emotional disturbances;
Gambling;
Financial difficulties.

It is, therefore, in the best interest of the Library Commission to offer its employees some form of assistance in dealing with these outside influences. The Employee Assistance Program (EAP) is a confidential counseling program provided by the Library Commission and is available to every employee of the agency and their immediate family members who live in the same household.

The EAP contract is provided by the Mississippi Library Commission annually based on the availability of funds.

18.2 Procedures for the Employee Assistance Program

Not only is the EAP available to all employees of the Mississippi Library Commission, it is also available for immediate family members (as defined in the *Mississippi State Employee Handbook* (July 2005), page 29, on a self-referral basis. The employee, and/or family member(s) may utilize the EAP by contacting the Human Resources Office.

The EAP is provided as a benefit to all employees of the Mississippi Library Commission. It is, in no way, a substitute for job performance. If an employee elects to use the services of the EAP, due to job performance problems, it is the employee's responsibility to do whatever is necessary to bring his or her productivity back to a satisfactory level and for performance problems to be eradicated. If the employee's performance problems persist, the problem will be handled in accordance with existing personnel measures as specified in the *Mississippi State Employee Handbook* (July 2005), pages 53-54.

The implementation of the Employee Assistance Program (EAP) does not interfere with or negate any other standard practices, policies, or procedures. Nothing in this program is to be interpreted waiving the responsibility of management to maintain discipline, nor administration's right to carry out disciplinary measures.

Information regarding the EAP is outlined below:

The Mississippi Library Commission will contract with a preferred external provider and (an outside health agency) to provide initial assessment and a set number of counseling sessions at a fixed cost to the agency.

The Human Resources Office will coordinate the Employee Assistance Program and will be:

- Responsible for the management of the program;
- Responsible for providing on-site seminars / training conducted by the provider;
- Explain its purpose and function; and
- Provide information and clarification of issues to employees and management.

If the employee elects to use the services of the preferred provider and agrees to allow the provider to report to the Human Resources Office on the overall progress of the employee, the report will be treated as confidential and no information will be disclosed without the express written approval of the employee.

Any documentation regarding an employee's participation in the EAP will be maintained in a separate file and will not be a part of an employee's personnel file.

An employee participating in the EAP will be required to use personal or compensatory leave to attend counseling sessions. Appropriate leave forms should be completed and approved. The preferred provider will, upon request of the EAP Coordinator, report on the employee's attendance.

If an employee must request a leave of absence to attend an off-campus service (i.e., hospital) as part of the EAP, appropriate leave forms should be completed and approved.

No employee of the Mississippi Library Commission will have their job security or promotional opportunities jeopardized by participation in the EAP.

Participation by an employee in the EAP will not shield an employee against approved disciplinary action or other personnel policies and procedures.

The employee will be responsible for any costs or fees associated with a referral to an outside agency or service other than the preferred provider.

The employee will be responsible for all costs and fees as a result of additional counseling sessions beyond the number of sessions provided by the EAP. Some services **may be covered** by the employee's health insurance; however, the employee will be responsible for filing for insurance benefits.

19.0 EMPLOYMENT OUTSIDE THE MISSISSIPPI LIBRARY COMMISSION

Employees of the Mississippi Library Commission may hold outside jobs as long as the performance standards of their agency jobs are met. All employees will be subject to the agency's scheduling demands, regardless of any existing outside work requirements. If the Library Commission determines that an employee's outside work interferes with performance or the ability to meet the job requirements, the employee may be asked to terminate the outside employment.

Full-time employees of the Mississippi Library Commission may not accept employment in any capacity from another state agency, university, local government, library archives, or professional association in which the employee receives monetary compensation without prior approval from the Executive Director.

Full-time employees may not accept employment in any capacity with a business that provides services or goods to the clients of the Mississippi Library Commission without prior approval from the Executive Director.

The Executive Director of the Mississippi Library Commission will review and determine whether there is a conflict of interest or the appearance that a conflict of interest exists. Further, employees will not be given permission by the Executive Director to provide the same or similar services as rendered by the agency to the Library Commission's clientele. Employees may volunteer to provide a similar service if no compensation is received.

20.0 EMPLOYMENT PROCEDURES

Whenever possible, the Mississippi Library Commission will strive to fill vacant positions from within the agency by promoting qualified employees. However, when it has been determined by the agency authority and the respective supervisor(s) that it is in the best interest of the agency to have a broader pool of applicants, Library Commission employees may compete with applicants outside the agency for vacant positions.

20.1 Internal Posting

Mississippi Library Commission job vacancies will be posted on the employee bulletin board for a minimum of ten (10) working days. The notice will include the State Personnel Board job title, job description and salary range. It will be the responsibility of any interested and qualified employee to apply in person at the Human Resources Office.

20.2 External Posting

When seeking a broader range of applicants, it will be the responsibility of the Human Resources Office to contact the State Personnel Board (SPB) and request a **Certificate of Eligible Applicants** (COE) list. If a COE is unavailable, the SPB will assist the Library Commission with the recruitment of applicants for the vacant position at the Library Commission's request. The Human Resources Office will also post job vacancies on the agency's web page and other outside advertisements until the position is filled.

20.3 Interviews and Selection Process

Once a list of eligible applicants is available, the Human Resources Office will provide this list to the interviewing supervisor(s) who will review the list. With the assistance of the Human Resources staff, the supervisor will determine which applicants are to be interviewed. The Human Resources Office will schedule all interviews and notify all applicants.

Applicants will be interviewed by a Selection Committee comprised of individuals who are directly and indirectly involved with the position to be filled. The Selection Committee will develop a list of questions which will be asked of all candidates participating in the interview process. In addition, applicants may be required to complete a test given by the agency as a part of the interview process. Any test given will be directly related to the position for which the candidate is being interviewed.

The Human Resources Office will review recommendations made by all Selection Committees to ensure that employment of or promotion of a candidate complies with the agency's equal employment opportunity guidelines.

Additional topics regarding *Recruitment, Selection, Personnel Services, and Classification* are discussed in the *Mississippi State Employee Handbook* (July 2005), pages 8-16.

20.4 Notification

The Human Resources Office will present the Selection Committee's recommendations to the Executive Director of the Mississippi Library Commission. The Executive Director will make a formal offer of the position to the chosen candidate. Upon the candidate's acceptance, the immediate supervisor will be notified by the Human Resources Office of the candidate's acceptance and effective date of employment.

All internal and external applicants will be notified by the Human Resources Office if they have not been selected for a position.

21.0 EMPLOYMENT OF RELATIVES

The Mississippi Library Commission will not hire relatives of a current employee or persons residing in the same household as a Library Commission employee to work in the same branch, division or bureau as the current employee. For the purpose of this statement, relatives will be considered as:

Spouse;
Aunt or uncle;
Child;
Grandfather or grandmother;
Parent;
Grandson or granddaughter;
Brother or sister;

This includes stepchildren, stepbrothers/sisters, great- and great-great grandparents and grandchildren.

For the purpose of this statement, persons residing in the same household as current employees include, but are not limited to, roommates and companions.

Employees will not be considered for transfer into an area in which a relative or person residing in the same household is already employed.

If two (2) employees within the same area marry, become related by marriage, or become members of the same household, one of the employees must resign or request a transfer to another area provided there is a vacant position for which that person qualifies. The choice will be made by the employees. If the employees do not choose, the employee with the least Library Commission seniority will be asked to transfer to another branch, division, or bureau, or to resign.

22.0 EQUAL EMPLOYMENT OPPORTUNITY**22.1 Policy for Equal Employment Opportunity**

The Equal Employment Opportunity Commission enforces five (5) statutes that prohibit job discrimination by state government agencies:

- Title VII of the Civil Rights Act of 1964 (Title VII);
- The Age Discrimination in Employment Act of 1967 (ADEA);
- The Equal Pay Act of 1963 (EPA);
- The Americans with Disabilities Act of 1990 (ADA) & Amendments;
- Sections of the Civil Rights Act of 1991 (CRA) which amended provisions of Title VII, the ADEA, and the ADA.

The Mississippi Library Commission fully supports equal employment opportunities for persons of every race, color, creed, sex, religion, national origin, age, physical handicap, disability, or political affiliation.

22.2 Procedure for Equal Employment Opportunity

The Mississippi Library Commission will:

- Recruit, test, hire, promote, and transfer all job categories without regard to race, color, creed, sex, religion, national origin, age, physical handicap, disability, or political affiliation;
- Administer all personnel actions, such as: compensation, benefits, training, and education, without regard to race, color, creed, sex, religion, national origin, age, physical handicap, disability, or political affiliation;
- Base decisions of employment and promotion solely upon an individual's qualifications for the position being filled.

23.0 GRIEVANCES AND APPEALS

The Mississippi Library Commission recognizes that the efficient and the effective operation of the agency depends upon a harmonious relationship between employees and management.

23.1 Policy

When problems, conditions, or circumstances arise that disrupt the working relationship between or among employees, the Library Commission shall receive, process, and resolve employee grievances with fairness, equality, promptness, and confidentiality. Further, each employee is free to use the formal grievance process without fear of prejudice, discrimination, restraint, coercion, or reprisal.

It should be noted by all employees of the Library Commission that any and all documentation regarding informal or formal grievances will **not** be placed in an employee's personnel file.

23.2 Procedures

The Library Commission encourages employees and supervisors to seek resolution to problems at an informal level; however, in the event that problems cannot be resolved informally, employees will be provided with a formal grievance process as outlined in the *Mississippi State Employee Handbook* (July 2005), pages 68-79.

24.0 HARASSMENT**24.1 Policy for General Harassment**

The Mississippi Library Commission is committed to a professional workplace, free from adverse working conditions and all forms of harassment with regard to race, creed, color, age, religion, sex, national origin, and disability. Forms of harassment, such as remarks, gestures, physical contact, display or circulation of written or electronic materials, pictures of objects derogatory to any persons based on the above characteristics are strictly prohibited and will not be tolerated at any organizational level. All employees are expected to perform their assigned duties in a professional manner with particular consideration for the well-being of colleagues, customers, guests, and vendors.

The Mississippi Library Commission makes a firm commitment to swiftly and effectively address all known conditions of harassment in the workplace. No employee or applicant should endure workplace harassment. Any person believing he or she has been illegally harassed should immediately report the incident to a supervisor.

24.2 Complaint Procedures For General Harassment

Complaints of harassment will be given high priority status and investigated promptly. Any employee of the Mississippi Library Commission alleging harassment should proceed in the following manner:

- File a grievance in accordance with the grievance procedures contained in the *Mississippi State Employee Handbook* (July 2005), pages 70-73;
- Know that all complaints will be handled in a confidential manner when possible; however, during the course of investigations, complete confidentiality may be impossible;
- Know that the Mississippi Library Commission will release information relating to an investigation only when necessary, and on a need to know and basis;
- Know that the Mississippi Library Commission is committed to conducting a prompt, thorough, and fair investigation of each and every complaint of harassment;
- Maintain and deliver to management any and all evidence of harassment, including diary entries, notes of dates, times, and locations of conduct as well as names of witnesses to each instance of harassment;

- Care will be taken by the Mississippi Library Commission to ensure the due process rights of the accused and the interests of all parties to the complaint;
- Employees with knowledge concerning complaints of harassment have a duty to participate in investigations by providing complete and timely information;
- Withholding information or failure to cooperate in a good faith effort with an investigation may be considered a disciplinary infraction and may result in disciplinary actions.

24.3 Informal Redress Of Harassment Complaints

Employees of the Mississippi Library Commission are encouraged - where feasible - to communicate directly with one another in order to assure the prompt discontinuation of behavior found to be offensive. The Library Commission supports the rights of each employee to communicate directly with other employees in requesting that offensive conduct be discontinued. However, informal redress of complaints is **not** required and the complaining employee may proceed to file a formal complaint in any situation in which informal redress is not feasible or desirable.

24.4 Sexual Harassment

Sexual harassment undermines the integrity of the workplace. It is a behavior which debilitates morale, tends to devalue a person, and interferes with an employee's ability to successfully perform prescribed work. Sexual harassment of any kind will not be tolerated.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment; or
- Submission to or rejection of such conduct by an employee is used as a basis for employment decisions affecting that employee; or
- Such conduct has the purpose, effect, or unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Specifically, sexual harassment may include, but is not limited to the following:

- Repeated offensive sexual flirtations;
- Solicitation of sexual activity in return for employment opportunities or raises;
- Generalized sexist remarks or behavior, including disrespectful remarks about the gender of an employee;
- Inappropriate and offensive sexual advances, whether or not they are made or implied to be

conditions of employment or of eligibility for raises, promotions, or benefits;

- Repeated requests for a date;
- Advances or propositions;
- Verbal threat or abuse of a sexual nature;
- Leers and unsolicited, non-accidental physical sexual conduct, ranging from touching, patting, pinching, and up to and including assault;
- Graphic or degrading comments about appearance;
- Display of sexually suggestive objects, pictures or images;
- Offensive or degrading cartoons or jokes;
- Offensive or degrading e-mail or electronic images.

24.5 Policy On Sexual Harassment

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and will not be tolerated.

No employee - male or female - should be subjected to unsolicited and unwelcome sexual overtures. Therefore, any form of sexual harassment whether between members of the opposite sex or between members of the same sex are prohibited and should be reported to management. Reports of sexual harassment will be addressed immediately.

Library Commission employees who have observed acts of sexual harassment should report these incidents to management immediately. All reports will be investigated.

Sexual harassment is prohibited at all organizational levels whether between employees of the same rank, or between employees and supervisors. Such behavior is particularly destructive when the offending employee is in a supervisory position. Supervisors are strictly prohibited from using their position in a harassing manner. No supervisor should imply, suggest, or threaten an employee that cooperation in a sexual manner (or refusal thereof) will have any effect on the individual's employment status, assignment, compensation, advancement, career development, or other condition of employment.

Any employee of the Mississippi Library Commission alleging sexual harassment may:

- File a grievance in accordance with the sexual harassment grievance procedures contained in Section 11 of the *Mississippi State Employee Handbook* (July 2005), page 73;
- The employee may skip a level of management and file the grievance directly with the harassing supervisor's supervisor if the source of the harassment is the employee's

supervisor;

- File the grievance with the Mississippi Library Commission's Human Resource office, Staff Officer, or Executive Director.

In addition, to the Human Resource personnel, the designee of the State Personnel Board Director may be available to advise and counsel employees on the sexual harassment grievance procedure.

- In such cases, the Mississippi Library Commission's Human Resource office, or staff designee of the State Personnel Board Director, may be advised to assist in the filing and resolution of a grievance; or
- In cases of widespread harassment, the Mississippi Library Commission employee may be advised to file an appeal directly with the Employee Appeals Board without exhausting agency level remedies.
- The names of employees reporting incidents of sexual harassment and all victims of sexual harassment will be kept confidential. Employees are legally protected against sexual harassment and their jobs will be protected if a charge of sexual harassment is raised in good faith.
- Employees who subject others to sexual harassment may be subject to disciplinary action and/or dismissal by the Mississippi Library Commission, as well as criminal prosecution.

24.6 Retaliation Regarding Sexual Harassment

Any and all acts of retaliation against persons who utilize the grievance procedure are expressly prohibited.

25.0 HOLIDAYS

Mississippi Library Commission employees receive regular pay for ten (10) legal holidays and for any other day proclaimed as a holiday by the Governor of Mississippi or the President of the United States. (*Mississippi Code, 1972, Annotated*, Section 3-3-7) Part-time employees receive regular pay only for those holidays and designated number of hours as the part-time employee is regularly scheduled to work.

25.1 Official State Holidays

The following have been designated as official state/federal holidays:

January 1	New Year's Day
The Third Monday of January	Robert E. Lee's Birthday and Dr. Martin Luther King, Jr.'s Birthday

The Third Monday of February	Washington's Birthday
The Last Monday of April	Confederate Memorial Day
The Last Monday of May	National Memorial Day and Jefferson Davis' Birthday
July 4	Independence Day
The First Monday of September	Labor Day
November 11	Armistice or Veteran's Day
A day fixed by proclamation by the Governor of Mississippi as a day of Thanksgiving, which shall be fixed to correspond to the date proclaimed by the President of the United States	Thanksgiving Day
December 25	Christmas Day

Provided, however, that in the event any holiday herein before declared legal shall fall on Saturday or Sunday, then the following Monday shall be a legal holiday. (*Mississippi Code, 1972, Annotated, Section 3-3-7*).

25.2 Partial Staffing Holidays

Except as may be provided in specific agency appropriation bills, when in the opinion of the appointing authority, it is essential that a state employee work during an official state holiday, the employee shall receive credit for the day. In addition and in accordance with specific provisions of an agency's appropriation bill, an appointing authority may require employees in specific job classes to work on an official state holiday.

Bureau Directors will be responsible for arranging work schedules to satisfy this requirement. Mississippi Library Commission employees who work holidays will accrue **straight time** for each hour worked.

26.0 HOUSEKEEPING

The agency provides refrigerators and microwaves for employee use. The employee is responsible for cleaning up workroom and employee lounge areas used for snacks and food preparation. Dishes must be cleaned and placed in cabinets and drawers. Refrigerators will be emptied on a regular bases. Staff are to remove all personal items upon request or they may be disposed of.

27.0 ILLNESS

Employees with life-threatening illnesses (i.e., cancer, heart disease, AIDS, etc.) often wish to continue normal pursuits to the extent allowed by their illness. The Mississippi Library Commission supports these endeavors as long as employees are able to meet acceptable performance standards.

As in the case of other disabilities, the Library Commission will make reasonable accommodations in accordance with all legal requirements to allow employees with life-threatening illnesses to continue to perform essential job functions.

All medical information will be treated as confidential. Supervisors and Library Commission employees have a responsibility to respect and maintain this confidentiality. As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 64, states that a breach of agency security or confidentiality is a Group Three Offense.

Employees with questions or concerns regarding life-threatening illnesses are encouraged to contact the Human Resources Office.

28.0 INSURANCE: Health and Life

28.1 Health Insurance

Each employee of the Mississippi Library Commission receives the benefits provided by the State and School Employees' Life and Health Insurance Plan (the Plan). The Plan is a self-insured plan which means that it relies on the premiums collected from participants to pay claims and cover the administrative costs. The Plan does not receive a direct appropriation from the State Legislature.

The Plan is administered by the State and School Employees Health Insurance Management Board. The Department of Finance and Administration handles the day-to-day administration of the Plan through the Office of Insurance.

The Claims Administrator is responsible for processing medical claims, conducting premium billing and maintaining eligibility records. The Pharmacy Benefits Manager processes retail and mail order pharmacy claims submitted by the Plan participants.

The Utilization Management Vendor determines the medical necessity for inpatient admissions and certain outpatient services, as well as providing case management services for the Plan participants.

28.2 Eligibility for Receiving Health Insurance

Full-time employees of the Mississippi Library Commission are eligible to enroll in the Plan if they:

- Make contributions to the State of Mississippi Retirement Plan administered by the Public Employees' Retirement System;
- Are scheduled to work a minimum of 20 hours per week for 12 months or its equivalent; and
- Receive compensation as a direct payment from one of the following within the State: a state agency, public school, community/junior college, institution of higher learning, or public library.

28.3 Enrollment for Health Insurance

All new employees of the Mississippi Library Commission must enroll in the Plan or waive coverage. Enrollment is effective on an employee's first day of employment; however, employees must complete their enrollment paperwork within 31 days of the hire date. Additionally, there is an annual Open Enrollment period every October for coverage effective the following January 1.

The State of Mississippi pays the entire premium for "Base" coverage for all eligible active employees' health insurance hired after the Horizon date of January 1, 2006. The State of Mississippi pays the entire premium for "Select" coverage for all eligible active employees' health insurance hired before January 1, 2006 as a Legacy Employee. The Plan also allows for employees to bump up to the select plan and cover their dependents under the Plan by paying the premiums through payroll deductions.

Benefits of the State and School Employee's Life and Health Insurance include the following:

- Network Health Plan;
- Well-Child Care;
- Emergency Care;
- Specialty Services not available In-Network (may be approved through Utilization Review);
- Lifetime Maximum Benefit of \$2,000,000;
- Prescription Drug Plan.

All questions regarding life and health insurance should be directed to the Human Resources Office.

28.4 Life Insurance

The Plan provides for Life Insurance and Accidental Death and Dismemberment (AD&D) insurance. An employee's group term life insurance amount is equal to two times his/her annual salary, then rounded up to the next highest thousand.

The minimum amount of life insurance is \$30,000 and the maximum amount is \$100,000.

28.5 Life Insurance Cost

The premium rate for the Plan's group term life insurance is \$.24 per thousand dollars of coverage. The state pays for half of the premium and the employee is responsible for paying the other half.

For more information, contact the Human Resources Office.

29.0 INSURANCE: Liability

The State of Mississippi has self-insured automobile liability coverage. All claims against state-authorized drivers will be handled by the Attorney General's Office.

30.0 INSURANCE: Workers' Compensation

All employees of the Mississippi Library Commission are covered by the Mississippi Workers' Compensation Law which provides certain benefits in the event an employee suffers a work-related injury or illness. In case of a work-related fatality, this Law guarantees the payment of benefits to the spouse and dependents of the deceased. The benefits in either case are provided at no cost to the employee or dependents.

For more information, refer to paragraph 1.0 of the **Employee Guide** entitled **ACCIDENTS**.

31.0 INTERNAL COMMUNICATION

Employees of the Mississippi Library Commission are urged to communicate with supervisors to obtain answers to questions and problems and to express suggestions, ideas, or concerns. Supervisors are encouraged to share information with their individual staff members. This bi-directional exchange of information aids in generating open communication between and among all levels of employees.

The Library Commission endeavors to provide accurate information to all employees through the following channels:

- New Employee Tours:** new employees are provided an orientation to the agency;
- Staff Meetings:** employee staff meetings are conducted in order to keep staff members informed of agency-related matters;
- Employee Guide:** a supplemental handbook is provided to each employee which outlines procedures and policies of the agency.

32.0 LEAVE

Each month employees of the Mississippi Library Commission are eligible to accrue two (2) types of leave - personal leave and major medical (sick) leave. Employees may be granted leave as provided in *Mississippi Code, 1972, Annotated*, Sections 25-3-91 et. Seq., 25-9-125, 33-1-21.

Both personal leave and major medical leave may be transferred between state agencies. However, compensatory leave is not transferable.

Upon transferring to the Library Commission from another state agency, leave accrual rates will reflect total continuous service. An employee transferring with a break in service must begin accruing at the rate established for new employees. (Lump sum payment for personal leave and/or lapse of one (1) eight-hour workday between the termination date at an old agency and effective date

into a new agency denote a break in service.) Other forms of leave include:

- Administrative;
- Maternity;
- Bereavement;
- Military;
- Compensatory;
- Without Pay;
- Educational;
- Workers' Compensation;
- Family and Medical Leave Act (FMLA); and
- Donated Leave.

32.1 Tardiness

To maintain a safe and productive work environment, the Mississippi Library Commission expects employees to be reliable and punctual in reporting for scheduled work. Employees who are late in reporting to work must notify the immediate supervisor within fifteen (15) minutes of normal arrival time. In the supervisor's absence, the employee must notify the next level supervisor in the line of authority. Employees should complete a **Request for Authorized Leave** form documenting the leave taken and submit the form to the immediate supervisor.

Excessive tardiness is disruptive to the work place and may lead to disciplinary action. As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 65, states that unexcused tardiness is a Group One Offense. In addition, failure to report to work without giving proper notice to supervisor and is a Group Two Offense, page 62.

32.2 Administrative Leave

Per the *Mississippi State Employee Handbook* (July 2005), page 32, state employees may be granted administrative leave with pay. For the purposes of this section, administrative leave means discretionary leave with pay, other than personal leave or major medical leave.

The Executive Director of the Mississippi Library Commission may grant administrative leave with pay to an employee for the following reasons:

- When an employee serves as a witness* or juror or party litigant, as verified by the clerk of the court.

* Special note: any employee who participates as a witness in a formal grievance process will count the time spent in court as work-related and will not be considered administrative leave. No compensatory time may be earned.

- In the event of extreme weather conditions or in the event of a man-made, technological or natural disaster or emergency;
- When an employee serves as a certified disaster service volunteer of the American Red Cross who participates in specialized disaster relief services for the American Red Cross in this state and in contiguous states when the American Red Cross requests the employee's participation;
- Administrative leave granted under this reason shall not exceed twenty (20) days in any twelve (12) month period;
- An employee on leave for this reason shall not be deemed to be an employee of the state for the purposes of workers' compensation;
- The term disaster includes disasters designated at Level II and above in the American Red Cross national regulations and procedures.
- Administrative leave must have prior approval from the Executive Director before being taken. An employee seeking administrative leave should:
- Complete an agency **Request for Leave** form; and
- Submit the **Request for Leave** form to their direct-line supervisor.

The supervisor should forward the request to the Executive Director. The request will be returned to the direct-line supervisor where the employee will be notified of the Executive Director's decision.

32.3 Bereavement Leave

An employee of the Mississippi Library Commission may use up to three (3) days of earned major medical leave for each occurrence of death in the immediate family requiring the employee's absence from work. No qualifying time or use of personal leave will be required prior to use of major medical leave for this purpose. The immediate family is defined as:

- Spouse;
- Grandparent;
- Parent, Stepparent;
- Son-in-law, Daughter-in-law;
- Child, Stepchild*;
- Mother-in-law, Father-in-law;

- Sibling;
- Brother-in-law, Sister-in-law;
- Grandchild.

* Child means a biological, adopted or foster child, or a child for whom the individual stands or stood in loco parentis.

32.4 Compensatory Leave Policy

Compensatory leave shall be administered by the Mississippi Library Commission according to *Mississippi Code of 1972, Annotated*, Section 25-3-92(1), as amended:

When in the opinion of the appointing authority, it is essential that a state employee work after normal working hours, the employee may receive credit for compensatory leave. When, in the opinion of the appointing authority, it is essential that a state employee work during an official holiday, the employee shall receive credit for compensatory leave.

The Mississippi Library Commission's policy for compensatory leave accrued and taken applies to all employees, except the Executive Director. Compensatory leave may be used for those purposes for which personal leave may be used. Compensatory leave may be used within a period of time determined to be reasonable by the immediate supervisor in coordination of workload requirements and is not transferable between state agencies. Compensatory time must be taken before personal or medical leave.

32.4a Non-exempt Employees and Compensatory Leave

Non-exempt status employees are classified as paraprofessional, technical, office and clerical employees. According to the Fair Labor Standards Act (FLSA), non-exempt employees accrue compensatory time at a rate of *one and one-half hour* for each hour worked over a 40-hour work week (Library Commission's work week is Sunday through Saturday). A Non-exempt employee may not accrue more than 60 hours of compensatory time. Upon separation from the agency, a Non-exempt employee receives compensation for unused compensatory leave.

32.4b Exempt Employees Accrual Of Straight Time

Exempt status employees accrue straight time at *hour for hour* for each hour worked over a 40-hour work week. An exempt employee may not accrue more than 60 hours of straight time. Upon separation from the agency, an exempt employee loses unused compensatory time.

32.4c Prior Approval for Accrual Of Compensatory Leave

To accrue and take compensatory time or straight time, an employee must receive prior approval from his/her immediate supervisor. As with any leave, compensatory time or straight time may be taken only if it will not unduly disrupt the operations of the agency.

All requests to accrue compensatory time must be made on the **Request for Accrual of Compensatory Leave** form. The original form should be approved by the immediate supervisor and forwarded to the Human Resources Office.

Employees violating the Compensatory Leave Policy and Procedures are subject to disciplinary action. The supervisor and employee are equally accountable.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 61, states that abuse of state time such as unauthorized time away from work area or failure to notify supervisor promptly upon completion of assigned work is a Group One Offense. In addition the *Handbook* states that falsification of records, such as, but not limited to, vouchers, reports, time records, leave records, employment applications, or other official state document, is a Group Three Offense, page 63.

32.4d Eligible Activities For Accruing Compensatory Leave

Non-exempt and exempt employees may accrue compensatory time or straight time for the timely completion of essential tasks that assist the agency in meeting short and long term goals and objectives. If completion of the following activities require that the employee work beyond a 40-hour work week, the employee may accrue compensatory time or straight time with **prior approval** from the immediate supervisor. Such eligible activities include:

- Required projects exceeding a 40-hour work week;
- Projects with deadlines;
- Cooperative projects;
- Unanticipated projects demanding immediate responses;
- Major projects running concurrently;
- Required travel exceeding a 40-hour work week;
- Out-of-town travel;
- Required professional activities exceeding a 40-hour work week;
- Conventions/conferences;
- Workshops/training sessions;
- Required public library activities exceeding a 40-hour work week;
- Library dedications/open houses/receptions;

- Emergencies exceeding a 40-hour work week;
- Roof leaks/broken pipes/break-ins;
- Computer failures;
- Security matters.

32.4e Ineligible Activities For Accrual of Compensatory Leave

Not all activities are eligible for compensatory time or straight time. Ineligible activities which will not be approved by the immediate supervisor include but are not limited to:

- Professional reading beyond a 40-hour work week;
- Travel
 - Travel from home-to-work and no matter how long the commute
 - Travel within a 40-hour work week
 - Meals or attendance at social events that do not provide direct benefit to the Library Commission

32.4f Holidays and Compensatory Leave

During the state legislative session, the Mississippi Library Commission may remain open using selected staff on the following holidays:

The third Monday of January Robert E. Lee's birthday & Dr. Martin Luther King's birthday

The third Monday of February George Washington's birthday

Non-exempt and exempt employees required to work on an official state holiday accrue *hour for hour* for each hour worked.

Employees must receive their immediate supervisor's approval prior to earning compensatory time by completing the **Request for Accrual of Compensatory Leave** form.

32.4g Use of Compensatory Leave

All staff are required to use earned compensatory time within 60 days from the date earned. Compensatory time will be in place of personal leave for all eligible requests.

32.5 Educational Leave

The agency will mirror the guidelines provided by the State Personnel Board page 35 of the

Mississippi State Employee Handbook subject funds available for the Educational Assistance Program from page 34 of the *Mississippi Library Employee Guide*.

Contact the HR office for further information.

32.6 Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) was enacted into law on February 5, 1993 and took effect August 5, 1993. On January 16, 2009 the Final Rule was added to the Federal Register for FMLA. All agencies of the State of Mississippi are considered covered employers of the Act.

The FMLA entitles eligible state employees to take up to twelve (12) weeks of unpaid, job-protected leave during a 12-month period for specified family and medical reasons and makes it unlawful for any state agency to discharge or discriminate against any person for opposing any practice made unlawful by the Act or for involvement in any proceeding under or relating to the Act. Further, the appointing authority shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise any right provided under the Act.

The Final Rule expands the eligible state employees to take up to twenty-six (26) weeks of unpaid, job-protected leave during a 12-month period for new military related matters.

To be eligible for FMLA benefits, an employee must have worked for a covered employer and (the State of Mississippi) for a total of at least twelve (12) months - whether continuous or not - and rendered at least 1,250 hours worked - not counting paid or unpaid leave - over the twelve (12) months.

The FMLA does not affect any other federal or state law that prohibits discrimination and does not supersede any state or local law which provides greater and more generous leave rights.

If an employee does not choose to substitute accrued paid leave, the Mississippi Library Commission will require the employee to do so.

32.6a Definitions for Purposes of FMLA

Definitions pertaining to FMLA may be found in the *Mississippi State Employee Handbook* (July 2005), pages 102-105.

32.6b Reasons for FMLA Leave

FMLA entitles eligible State employees to take up to twelve (12) weeks of **unpaid, job-protected leave** during any 12-month period for any one or more of the following family and medical reasons:

For the birth of the employee's son or daughter, and to care for the newborn child; *

The placement with the employee of a son or daughter for adoption or foster care, and to care for the newly

placed child; *

To care for an immediate family member with a serious health condition; **

Because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job. **

* Entitlement to leave shall expire at the end of the 12-month period beginning on the date of such birth or placement.

** The 12-month period will begin on the date of the employee's first FMLA leave.

Final Rule of 26 weeks:

“Because of any qualifying exigency (as the Secretary [of Labor] shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty 9or has been notified of an impending call or order to active duty0 in the Armed Forces in support of a contingency operation.”

“An eligible employee who is the spouse, son, or daughter or next of kin of a covered service member to care for the service member.”

Spouses employed by the same employer are jointly entitled to a combined total of twelve (12) workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a sick parent (but not a parent in-law and) who has a serious health condition. However, if the leave is to care for a sick child or the serious health conditions of each other or for the employee's own serious illness, this limitation does not apply.

Contact the Human Resources Office with questions.

32.6c Substitution of Paid Leave

Generally, FMLA leave is unpaid. Mississippi Library Commission's eligible employees will be required to substitute certain accrued paid leave for FMLA leave as follows:

Major medical leave will be substituted for FMLA leave if such leave is to care for a seriously ill family member, or for the employee's own serious health care conditions;

Personal leave will be substituted for any FMLA qualifying purpose.

Additional information pertaining to substitution of paid leave may be found in the *Mississippi State Employee Handbook* (July 2005), pages 106-107.

32.6d Notice and Certification

The employee must notify the Human Resources Office at least thirty (30) days prior to the first day of leave, if the leave is foreseeable, and provide the following information:

- o Medical certification for FMLA leave;

- Reason for FMLA leave;
- Anticipated start of the leave; and
- Anticipated duration of the leave.

Leave may be **denied** if these requirements are not met. In addition, employees of the Library Commission may be required to provide a second or third medical opinion to support health-related FMLA leave, and may also need to provide medical certification before he/she may **return** to work if the leave is related to their own health.

If an employee does not complete and submit the certification form the employees leave is not protected under the FMLA provisions and the employee may be asked to return to work to complete required duties of their job and the job performance may be evaluated as part of the PAR and JCQ.

32.6e Designation of Leave as FMLA Leave and Notification to Employee

Information pertaining to designation of leave and notification to employee may be found in the *Mississippi State Employee Handbook* (July 2005), pages 108-110.

32.6f Intermittent Leave or Leave on a Reduced Leave Schedule

Information pertaining to intermittent leave or leave on a reduced schedule may be found in the *Mississippi State Employee Handbook* (July 2005), pages 110-111.

32.6g Medical Certification

The Mississippi Library Commission will require medical certification issued by the health care provider of the employee, or the employee's ill family member. The employee must submit to the Human Resources Office medical certification at least fifteen (15) working days after being notified of this requirement. In addition, the Department of Labor has developed an optional form (Form WH-380, as revised) for the employee's or their family members' use in obtaining medical certification from health care providers that meets FMLA certification requirements. This form or another form containing the same basic information may be used. The form requires the following information:

- A certification as to which part of the definition of serious health condition, if any, applies to the patient's condition and the medical facts which support the certification, including a brief statement as to how the medical facts met the criteria or definition;
- The approximate date the serious health condition commenced, and its probable duration;
- Whether it will be necessary for the employee to take leave intermittently or to work on a reduced leave schedule basis;
- If the condition is pregnancy or a chronic condition, whether the employee is presently incapacitated,

- and the likely duration and frequency of episodes of incapacity;
- If additional treatments will be required for the condition, an estimate of the probable number of such treatments;
 - If the patient's incapacity will be intermittent, or will require a reduced leave schedule, an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and the period required for recovery.
 - If medical leave is required for the employee's absence from work because of the employee's own condition, whether the employee:
 - Is unable to perform work of any kind;
 - Is unable to perform any one or more of the essential functions of the employee's position, including a statement of the essential functions that the employee is unable to perform based on either information provided on a statement from the agency of the essential functions of the position, or if not provided, discussion with the employee about the employee's job functions; or
 - Must be absent from work for treatment.

If leave is required to care for an employee's family member with a serious health condition, whether the patient requires assistance for basic medical or personal needs or safety or for transportation; or, whether the employee's presence provides beneficial psychological comfort to the patient or assist in the patient's recovery.

If the employee submits a complete certification signed by the health care provider, the Library Commission may not request additional information from the employee's health care provider. If, however, the Library Commission has reason to doubt the validity of the certification, it may require, at the agency's expense that the employee obtain the opinion of a second health care provider designated or approved by the agency. Any such health care provider designated or approved shall not be employed on a regular basis by the state.

If the second opinion differs from the original certification, the Library Commission may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the agency and the employee concerning the information previously certified. The opinion of the third health care provider concerning the information previously certified shall be considered to be final and shall be binding on the agency and the employee.

The Library Commission may require, at the employee's expense, that the employee obtain subsequent re-certification on a reasonable basis. No second or third opinion on re-certification may be required.

As a condition to return to duty, the employee will be required to provide certification from the employee's health care provider that the employee is able to resume work.

32.6h Restoration

Employees of the Mississippi Library Commission, with the exception of certain highly paid key employees, and are entitled to be restored to their positions after returning to work:

- The employee will be entitled to be restored by the agency to the position held by the employee when the leave commenced, OR the employee will be entitled to be restored to an equivalent position with equivalent benefits, pay status, and other terms and conditions of employment;
- The employee will not lose any employment benefit accrued prior to the date on which leave commenced;
- The employee will not accrue any employment benefits during any period of unpaid leave, and
- The employee will not be entitled to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled to had the employee not taken the leave.

The employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period. The Library Commission must be able to show that the employee would not otherwise have been employed at the time reinstatement is requested in order to deny restoration to employment.

Information regarding key employees may be found in the *Mississippi State Employee Handbook* (July 2005), pages 113-114.

32.6i Benefits

For the duration of the employee's FMLA leave, the State will maintain the employee's health insurance coverage under the State's Group Health Plan. The employee is responsible for maintaining dependent coverage and any supplemental policies. Upon the employee's return from FMLA leave, the employee will be restored to the original or equivalent position, with equivalent pay, benefits, and terms of employment. The use of FMLA leave will not result in the loss of any benefit accrued prior to the beginning of the employee's leave.

Additional information regarding health insurance, seniority, major medical and personal leave, life insurance, and retirement may be found in the *Mississippi State Employee Handbook* (July 2005), pages 114-116.

32.7 Major Medical

Major medical leave (sometimes referred to as sick leave) shall be administered as provided in *Mississippi Code 1972, Annotated*, Section 25-3-95 and 25-3-97. All full-time employees of the Mississippi Library Commission accrue major medical leave as follows:

Continuous Service	Accrual Rate (Monthly)	Accrual Rate (Annually)
1 month to 3 years	8 hours	12 days
37 months to 8 years	7 hours	10.5 days
97 months to 15 years	6 hours	9 days
Over 15 years	5 hours	7.5 days

Employees earn and accumulate major medical leave after completing one month of continuous service. Major medical leave may be used for the illness or injury of an employee or member of the employee’s immediate family which is defined as:

- Spouse;
- Grandparent;
- Parent, Stepparent;
- Son-in-law, Daughter-in-law;
- Child, Stepchild*;
- Mother-in-law, Father-in-law;
- Sibling;
- Brother-in-law, Sister-in-law;
- Grandchild.

* Child means a biological, adopted or foster child, or a child for whom the individual stands or stood in loco parentis.

Major medical leave can be used in this manner only after the employee has used one (1) day of accrued personal or compensatory leave. In the event that the employee has no accrued personal or compensatory leave, the first day of leave must be taken as leave without pay. This is a requirement for each absence due to illness.

For each absence due to illness that requires absence from work for thirty-two (32) consecutive working hours (combined leave - compensatory / personal - and major medical leave), major medical leave can be authorized only when certified in writing by the attending physician.

For more information pertaining to major medical leave, consult the *Mississippi State Employee Handbook* (July 2005), page 27.

Staff experiencing on-going illness may provide documentation from a health care provider to use medical leave continuously for follow-up treatments after initial 8 hours of personal leave.

32.8 Maternity Leave

Federal law requires that women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. (42 U.S. Code Section 2000e (k)).

- All types of leave shall be granted to pregnant women on the same terms as leave is granted to other employees;
- The appointing authority shall not terminate the employment of any employee in the state service because of pregnancy or require that such employee take a mandatory leave;
- When certified in advance by a medical doctor, pregnant women can use major medical leave for regularly scheduled prenatal care by a medical doctor without the requirement that personal leave be used for the first eight (8) hours of each absence for subsequent visits. Just as with major medical leave, the first day (or the first eight (8) hours) of leave taken for pregnancy must be personal leave or compensatory leave or unpaid leave (if the employee has no accrued personal or compensatory leave).

32.9 Military Leave

Employees requesting leave when ordered to military duty in excess of the fifteen (15) days allowed by law are entitled to leave of absences from their respective duties without loss of time, annual leave, or efficiency rating until relieved from duty.

For more information pertaining to military leave, consult the *Mississippi State Employee Handbook* (July 2005), pages 33-34.

32.10 Personal Leave

Each employee of the Mississippi Library Commission earns personal leave as follows:

Continuous Service	Accrual Rate (Monthly)	Accrual Rate (Annually)
1 month to 3 years	12 hours	18 days
37 months to 8 years	14 hours	21 days
97 months to 15 years	16 hours	24 days
Over 15 years	18 hours	27 days

Employees earn and accumulate personal leave after completing one month of continuous service. All requests for personal leave are approved at the agency's discretion. All requests for personal leave must be submitted to an employee's immediate supervisor on the agency's **Request for Authorized Leave** form.

For more information pertaining to personal leave, refer to the *Mississippi State Employee Handbook* (July 2005), page 26.

32.11 Without Pay Leave

32.11a Policy for Without Pay Leave

Employees of the Mississippi Library Commission are required to take *leave without pay* when the employee has taken leave (personal, major medical, administrative, compensatory) in excess of his/her leave balance(s). The employee's monthly salary and monthly accruals will be adjusted based on the hours worked for which compensation is due.

32.11b Procedures for Without Pay Leave

Prior to taking leave without pay, a **Request for Authorized Leave** form must be completed and approved by the Executive Director of the Mississippi Library Commission. Only the Executive Director, or their designee, can approve leave without pay.

A **Request for Authorized Leave** must be accompanied by any and all appropriate documentation (i.e., doctor's statement which includes approximate date of return to duty). In the event that circumstances require an extension of leave without pay beyond the original request, a new **Request** must be completed, including new documentation, and submitted for approval by the Executive Director. Employees on leave without pay do not:

- Receive payment for holidays which fall within the period of leave without pay;
- Receive credit for time during this period as state service, unless the employee is returning from military leave without pay;
- Receive personal and major medical leave for the period of leave without pay.
- A period of leave without pay will not constitute an actual **break** in the continuity of employment.

If an employee falls into the *without pay leave* status eight (8) days before payday, the employee's paycheck must be voided and the employee will not be paid on the last working day of the month. Instead, the employee will be paid via a supplemental paycheck which will be issued during the first part of the following month.

To avoid a delay and a reduction in a monthly paycheck, employees are encouraged to closely monitor their leave balances. Special note: Employees may not use leave until after it has been

accrued.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 62, states that leave usage without justifiable and reasonable excuse for such absence and insubordination, including, but not limited to, resisting management directives through actions and/or verbal exchange, and/or failure or refusal to follow supervisor's instruction, perform assigned work, or otherwise comply with applicable established written policy are Group Two Offenses.

In addition, unauthorized absence or leave in excess of three (3) consecutive working days without proper notification and satisfactory explanation to the supervisor or the appointing authority in a timely manner is a Group Three Offense. As stated in the *Mississippi State Employee Handbook* (July 2005), page 68.

32.11c Leave of Absence

An employee of the Mississippi Library Commission can, upon written application to and in the discretion of the appointing authority, be granted leave of absence without pay not to exceed twelve (12) months without forfeiting previously accumulated continuous service (*Mississippi Code 1972, Annotated*, Section 25-3-93(2)).

Leave of absence should not be confused with leave without pay. A leave of absence is for the purpose of accepting an assignment in the non-state service for a period not to exceed one (1) year (*Mississippi Code 1972, Annotated*, Section 25-9-125). Leave without pay is leave granted to the employee, at the discretion of the appointing authority, in the absence of paid leave. Information regarding a leave of absence may be obtained from the Human Resources Office.

32.12 Workers' Compensation Leave

All state employees are covered by the Mississippi Workers' Compensation Law which provides certain benefits in the event an employee suffers a work-related injury or illness. In case of a work-related fatality, this Law guarantees the payment of benefits to the spouse and dependents of the deceased. The benefits in either case are provided at no cost to the employee or their dependents.

For injuries or illness, the benefits provided may include payment of all reasonable and necessary medical expenses as well as partial compensation for wages lost because of the injury or illness. The wage loss benefits are payable in addition to any accrued leave which the employee may be able to use up to 100% of the normal wages. However, wage loss benefits for injury or illness are not paid for the first five (5) days of disability unless the disability extends fourteen (14) or more days. These benefits are payable at the rate of two-thirds of the employee's average weekly wage. These benefits may also be subject to a weekly maximum set by law. In certain cases, vocational rehabilitation assistance may also be available.

In case of death, income benefits are paid to the spouse and dependents, and compensation is also paid to help offset funeral expenses. There is no minimum waiting period for benefits in death cases.

Employees of the Mississippi Library Commission may choose to take personal and/or major medical leave with pay to cover any absence due to work-related injury or illness.

For more information, contact the Human Resources Office and/or refer to the **Employee Guide**, paragraph 1.0 entitled **ACCIDENTS**.

32.13 Donated Leave

Any employee may donate a portion of his or her earned personal leave or major medical leave to another employee who is suffering from a catastrophic injury or illness, or to another employee who has a member of his or her immediate family who is suffering from a catastrophic injury or illness.

“Catastrophic injury or illness” means a life-threatening injury or illness of an employee, or a member of an employee’s immediate family, which totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods, may be considered catastrophic.

An employee must have exhausted all of his or her earned personal leave and major medical leave before he or she will be eligible to receive any leave donated by another employee. All donated leave shall be in increments of not less than twenty-four (24) hours.

Further details maybe found on pages 29-31 of the *Mississippi State Employee Handbook*, (July 2005) or by contacting the Human Resources Office.

33.0 LINES OF AUTHORITY

The Mississippi Library Commission’s organizational chart delineates appropriate supervisory lines of authority for employees of the agency. To insure orderly work flows, these lines of authority should be followed at all times.

By state statute, the Executive Director is the agency head of the Mississippi Library Commission and is elected by the five-member Board of Commissioners for a four-year term. The Executive Director reports to the Board. When the Executive Director has to be physically absent from the agency, he/she may designate a line of authority which includes, but is not limited to the following order:

Special Staff, Chief

Bureau Directors: Administrative Services
 Network Services
 Public Services

Division Directors: Library Services
 Blind & Physically Handicapped Library Services
 Development Services

34.0 LONG DISTANCE TELEPHONE USAGE

The long distance telephone system is administered by Information Technology Services (ITS). All employees of the Mississippi Library Commission are issued a seven (7) digit authorization code by the Network Services Bureau staff. This code must be used when placing a business-related long distance call.

Staff members should secure their code number because long distance calls are itemized monthly by the agency's assigned code numbers. The use of another staff member's authorization code in making long distance calls is strictly prohibited.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 66, states that unauthorized use or misuse of state property or records and is a Group Two Offense. In addition, a breach of agency security or confidentiality is a Group Three Offense, page 67.

35.0 LUNCH HOUR

All employees are provided one (1) 60-minute lunch period for each eight-hour day. Supervisors should schedule lunch hours between 11:00 a.m. and 2:00 p.m. ensuring that service areas are covered.

36.0 MEMBERSHIP DUES

The Mississippi Library Commission encourages participation in professional organizations that will provide direct benefit to the agency.

Approval for agency payment of organization membership dues and conference/workshop registration fees by the Bureau Director will be based on the following guidelines:

availability of funds,
benefit to agency/relevance to job, and
employee job classification.

Membership approval and payment of dues by the Mississippi Library Commission does not mean automatic conference/workshop attendance approval.

Library organizations:

Staff members in the following or equivalent job classes will be eligible to participate in the following:

Mississippi Library Association (MLA)

- Library Specialists
- Librarian I-V
- Library Consultant
- Senior Library Consultant
- Public Relations Director
- Branch, Division & Bureau Directors
- Other agency staff

American Library Association (ALA)

- Librarian III-V
- Library Consultant
- Senior Library Consultant
- Branch, Division & Bureau Directors

Non-library organizations:

Staff members in the following job classes will be eligible to participate in the following:

Mississippi Association of Public Purchasing Association (MAPPA)

- Purchasing Agent, Bureau Director

Mississippi Association of Personnel Administrators (MAPA)

- Human Resources Staff, Bureau Director

Society of Human Resources

- Human Resources Staff, Bureau Director

Mississippi Association of Public Relations

- Public Relations Director

Certified Public Managers

Staff that have completed SPB's CSM level or higher

Administrative Support Organization

Staff that are in or have completed SPB's ASCP Program

Other organizations

Qualified employees interested in such memberships should inform their immediate supervisors and the Bureau Director a month in advance. Employees seeking membership in other organizations, not listed above to gain agency approval, must submit to the Bureau Director the documentation on the organization and justification as to why such membership is beneficial to the agency. Employees who join organization at their own expense do so in their individual capacities and not as representatives of this agency.

Employees attending professional organization meetings, conferences or other professional workshops with agency financial support must prepare a one (1) page summary within two (2) weeks of attendance, to be presented to the Bureau Director. Further dissemination of "things learned" may be requested.

37.0 PARKING

Parking facilities are located in close proximity of the Mississippi Library Commission. Security personnel and lighting are provided to aid in protecting vehicles and employees during regular working hours; however, employees are encouraged to lock their vehicles and take every precaution when entering and exiting the facility.

38.0 PAYROLL ADMINISTRATION

Salaries for all employees of the Mississippi Library Commission are governed by the State Personnel Board (SPB). The base salary of each state service employee and those non-state service employees under SPB purview is fixed initially at the time of hire. The authorized salary for a newly hired employee may be at or below the start salary of the job classification to which the employee is appointed. Adjustment in this salary may occur later due to such in-service movements as promotions/demotions, re-allocations, or reclassifications. Similar adjustments may be made with increases such as productivity, realignment, or educational benchmark awards.

Information pertaining to compensation may be found in the *Mississippi State Employee Handbook* (July 2005), pages 17-18.

38.1 Mandatory Deductions

Several mandatory deductions are made from an employee's paycheck each month:

- **Federal Income Tax:** The amount withheld is determined by the employee's salary and the information provided on his/her W-4 form.
- **Retirement:** A 7.25% deduction for the employee's contribution to the Public Employees' Retirement System (PERS) is tax deferred - federal income taxes are paid when benefits are withdrawn.
 - * **Special note:** The employer contribution is set by the PERS Board and subject to change. Current rate is 11.85%.
- **State Taxes:** The amount withheld is determined by the employee's salary and the information provided on his/her State Tax form.
- **Social Security/ Medicare:** Federal law mandates that the employee contribute a 6.20% deduction and for Social Security and 1.45% for Medicare. The State matches this on behalf of the employee.
- **Garnishments:** When court-ordered garnishments (i.e., child support, debt-related issues, IRS/State tax levies, etc.) are mandated, an employee's paycheck will be garnished. Human Resources Office will notify the employee when orders are received.

38.2 Optional Deductions

Several optional deductions can be made from an employee's paycheck each month:

- **Life insurance:** Employees contribute fifty percent (50%) of the cost for life insurance coverage with the State contributing the other fifty percent (50%) of the costs.
- **Health Insurance:** Any insurance coverage for an employee's family members is optional and the cost is incurred by the employee. The state pays for base coverage for all new after January 1, 2006. An employee may choose the select plan and pay premiums for the lower deductible plan.
- **Flexible Benefit Cafeteria Plan:** Employees have the option of participating in the Library Commission's Flexible Benefit Cafeteria Plan. Each employee must sign an election and salary reduction agreement (SRA) indicating election or waiver of one or more benefits available under the Plan as pre-tax or taxable.
- **Deferred Compensation:** The state retirement system offers a deferred compensation program for increased retirement benefits which are paid for by the employee with no match from the State.
- **Credit Union:** Employees may make contributions to the State Employees' Credit Union. The amount to be contributed is determined by the employee.
- **Charitable Organizations:** Employees may make contributions to charitable organizations (i.e., United Way, etc.). The amount to be contributed is determined by the employee.
- **Miscellaneous:** Employees may make contributions to employee organizations (i.e., MASE, SEAM, etc.). The amount to be contributed is determined by the employee.

For more information regarding these deductions, contact the Human Resources Office.

38.3 Payday

Employees who receive a monthly paper paycheck will receive it on the last working day of the month. Employees who have electronic direct deposit will have their monthly paycheck deposited in their designated account the day before the last working day of the month and will receive a pay stub through the ACE electronic system.

Any employee who does not have electronic direct deposit or is not present on payday must complete, in advance, the **Authorization/Discontinuation to Mail or Pick Up Employee's Paycheck** form. If an employee does not have this form completed, their paycheck will be held in the Human Resources Office until the employee picks it up.

If an employee falls into a leave without pay status, the employee will be notified by the Human Resources Office that the employee's paycheck will be processed on a supplemental payroll.

38.4 Direct Deposit

Direct deposit is an electronic funds transfer system which allows employees to have their monthly paychecks transferred directly to a designated bank account. An employee may apply for direct deposit when the employee has accumulated a minimum of forty (40) hours of personal leave at the time the application is made.

Forty (40) hours must be maintained after the initiation of direct deposit. If the employee's personal leave balance falls below forty (40) hours, direct deposit will be revoked with the earliest possible check.

38.5 Supplemental Payroll

Under certain circumstances, employees may be placed on the Mississippi Library Commission's supplemental payroll:

- If they are leaving employment at the Library Commission and do not have ample paid leave to carry them to the date of termination;
- If they are going on long-term leave and do not have ample paid leave to carry them to the date of departure;
- If they fall into without pay leave status;
- If they do not have a minimum of forty (40) hours of accumulated leave (20 hours each of personal / major medical) eight (8) days prior to payday.

For more information, employees should contact the Human Resources Office.

39.0 PERFORMANCE APPRAISAL REVIEW (PAR)

All agencies under the purview of the State Personnel Board (SPB) were mandated by the legislature in 1985 to participate in the SPB's Employee Performance Appraisal System (EPAS). This appraisal system was redesigned in 1994 and became effective January 1, 1996. The Library Commission participates in the Performance Appraisal Review process.

39.1 Purpose of PAR

In addition to providing a basis for awarding productivity funds, a performance appraisal system serves a number of distinct purposes/functions:

- Improves quality/quantity of services;
- Develops employee skills;
- Motivates better performance;

- Increases communication between the supervisor and the employee concerning performance, overall objectives of the work unit, and specific work products.

Evaluating employees is a continuous process. The annual appraisals provide agency management a factual basis to identify employees for productivity increases, promotion, retention on the basis of performance, correction of inadequate performance, and separation when inadequate performance cannot be corrected. It is also used in the retention point formula for Reduction in Force, job development and training or other job related personnel management actions.

39.2 Appraisal Coverage

Every employee whose position is under the salary setting authority of the State Personnel Board shall be appraised for job performance at least once annually. For more information on the **Probationary Period**, see paragraph 42.0.

Evaluations shall be based only on the performance of the duties of the employee's position compared against the performance standards for those duties. Only work outcome shall be evaluated. No factors handled by established disciplinary procedures (tardiness, physical violence, etc.) shall be allowed as part of the evaluation process.

Performance appraisals shall be administered in a fair manner without unlawful discrimination as to age, race, sex, religion, political affiliation, national origin, or disability.

39.3 General Rules for the PAR

Additional topics regarding *Probationary Employees/New Hires, State Service Status, Non-state Service*, etc. are discussed in the *Mississippi State Employee Handbook* (July 2005), pages 54-56.

39.4 Employee Responsibilities

All employees of the Mississippi Library Commission are responsible for the following and shall:

- Cooperate with the rating supervisor in the selection and development of duties/performance standards; sign and date Section 3, SPB Form 800-1 and -3 (a copy will be given to the employee);
- Notify the rating supervisor of any facts or circumstances which should be considered when selecting or developing duties/performance standards or when appraising performance;
- Discuss with the rating supervisor current performance, ways to improve performance, and successfully perform the duties of the position at the **Meets Expectations** level, 2.0 or above;
- Sign and date SPB Form 801, Record of Review and Feedback Session and initial Section 4, SPB Form 800-1, Performance Appraisal Review Report during the sixth month of the appraisal period after discussing with the rating supervisor;
- Inform the rating supervisor at any time during the appraisal period of circumstances that may impact

or deter the employee from the successful performance of duties or the meeting of assigned deadlines; and

- Meet with rating supervisor to discuss the documentation, written narrative, and rating. Initial concurrence or non-concurrence of the appraisal rating or acknowledging that the appraisal rating was discussed within fourteen (14) days prior to the end of the appraisal period.

Refusal to sign does not affect/negate the rating. **Refusal to sign SPB Form 800-1 acknowledging that the appraisal rating has been discussed shall be, following a warning, considered an act of insubordination.** *Mississippi State Employee Handbook* (July 2005), Group Two Offense, page 66.

39.5 Rating Supervisor Responsibilities

The Rating Supervisor is responsible for the following procedures pertaining to the completion of the Performance Appraisal Review (PAR) forms and shall:

- Require Job Content Questionnaires be updated annually to accurately reflect the duties and responsibilities assigned to all employees supervised;
- Within fourteen (14) days from the beginning of the appraisal period, develop and document in writing, with assistance from rated employee, the duties/performance standards for each employee supervised. Complete Section 1, 2 and 3, sign and date SPB Form 800-1 and -3, **Performance Appraisal Review Report**. After the discussion and all signatures are obtained provide the employee with a copy of SPB Form 800-1 and -3;
- Establish and maintain a Supplemental Employee Performance Folder (SEPF) for each employee supervised;
- Update duties/performance standards and Job Content Questionnaire, as needed during the appraisal period, to reflect changes in position duties and responsibilities;
- Advise and update the employee relating to his/her performance throughout the appraisal period. At a minimum, one formal review and feedback session, during the sixth month of the appraisal period must be conducted. With assistance from the employee, complete, sign and date SPB Form 801, **Record of Review and Feedback Session** and Section 4, SPB Form 801-1, **Performance Appraisal Review Report**. Provide the employee with a copy of the completed SPB Form 801;
- Within fourteen (14) days prior to the end of the appraisal period, review, evaluate and complete Section 5, SPB Form 800-3 and Section 6, SPB Form 800-1, **Performance Appraisal Review Report**. Meet and discuss the narrative appraisal rating and documentation with the first level reviewer for his/her approval, signature and date. Next, meet and discuss the documentation, narrative appraisal and rating with employee for his/her information and comments. Ask the employee to sign and date. For on-line SPAHRS purposes, initial the reason for completing the narrative appraisal and rating. Provide a copy of the completed SPB Form 800-1 and -3 to the employee, retain a copy and send the original to the Human Resources Office. If the employee receives two or more appraisal ratings during the appraisal period, the rating supervisor combines all such appraisals to form a narrative appraisal and rating for the appraisal period;

- During an appraisal period, complete the evaluation process (narrative appraisal and rating) whenever circumstances warrant, i.e., prior to a promotion, transfer, reclassification, reallocation or demotion; and
- Initiate corrective action when performance falls below **Meets Expectations**, level 2.0, and assist employee in improving Fails to Meet Expectations performance to the **Meets Expectations**, level 2.0. Complete the Performance Improvement Plan, SPB Form 802-1 and -3, with the employee at the beginning of the Performance Improvement Period, retain the original, provide the employee a copy and send a copy to the Human Resources Office.

39.6 Differences Regarding Duties/Performance Standards

Recognizing that the Mississippi Library Commission cannot function effectively where there are differences among its employees regarding work assignments, priorities, quality of work, or where there are concerns about equity and fairness, the Library Commission will try to resolve differences which arise between the rating supervisor and the employee regarding duties/performance standards.

In the event of differences between the rating supervisor and the employee concerning duties/performance standards, the rating supervisor shall ask the employee to provide written comments within four (4) working days from the date of the meeting as to why he/she does not concur with the duties/performance standards.

After receipt of the employee's written comments the rating supervisor shall schedule a meeting with the employee and first level reviewer and attempt to resolve the differences. If the differences cannot be resolved at this level, the differences shall be referred to the second level reviewer for resolution. **The second level reviewer issues management's decision on the disputed duties/performance standards.** (This decision is final with the exception of being overruled ONLY by the Executive Director.)

Where differences as to duties/performance standards are not resolved, the Executive Director will be informed as to those differences. The Agency Head's intervention is discretionary, but the Agency Head must have knowledge of the differences. If the Agency Head chooses not to intervene, then the final decision rests with the second level reviewer.

In the event of differences between the rating supervisor and employee concerning duties/performance standards, agency management has the final authority as to the duties/performance standards to be measured. **Duties/performance standards established as criteria for performance appraisal are management decisions that are NOT grievable; therefore, State Personnel Board grievance policy and procedures DO NOT apply to the resolution of differences regarding duties/performance standards.**

After the resolution process has been completed, the employee will complete the Employee Response and portion of Section 3 of SPB Form 800-1. If the employee continues to object to the duties/performance standards, the employee should initial the does not concur and option. However, **the employee should be advised that the Performance Appraisal Review (PAR) document reflects the expectations of his/her job, that the duties/performance standards are valid even**

without his/her concurrence, and that he/she will be evaluated accordingly.

Mississippi State Personnel Board's
Performance Appraisal Review
A Handbook for Supervisors
July 2001

40.0 PERSONAL BUSINESS

Mississippi Library Commission employees are discouraged from attending to personal business during regular work hours.

40.1 Telephone Calls

Occasionally, a brief telephone call (via cell phone or agency hard line) may be necessary to conduct urgent personal business; however, unnecessary phone conversations between family, friends, and businesses on either the agency's telephone or the employee's personal cell phone should be avoided.

No personal long-distance phone calls may be charged to the Library Commission.

40.2 Mail Service

Employees should refrain from having their personal mail delivered to the Library Commission's address. Staff responsible for the agency's mail room services are not responsible for sorting, delivering, and mailing personal items for staff.

41.0 PERSONAL RELATIONSHIPS IN THE WORKPLACE

Employment of relatives, internal/external friendships, or individuals involved in a dating relationship may cause conflicts and problems in the workplace affecting employee morale. Claims of favoritism and partiality, as well as outside personal conflicts brought into the workplace can jeopardize day-to-day working relationships among staff members.

Individuals involved in personal relationships may not occupy a position that will be working directly for or supervising the employee with whom they are involved. Management reserves the right to take prompt action if an actual or potential conflict of interest arises involving individuals who occupy positions - at any level (higher or lower) - in the same line of authority that may affect the review of employment decisions.

If a close and personal relationship is established between individuals after their employment with the Mississippi Library Commission, it is the responsibility and obligation of the employees and the supervisor(s) to notify management immediately. The employees involved will be given the opportunity to decide who will be transferred to another available position. If the employees do not make a decision within thirty (30) calendar days, management will decide who will be transferred or,

if it is necessary to terminate employment of one or both employees.

Employees who are in a close and personal relationship will refrain from all public displays of affection while on the premises of the Mississippi Library Commission, including excessive personal face-to-face conversations, phone calls, or agency e-mail.

42.0 PERSONNEL RECORDS

Each employee of the Mississippi Library Commission is responsible for notifying the Human Resources Office of any changes in personnel data, including:

- Mailing address;
- Telephone number;
- Number and names of dependents;
- Individuals to be contacted in the event of an emergency;
- Educational accomplishments.

42.1 Access to Personnel Records

A personnel file is maintained on each employee of the Mississippi Library Commission and contains, but is not limited to:

- Employee's job application(s);
- Resume;
- Records of Training;
- Performance appraisals;
- Salary increases/decreases;
- Benefits – payroll deductions;
- Disciplinary records;
- Other employment records.

Personnel files are the property of the Mississippi Library Commission and access to the information is restricted. Personnel files are not considered public records and are not open to public review. For more information pertaining to public records, see paragraph 43.0 entitled **Public Records Act** of the *Employee Guide*.

Employees who wish to review their personnel file should complete a **Personnel Files Review Request** form and submit it to the Human Resources Office. A Human Resources representative will make an appointment for the staff member to review their file in the Human Resource Office in the presence of a Human Resources representative.

If the employee wishes to make copies of any information in his/her folder, the Human Resources representative will accompany the employee to the copier and oversee the production of said copies. Under no circumstances will the employee be given custody of their individual file. A completed copy of the **Personnel Files Review Request** form will be placed in the employee's personnel file.

All other employees such as supervisors will be granted access to personnel files only on a need-to-know basis. For example, personnel records may be accessed by employees and supervisors only in the course of performing their job functions.

Separate files will be maintained for medical records, workers' compensation claims, family or medical leave absences, and immigration records. These files may only be accessed in accordance with applicable law and on a need-to-know basis.

Personnel Records are sealed after termination and destroyed six years after separation in accordance with records management procedures.

43.0 PROGRESSIVE DISCIPLINE

The Library Commission is committed to ensuring fair treatment of all employees and to making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed depending on the severity of the situation and the number of occurrences:

- Documentation of verbal warning;
- Written warning;
- Written reprimand.

Circumstances may occur when one or more steps are bypassed. Documentation may be placed in the employee's personnel file at the immediate supervisor's discretion.

Certain types of employee problems may require a written reprimand such as a Group I, Group II, or Group III offense as outlined on pages 64-68 of the *Mississippi State Employee Handbook* (July 2005). These offenses may result in suspension without pay and/or termination of employment.

Not all problems are of a serious nature but may be examples of unsatisfactory conduct that triggers progressive discipline. By using progressive discipline, most employee problems can be corrected in a timely manner, benefiting both the employee and the Library Commission.

Documentation of disciplinary actions will be removed from personnel files after three years of no further actions.

44.0 PUBLIC RECORDS

Employees of the Mississippi Library Commission do not have rights to the public records of the agency by virtue of employment. If an employee of the Library Commission desires to have access to the public records of the agency, he/she is expected to follow the policy and procedures of the agency as outlined in the *Public Records Regulations and Procedures* which are on file with the Secretary of State's Office.

As a reminder to all employees, the *Mississippi State Employee Handbook* (July 2005), page 62, states unauthorized use or misuse of state property or records and is a Group Two offense and could further be construed as a Group Three offense if there is a breach of agency security or confidentiality, page 64.

Except as otherwise provided by Section 25-61-9 and 25-61-11, *Mississippi Code , 1972 Annotated*, all public records held by the Mississippi Library Commission are declared to be public property, and any person shall have the right to inspect, copy, or mechanically reproduce or obtain a reproduction of any such record. Exemptions under the Mississippi Public Records Act of 1983 include but are not limited to:

- Any public record specifically declared to be confidential, privileged or exempt by the Mississippi Public Records Act of 1983, or by any constitutional or statutory law or decision of a court of this state or the United States. (Section 25-61-11)
- Personnel records and applications for employment and letters of recommendation for employment in the possession of the Library Commission, except those which may be released to the person who made the application or released upon the prior written consent of the person who made the application, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 25-1-100)
- Test questions or answers which are used in employment examinations and in the possession of the Library Commission except that which may be released to the person who made the application or with the prior written consent of the person who made the application, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 25-1-100)
- Records which represent and constitute the work product of any attorney, district attorney or county prosecuting attorney representing the Library Commission and which are related to litigation made by or against the Library Commission, or in anticipation of prospective litigation, including all communications between such attorney made in the course of an attorney-client relationship shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 25-1-102)
- Records furnished to the Library Commission by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination,

copying or reproduction until notice to said third parties has been given, but such records shall be released within a reasonable period of time unless the said third parties have obtained a court order protecting such records as confidential. (Section 25-61-9)

- Records in the possession of the Library Commission which would disclose information about a person's individual tax payment or status shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 27-3-77)
- Appraisal information in the possession of the Library Commission which concern the sale or purchase of real or personal property for public purposes prior to public announcement of the purchase or sale, where the release of such records could possibly have a detrimental effect on such sales or purchases shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 31-1-27)
- Test questions and answers in the possession of the Library Commission which are to be used in future academic examinations and letters of recommendations respecting admission to any educational agency or institution, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 37-11-51)
- Records in the possession of the Library Commission which contain information about the location of any specific archaeological site and which in the opinion of such agency possessing such records, would, upon the disclosure thereof, create a substantial risk of damage or destruction to the historical value of such archaeological site or create a substantial risk of damage or destruction to private property rights, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 39-7-41)
- Records in the possession of the Library Commission which are not otherwise protected by law that are: (1) compiled in the processing of detecting and investigating any unlawful activity or alleged unlawful activity, disclosure of which would harm such investigation; (2) would reveal the identity of informants; (3) would prematurely release information that would impede the Library Commission's enforcement, investigation or detection efforts in such proceedings; (4) would disclose investigatory techniques; (5) would deprive a person of a right to a fair trial or impartial adjudication; (6) would endanger the life or safety of any Library Commission personnel; (7) are matters pertaining to quality control or PEER review activities, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 45-29-1)
- Commercial and financial information of a proprietary nature required to be submitted to the Library Commission by a firm, business, partnership, association, corporation, individual or other like entity, shall be exempt from the provisions of the Mississippi Public Records Act of 1983. (Section 25-61-9)

44.1 Procedures for Requesting Access to Public Records

It is the Mississippi Library Commission's intention that access to public records covered by the Mississippi Public Records Act of 1983 not be unduly delayed. In the interest of implementing the terms and conditions of this Act and to prevent unnecessary disruption to the orderly operations of the agency, the Library Commission will accept requests for public records not under exemption according to the following procedures:

- Individuals desiring to obtain access to public records information held by the Library Commission should make a written request, signed by themselves or their duly authorized agent to that effect either by mail to:

Executive Director
Mississippi Library Commission
3881 Eastwood Drive
Jackson, MS 39211

Or, make the request by appearing in person at 3881 Eastwood Drive, Jackson, MS between the hours of 8:00 am and 5:00 pm on any working day except legal holidays.

Requests for public records will be received and requests acted upon during the regular business hours.

- Both the written request and the envelope must be plainly marked Request for Public Records. Failure to mark the request may delay the Library Commission's response.
- The written request should describe in reasonable detail the records sought. The request should include, if possible, a description of the type of records, dates, title of a publication, and other information which may aid in locating the records.
- The written request must specify how the requesting applicant proposes access to the record (i.e., inspect, copy, etc.); state the date and time for the proposed activity; and state the number of persons scheduled to participate.
- The Executive Director shall determine whether the records sought are exempt under the Mississippi Public Records Act, and shall either produce records or access to records or deny access to or production of the records sought within fourteen (14) working days of the receipt of the request.
- Individuals provided access to the records may do so within the hours noted above and in the Library Commission offices and under the supervision of a staff member. Those records which an individual wishes to have copied will be marked by the individual and the staff member will attend to the reproduction of those documents. No records will leave the building - only reproductions.
- Where possible, non-exempt material will be separated from exempt materials and only the exempt material will be withheld.
- If the Executive Director determines that the records requested are exempt or privileged under the law, he/she shall deny the request and shall send the person making the request a statement of specific reasons for the denial. Such denials shall be kept on file for inspection by any person for three (3) years. (Section 25-61-5)

44.2 Procedures for Informational Reference Requests

As a resource library with a large bibliographic collection, the Mississippi Library

Commission routinely receives reference requests for information. On occasion, a request submitted as a reference request is in actuality a public records request. In such cases, the following procedures should be followed:

- The reference request in question will be referred by staff to the appropriate supervisor for review and validation of the public records issue. Final determination will be made by the Executive Director.
- Upon validation that a reference question is actually a public records request, the reference question will be returned to the requestor with instructions as to how to resubmit the question as a public records request.
- The individual resubmitting a reference request as a public records request will be required to follow the procedures outlined in the *Public Records Regulations and Procedures*.

44.3 Costs for Reproducing Public Records

The Mississippi Library Commission has established a schedule of cost reimbursements to compensate the agency for the costs associated with duplicating and if applicable, mailing copies of public records. Fees shown herein are subject to change. (Section 25-61-7) The Executive Director will notify the requestor of the estimated cost of duplicating the materials. Applicable costs shall be collected by the Library Commission in advance of complying with any request for public records. Payment may be paid through a bank-authorized cashier's check. If actual expenses exceed the preliminary charges stated in the notice, the additional costs shall be paid prior to the release of the public records.

- No charge will be applied for duplicating public records if the number of copies required is thirty (30) pages or less.
- If more than thirty (30) pages are required, there shall be a charge of \$.50 per page for each additional copy. Copies of pages printed on both sides (front and back) shall be considered as two (2) pages for copy charge purposes.
- Mailing cost shall be calculated at the applicable rate for each such mailing. If request involves notice to be given to a third party, the cost of mailing such notice via certified mail return receipt requested shall be charged to the person requesting such public records.

Information pertaining to *Definitions*, *Procedures for Appeal of a Denial*, and other topics may be found in the Mississippi Library Commission Public Records Policy filed in the Mississippi Secretary of State's Office.

45.0 REFERENCES

45.1 Policy for Giving References

Although immediate supervisors are the best sources of information regarding an employee's work

habits, no supervisor shall provide a reference for a former and/or current employee without having written authorization from the employee. An employee must complete and submit an **Authorization to Release Information** form to the Human Resources Office before any reference information is provided by a supervisor. Authorized staff may give references for up to three years after an employee has separated from the agency. After three years the agency will only release work history information through the Human Resources Office.

No Mississippi Library Commission employee, while acting within the scope of his/her employment, shall provide a reference for a public library administrator and/or employee without having written authorization. Written authorization may be in the form of a letter from the applicant or a reference/application form containing the applicant's signature.

45.2 Procedures for Giving References

- If a request for reference information is made by telephone, the requesting party must be informed of agency's policy which requires a written authorization from the applicant before information can be released. In addition, the requesting party must be told that failure to provide a reference without written authorization should in no way be considered a bad reflection on the applicant; it is the agency's policy. Documentation should be kept accordingly and copies forwarded to the Human Resources Office.
- All written references must be submitted to the Human Resources Office for review before being disbursed.
- Supervisors cannot provide work references for employees who have never worked under his/her direct supervision.
- All information released as a part of a reference request is confidential.

All questions regarding these policies and procedures should be directed to the Human Resources Office.

46.0 RESIGNATION

Employees resigning from employment with the Mississippi Library Commission must give written notice **ten (10) working days** prior to the date of termination. Failure to give adequate notice may result in the forfeiture of accumulated compensatory and holiday leave and delay in processing the employee's final paycheck.

If an employee does not give proper notice or work until date given the agency will terminate services and the final payroll will be docked for time not worked. Processing of all paperwork and payouts maybe delayed.

47.0 RETIREMENT

Employees and officials of the state become a member of the Public Employees' Retirement System

(PERS) as a condition of employment.

Retirement System participation and coverage is provided to employees in positions requiring employees to work and receive compensation for **not** less than twenty (20) hours per week OR **not** less than eighty (80) hours per month. Participation is restricted to employees whose wages are subject to payroll taxes and are reported on Form W-2.

When an employee is first employed, the Mississippi Library Commission will furnish the new employee with a member information form to establish a membership account. The employee's social security number will serve as the membership number. A fiscal year membership statement will be sent to the employee each year containing data pertinent to contributions paid into the PERS.

When an employee hired before July 1, 2007 has four (4) years in the system, or an employee hired after July 1, 2007 has eight (8) years in the system, the employee may receive monthly benefits once the employee becomes eligible for retirement.

Employees with twenty-five (25) years in the system are at any age eligible to retire and draw monthly benefits OR employees who are age sixty (60) with at least four (4) years in the system are eligible to retire and draw monthly benefits.

A letter stating an employee's intent to retire on a specific date should be forwarded to PERS by the employee at least thirty (30) days and no more than ninety (90) days before the specified date. The Human Resources Office should also receive a copy of the letter.

Employees retiring from employment with the Mississippi Library Commission must give written notice no later than **ten (10) working days** prior to the date of retirement. Failure to give adequate notice may result in delay in processing the employee's paperwork for PERS and the leave payouts maybe delayed.

If an employee leaves state employment for reasons other than retirement, employees may request a full refund from PERS of their contribution and any interest accrued. The State's contribution toward their retirement is not refundable. All refunds are subject to federal income tax.

48.0 SECURITY

The Mississippi Library Commission provides security personnel during regular working hours (8:00 am - 5:00 pm) for the safety of its employees. Electronic monitoring systems provide security for its physical facility after working hours (5:00 pm) and on weekends (Saturday and Sunday).

All employees have been issued keys to the facility and are expected to safeguard the security of the staff and facility by carefully monitoring their key at all times. Should an employee lose his/her key to the facility, it should be reported immediately to a supervisor. Violation of this safeguard could place the agency and staff at jeopardy.

No employee should enter the facility on the weekend without notifying and receiving approval from

a Division Director, Bureau Director, or the Executive Director.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 63, states that violation of safety rules where there exists a threat to life or human safety is a Group Three Offense.

49.0 SMOKING

Section 29-5-161 of the *Mississippi Code 1972, Annotated* states that smoking is prohibited outside of designated smoking areas in state-owned or state-leased office space.

The Mississippi Library Commission facility has been designated as a smoke-free building. In keeping with the Library Commission's intent to provide a safe and healthful work environment, smoking is restricted to the outside of the facility and away from entrances to all doorways. Receptacles are available outside the building for use by employees and the public.

50.0 SOLICITATION

The Mississippi Library Commission recognizes that employees have interest in events and organizations outside the workplace. Employees may not solicit or distribute literature concerning these activities during work hours, except during lunch periods, break times, or any other periods of time in which employees are not on duty. Solicitations include, but are not limited to: raffles, contributions, sales of miscellaneous products, etc. Such activities may only be conducted in the staff lounge, or in the outside break areas.

In addition, Library Commission staff members may not solicit business or contributions for charity/other private organizations from state agencies, universities/community colleges, local governments, libraries, archives, professional associations, agency customers, etc. without prior approval from the Executive Director of the Mississippi Library Commission.

Supervisors may not solicit business or contributions for charity/other private organizations from subordinate employees without prior approval from the Executive Director of the Mississippi Library Commission.

51.0 STAFF DEVELOPMENT AND TRAINING

The primary purpose of staff development and training is to assure high quality performance by employees in order to meet agency objectives. Training may be provided through in-service and out-service. The employee must complete the **Request for Travel, Training, and/or Professional Development** form which will document the request and training activities.

In-service training is provided by the Mississippi Library Commission and its primary objective is to prepare an employee for new job assignments, improvement of skills and performance, orientation to agency policies, procedures, and programs. Participation in this training will be considered part of the employee's duties.

Out-service training includes formal course work offered by the State Personnel Board's (SPB) training division, educational institutions, workshops, conferences, correspondence courses, and seminars conducted by professional, private and public organizations. This can be interpreted to include basic educational courses required to obtain a degree in a field applicable to an employee's position.

Tuition or course-work assistance is at the discretion of the Executive Director based on recommendations by the employee's supervisor and the availability of funds. Permission to participate in such training will be granted by the employee's direct supervisor.

The Certified Public Manager's Program (CPM) has been developed by the SPB in order to develop professional public managers. Participation in this program, as well as in-service and out-service training, is based upon the availability of funds during an individual fiscal year and will be based on the direct job relatedness of the employee with the agency's ability to meet goals and objectives.

52.0 STATE PROPERTY

State facilities and property, such as vehicles, automated information systems, equipment, photocopiers, offices, mail services, records, stationery, credit cards, supplies, etc. are to be utilized for state business by state employees and may not be used for personal, political, or recreational activities by Mississippi Library Commission employees.

Each piece of equipment and furniture belonging to the Library Commission is assigned a State of Mississippi inventory number and must be accounted for annually. The inventory number may not be removed by any employee of the Library Commission except the individual responsible for Inventory Control.

52.1 Policy for Property

To ensure all Mississippi Library Commission property is accounted for, it is the policy of the Library Commission to require its employees who are in possession of state-owned property to document this possession. It will also be the practice of the agency to require documentation of any and all state-owned property placed outside the confines of the agency's physical office location. The Library Commission has developed policies and procedures based on the following considerations:

- All policies, laws and regulations of the Office of the State Auditor's Property Division, and the *Mississippi Code of 1972, Annotated* will be followed with regard to the use, care, accounting for, and disposal of state-owned property;
- The Library Commission will maintain appropriate documentation for use by the State Auditor's Office in identifying the holder of agency property;
- A signature on this document will signify acceptance of any and all policies regarding the use of that property;

- Employees who have been assigned property will be held liable for damage to, or theft of agency property occurring through evident negligence or willful misconduct;
- Restitution will be expected from employees who have been assigned agency property when said property has been damaged or stolen as a result of evident negligence or willful act;
- The policies set forth here do not diminish in any way, further obligations that might be attached to agency property. Those obligations, if any, will be provided in documentation signed by the holder of the agency property;
- Internal control issues will be addressed and procedures established to account for agency property.

This policy will be overseen by the Library Commission’s Property Officer which is designated in accordance with Section 29-9-13 of *Mississippi Code of 1972, Annotated*. The Property Officer may be assisted by other personnel in the agency in the maintenance of this policy.

52.2 Definitions Relating to Property

Agency Property	Items in the possession of the agency that meet the criteria for inclusion as inventory and specified by the State Auditor’s Office’s Property Office described in the Property Guidelines or by verbal communication;
Employee	Any individual paid by the Mississippi Library Commission to provide service(s) directly linked to the functions of the agency;
Office Location	Office space and other appropriate space occupied on a long term basis by the Library Commission in support of the activities and functions of the agency.

52.3 Procedures Relating to Property

Permanent assignment of state-owned property to the Mississippi Library Commission occurs when:

- Property is acquired;
- **Assignment Form** is generated and lists all property being assigned to employees;
- The form is signed by the Executive Director, or agency’s Property Officer, and staff being assigned property.

The process of checking out of agency property for use by employees of the Library Commission includes:

- Notification of the agency’s Property Officer or designee of the property needed;
- Completion of the **property check out**, including signature for each piece of property requested.

Relocation of state-owned property within the confines of the Library Commission's office is permissible. This includes items such as tables, desk, computers, etc. However, the movement of property should be reported to the Property Officer so property records can be changed to reflect the new location.

State-owned property may be removed for repair. If property is removed by a service technician or taken in for repair by an employee, contact the agency's Property Officer or designee.

Employees of the Library Commission will be expected to maintain good and reasonable care of all assigned state-owned property. However, it is understood that some circumstances are beyond an employee's control. In general, if agency property was lost, stolen, or damaged while in the employee's care and it is shown that reasonable and good care was taken to insure its safety, the employee will not be obligated to replace or repair the property. Each occurrence will be weighed and the outcome will be based on its own merits and circumstances.

If agency property is lost, stolen, or damaged while in an employee's care, the employee should:

- Notify the agency's Property Officer, immediate supervisor, or appropriate local authorities (if necessary); and
- Provide a copy of the police report and any other documentation pertaining to the theft; or
- Take action to prevent further damage.

These are only guides and are not all inclusive of the rules and regulations regarding agency/state-owned property. If an employee has additional questions, contact the agency's Property Officer.

52.4 Policy for State Vehicles

The use of state-owned vehicles for personal, recreational or political use is expressly prohibited. The Mississippi Library Commission's vehicles shall only be used for official business of the agency.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 62, states that the unauthorized use or misuse of state property or records is a Group Two Offense. In addition, willful or negligent defacement or damage to the records or property of the State, another employee or business invitee of a state agency or office and is a Group Three Offense. *Mississippi State Employee Handbook* (July 2005), page 63.

Library Commission employees driving state-owned vehicles must have a valid Mississippi driver's license or a valid driver's license from a contiguous state. The Library Commission's Human Resources Office will verify the validity of the employee's driver's license by contacting the Mississippi Department of Public Safety. The employee will be required to complete a *Consent to Release Record(s)* form.

As a reminder, the *Mississippi State Employee Handbook* (July 2005), page 64 states that operation of a state-owned vehicle without a valid Mississippi driver's license or a valid driver's license from a contiguous state is a Group Three Offense. In addition, insubordination, including, but not limited to, resisting management directives through actions and/or verbal exchange, and/or failure or refusal to follow supervisor's instruction, perform assigned work, or otherwise comply with applicable established written policy is a Group Two Offense.

Any costs associated with a ticket for a traffic violation (i.e., speeding, failure to wear a seat belt, etc.) are the sole responsibility of the employee. State law requires the wearing of seat belts (*Mississippi Code 1972, Annotated*, Section 63-2-1). Mississippi Library Commission employees must wear seat belts while driving and riding in an agency vehicle. As a reminder, the *Mississippi State Employee Handbook* (July 2005), page 61, states that conviction of a moving traffic violation while operating a state vehicle is a Group One Offense.

An employee of the Mississippi Library Commission may be suspended from driving a state-owned vehicle for the following reasons:

- If it is determined that the employee is at fault when an accident happens causing personal injury or property damage;
- If an employee received three (3) or more moving violations - including in his/her personal vehicle - within eighteen (18) months;
- If an employee fails to report any moving violation to his/her immediate supervisor upon receiving a citation in a state vehicle;
- If an employee is guilty of flagrant violation of safe driving practices.

In lieu of insurance, employees of the Library Commission are covered by the Mississippi Tort Claims Board.

52.5 Procedures for State Vehicles

How to obtain the use of a state-owned vehicle:

- Reservations for use of all state vehicles are on a first come, first served basis and are made with the Operations Department;
- A staff member should complete the reservation for state vehicle form and return it to the operations department with the name of driver, date to be used, destination, and return date;
- To make the best use of vehicles, priority will be given to trips with the greatest mileage and should it become necessary to change a reservation, all staff members involved will be consulted;
- If all state-owned vehicles are signed out, it will be at the discretion of the immediate supervisor to authorize and approve the use of a private vehicle;

- A vehicle log book has been placed in each automobile and all information pertaining to the trip should be recorded appropriately before leaving the vehicle (if there is no log book, this should be reported to Support Service's Director immediately);

Care and use of the vehicle:

- Agency vehicles must be operated in a safe manner at all times;
- Do not leave the vehicle unlocked or running while unattended;

Fuel:

- If the gas tank is less than one-fourth (1/4) full, fill the vehicle with gas before returning it;
- A gas/fuel card and directory of gas station locations are located in each vehicle (NOTE: gas/fuel cards are unique to each car and cannot be interchanged between vehicles);
- The employee's pin # is used in conjunction with the gas/fuel card;

Services and goods available which may be purchased with the gas/fuel card and employee pin # are, but not limited to:

- Fuel;
 - Car wash and cleaning;
 - Minor repairs; and
 - Oil change.
- A receipt for all goods and services must be obtained and forwarded to Fiscal Services upon return;
 - Employees may pay for fuel and seek reimbursement through the travel voucher process.

Miscellaneous:

- Interior cleaning of the vehicle is the responsibility of the employee using the vehicle;
- If the vehicle is in need of extensive cleaning and washing, notify Operations Department upon returning the vehicle;
- Mechanical problems should be reported immediately to Operations Department.

52.6 Non-State Vehicles

Use of non-state or private vehicles is discouraged. The following criteria should be used when

determining whether a non-state vehicle should be used:

- An agency vehicle is not available and travel cannot be scheduled for another day;
- Travel is within 25 miles of the agency and an agency vehicle is not available.

All travel incurred through the use of a private vehicle should be approved by the employee's immediate supervisor.

Employees will be reimbursed for travel in the Jackson Metropolitan area at current mileage rates. These expenses should be claimed once a month, submitted for reimbursement on a travel voucher, and approved by the employee's immediate supervisor.

Any employee who chooses to use a private vehicle to conduct agency business, but does not receive approval from the appropriate supervisor will not be reimbursed for the expense.

53.0 TELEPHONE GREETING

To ensure effective telephone communications, employees should always use the following approved greeting and speak in a courteous and professional manner when answering the telephone:

(State the Name of the Branch, Division or Bureau). This is (State the Employee's Name).
May I help you?

Telephone calls may be monitored for quality assurance.

54.0 TERMINATION OF EMPLOYMENT

Terminating employees will be asked to respond to an exit questionnaire and to be interviewed by the Human Resources Office to discuss such details as transfer/payment of accrued leave, continuation of health insurance, arrangement for final paycheck, refund of Retirement Accumulated Contributions, and other personnel-related items.

55.0 THEFT

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 68, states that theft on the job is a Group Three Offense and maybe disciplined by termination.

56.0 TIME SHEETS/RECORDS

All employees will be required to complete and submit bi-weekly time sheets to the Human Resources Office. Under the new regulations for the federal program (LSTA) all staff must count time worked in quarter hour increments and code the time to an activity within the state program goals.

57.0 TRAVEL**57.1 Policy for Travel**

The Mississippi Library Commission will comply in all respects to the rules and regulations published and distributed by the Department of Finance and Administration (DFA) regarding travel. DFA establishes the reimbursement rates for travel, lodging and meals. Employees will receive reimbursement based on this information.

57.2 Types of Travel

Rules and regulations may vary depending upon the type of travel involved. The following types of travel are most prevalent at the Mississippi Library Commission:

- Job Related / In-state
- Job Related / Out-of-state
- Conference / In-state
- Conference / Out-of-state

57.3 Modes of Travel

For Library Commission staff, the most common modes of travel will be land and air. Employees are urged to use agency vehicles when available. Private vehicles may be used when approved by the employee's supervisor and when agency vehicles are unavailable. Mileage may be a reimbursable expense. Rental cars may also be used; however, the use of these vehicles must be coordinated through the agency's Travel Coordinator. Costs incurred for rental cars are reimbursable.

Employees may only use airfare as a mode of transportation when flying out-of-state. The Travel Coordinator will coordinate and make flight arrangements with input from the employee. The agency will be billed directly; therefore, employees will not need to request reimbursement for this expense.

57.4 Lodging

Employees are responsible for making in-state and out-of-state lodging arrangements. However, if needed, the Travel Coordinator will provide assistance in making these arrangements.

57.5 Meals

Employees of the Library Commission must adhere to the daily meal allowances approved by the Department of Finance and Administration (DFA).

57.6 Out of Pocket Expenses

Other expenses incurred by Library Commission staff which are reimbursable may include, but not be limited to:

- Phone charges relating to business calls;
- Small items related to agency business (i.e., fax charges, copies, office supplies, etc.);
- Items relating to agency vehicles (i.e., gas, repairs, parts, etc.);
- Registration fees;
- Tips;
- Local taxi, train and bus fares.

57.7 Travel Advance

Travel advances are available for out-of-state and in-state travel. Employees requesting a travel advance must complete the **Request for Travel, Training, and/or Professional Development** form and obtain the appropriate signature(s).

A travel advance will be accounted for by the employee when processing a **Request for Reimbursement** form and must be submitted within ten (10) days after the end of the month in which the travel was completed. If the travel advance has not been accounted for within DFA's established time frame, the employee's paycheck will be held by DFA until the issue is resolved.

Any unused funds must be refunded to the agency.

57.8 Travel Trip Numbers

The Department of Finance and Administration (DFA) requires a trip number for each travel venture. Failure to obtain this information from the agency's Travel Coordinator will delay any requests for reimbursement being processed by DFA.

57.9 Expenses Paid for by Other Organizations

There are occasions when entities are willing to incur expenses for Mississippi Library Commission employees to attend training, conference, and convention events. Generally, these entities have guidelines and procedures that outline the terms and conditions of these payments. While the agency supports these opportunities, proper documentation and approval by appropriate supervisors must be in order for employees to participate.

Library Commission employees whose travel expenses are paid for by another entity (i.e., federal

government, Gates Library Foundation, etc.) in order to conduct official duties of the Library Commission must complete the agency's ***Request for Travel, Training, and/or Professional Development*** form. The amount and the category of each expenditure to be paid by the entity must be completed. Each employee is responsible for acquiring the appropriate supervisory approval.

If the employee's expenses exceed the entity's reimbursable rate, the employee may seek reimbursement from the state; however, if the amount exceeds the state's reimbursable rate - no reimbursement will be made.

58.0 VIOLENCE IN THE WORKPLACE PREVENTION

All employees of the Mississippi Library Commission, including supervisors, are to be treated with courtesy and respect at all times. Employees are expected to refrain from physically fighting, horseplay, and or other acts that may be dangerous to others. Firearms, weapons, dangerous or hazardous devices and substances are strictly prohibited from the premises of the Mississippi Library Commission.

Conduct that threatens, intimidates, or coerces another employee, customer, or member of the public - including off-duty periods - will not be tolerated.

All threats of or actual violence - both direct and indirect - must be reported as soon as possible to the employee's immediate supervisor or any member of management. This includes threats by employees, as well as customers, vendors, solicitors, or other members of the public. When reporting these threats, specific and detailed information should be given.

All suspicious individuals or activities are to be reported as soon as possible to a supervisor or member of management.

The Mississippi Library Commission will promptly and thoroughly investigate all reports of threats of or actual violence and of suspicious individuals or activities. The identity of the individual making the report will be protected as much as possible. In order to maintain workplace safety and the integrity of the investigation, the agency may suspend employees - either with or without pay - pending a complete investigation.

Any employee determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, including termination of employment.

The Mississippi Library Commission encourages employees to bring disputes or differences with other employees to the attention of supervisors or the Human Resources Office. Management will assist in the resolution of employee disputes and will not discipline employees for raising concerns.

59.0 VISITORS

To provide for the safety and security of employees and the facilities of the Mississippi Library

Commission, all visitors and guests must sign the guest register at the front desk before entering office and library areas. Visitors will be issued a *Visitor's Badge*. Visitors and guests may be directed or escorted to their destination. Employees of the Library Commission are responsible for the conduct and safety of their visitors and guests.

Library Commission employees must wear their identification badges at all times.

The ground floor entrance will be designated as a delivery entrance *only* and will be locked at all times. Visitors will not be permitted to enter the back entrance. Delivery personnel will be required to ring the bell for service.

Friends and relatives are always welcome to visit the Mississippi Library Commission; however, visitation should be kept to an absolute minimum. Employees may NOT bring their children or grandchildren to the work place for any part of the work day.

If an individual is observed in the Library Commission's facility and is not wearing a *Visitor's Pass*, employees should immediately contact the front desk operator and ask for security.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 63, states that violation of safety rules where there exists a threat to life or human safety is a Group Three Offense.

60.0 VOTING

Federal, state, and local voting polls are open from 7:00 am - 7:00 pm. Employees are encouraged to vote before/after regularly scheduled working hours or during lunch breaks.

61.0 WEAPONS

Possession of firearms or other items used as weapons by employees are expressly prohibited within the facilities of the Mississippi Library Commission. Employees are prohibited from carrying firearms or other forms of weapons when traveling in state-owned vehicles.

As a reminder to all Mississippi Library Commission employees, the *Mississippi State Employee Handbook* (July 2005), page 63, states that unauthorized possession or use of firearms, dangerous weapons or explosives is a Group Three Offense.

62.0 WHISTLEBLOWERS ACT

Mississippi Code 1972, Annotated, Section 25-9-171, et al outlines specific information regarding the protection of public employees from reprisal for giving information to investigative bodies or agencies.

62.1 Definitions

For the purpose of explaining the proper use of this Act, the following definitions are given

- Abuse and means acting in an arbitrary and capricious manner that adversely affects the accomplishment of a function of any governmental entity;
- Governmental entity and means a board, commission, department, office or other agency of the state or a political subdivision of the state;
- Employee and means any individual employed or holding office in any department or agency of state or local government;
- Improper governmental action. and

63.0 WORK SCHEDULES

State law requires that all state offices shall be available to the public for services 8:00 a.m. until 5:00 p.m., Monday through Friday. The State Personnel Board defines a normal work schedule as eight (8) hours per day, 40 hours per week, and 173.99 hours per month and 2,087 hours per year.

Each part-time employee shall be provided a schedule of working hours.

To provide for maximum flexibility in scheduling employees, the appointing authority may develop modified work schedules providing for flextime or compressed work schedules. Flextime and is a schedule which offers agency management a choice, within limits, to vary employee arrival and departure times from work. A compressed work schedule and allows agency management to schedule the basic work requirement in less than the usual five (5) workdays a week.

Some agency staff may be eligible for Compressed Schedules of ten (10) hours days Monday – Thursday or Tuesday – Friday depending on the needs of the department and agency. Staff should check with their immediate supervisors for questions.

MLC Supervisor's Section

MLC Supervisor's Section

This section is still under review and is subject to be changed.

1.0 Counseling

The immediate supervisor is responsible for initiating all counseling of employees for corrective measures.

2.0 Disciplinary Steps

Progressive Discipline steps will be used whenever possible. Follow **43.0 Progressive Discipline** on page 77.

3.0 Record Keeping

Supervisors should keep documentation on all employee progress and performance.

4.0 Approving Leave Requests

All personal leave is subject to the agency approval and may be denied for cause. Prior to authorizing an employee to take extended vacation time, ensure that work has been completed or projects are current.

All leave of thirty-two (32) hours or more combined personal and major medical must be accompanied by a doctor's statement.

If a staff member goes into leave without pay, the Executive Director is the only person that can authorize leave time.

5.0 Interviewing and Selection

Compile interview questions and participate in interviews for department.
Review applicants for qualifications.
Assist in selection of best qualified candidate for open job classification.

6.0 New Hires

Supervisors will give all new staff orientation of the services provided by the agency.

7.0 JCQ's & PAR's

See section 39.5 page 77 for supervisors' responsibilities in the PAR.

Attached are useful links:

<http://www.pers.state.ms.us/>

http://www.mmrs.state.ms.us/statewide_applications/ACE/index.shtml

<http://www.mississippi.gov/index.jsp>

<http://knowyourbenefits.dfa.state.ms.us/>

<http://www.spb.state.ms.us/>