**Employment Law in the Library**

Pennsylvania Library Association
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**First, a Disclaimer**

![Image](https://www.stus.com)

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**Evaluations**

**What good are evaluations?** If you are keeping good records, you are documenting when a staff member does something bad/misconduct. You also are keeping track of the good works of staff similarly. If you re-litigate every past problem on the evaluation, it can be de-motivating and re-inflame settled matters. If you do not, it can undermine your case to terminate for cause if there is a serious recurrence of the problem. The level of psychic and intellectual energy spent to resolve these dilemmas can be immense. Are evaluations just a thing that we have to do because everyone is doing it, we’ve always done it that way, our board expects it etc.?

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**“Off The Clock” Resources**

A fairly regular issue that comes up in libraries is staff members who do "off the clock" work and/or make purchases for the library without asking for reimbursement, etc. In many cases, they may simply be very dedicated. In other cases, they might feel pressure to do this. **How should the administration effectively discourage this behavior, and what level of knowledge of this might trigger some liability?**
**Resignation**

Are you able to ask for resignation from an employee who has mental illness that has been missing continuous shifts?

**Scheduling**

If employees using sick days cause scheduling issues or seem like inappropriate use, can they be reprimanded? Fired if it comes to that?

Ex. Someone with available hours starts calling in sick every Monday.

**Board Members and Personnel Files**

Are Board members allowed to review any and all personnel files? Who decides if the reason is justified?

**Board Members and Employees**

As a Director, I'm often in a situation where I need to discuss employees at public board meetings. **What is allowed to be said?**

Ex. 1) Saying why someone would or wouldn't be good for a committee, or 2) A Board member asks how a new employee is doing.
Guns
Can an employer make a policy that employees are not allowed to bring guns or other weapons to work, even if it is properly licensed?

Employee
• An employee works full-time, 40 hours a week and also cleans for the library. She is being paid for 18 hours a week but she is not completed 18 hours. She doesn’t punch in or out.
• Using a payroll service, she is listed as Bob Smith for full-time job and as Bob M. Smith for cleaning hours. She is bringing her 2 daughters with her on Sundays to help clean.
• Is this legal?

Employment Law Posters
I would love to know if we MUST HAVE the PA/USA Employment Law posters. Every year some company tries to sell them to use claiming they are required. Are they required? Must they be updated annually?

Discrimination
I have been told that employers with less than 15 employees can get away with discrimination. Is this true?
I’m interested in the laws surrounding “comp time” and “flex time” and “overtime.” **What is the difference for full-timers between an exempt employee and a non-exempt employee, and how do the laws about the different ways of managing work time apply to each?** I’m also interested in what common practice is for other libraries in PA for full time employees.

**More Questions?**

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