

The FUNdamentals of Human Resources

Sherri Slavey
HR Manager
Boone County Public Library

Employee Manual

FOREWORD	
DIVERSITY	
• Equal Employment Opportunity Statement	
• Anti-harassment Policy and Complaint Procedure	
• Americans with Disabilities Act (ADA) & Amendments Act (ADAAA)	
EMPLOYMENT	
• Employee Classification Categories	
• Background and Reference Checks	
• Internal Transfers/Promotions	
• Nepotism, Employment of Relatives and Personal Relationships	
• Progressive Discipline	
• Separation of Employment	
WORKPLACE SAFETY	
• Drug-Free Workplace	
• Workplace Bullying	
• Violence in the Workplace	
• Safety	
• Smoke-Free Workplace	
WORKPLACE EXPECTATIONS	
• Confidentiality	
• Conflicts of Interest	
• Outside Employment	
• Attendance and Punctuality	
• Attire and Grooming	
• Electronic Communication and Internet Use	
• Social Media—Acceptable Use	
• Solicitations, Distributions and Posting of Materials	
• Employee Personnel Files	
COMPENSATION	
• Performance and Salary Reviews	
• Payment of Wages	
• Time Reporting	
• Meal/Rest Periods	
• Overtime Pay	
• On-Call Pay	

<ul style="list-style-type: none"> • Employee Travel and Reimbursement 	
TIME OFF/LEAVES OF ABSENCE	
<ul style="list-style-type: none"> • Holiday Pay 	
<ul style="list-style-type: none"> • Vacation 	
<ul style="list-style-type: none"> • Sick Leave 	
<ul style="list-style-type: none"> • Family and Medical Leave (FMLA) 	
<ul style="list-style-type: none"> • Personal Leave of Absence 	
<ul style="list-style-type: none"> • Bereavement Leave 	
<ul style="list-style-type: none"> • Jury Duty 	
<ul style="list-style-type: none"> • Voting Leave 	
<ul style="list-style-type: none"> • Military Leave of Absence 	
<ul style="list-style-type: none"> • Lactation/Breastfeeding 	
BENEFITS	
<ul style="list-style-type: none"> • Medical and Dental Insurance 	
<ul style="list-style-type: none"> • Domestic Partners 	
<ul style="list-style-type: none"> • Flexible Spending Account 	
<ul style="list-style-type: none"> • Group Life Insurance 	
<ul style="list-style-type: none"> • Short-Term Disability Benefits 	
<ul style="list-style-type: none"> • Long-Term Disability Benefits 	
<ul style="list-style-type: none"> • 401(k) Plan 	
<ul style="list-style-type: none"> • Workers' Compensation Benefits 	
<ul style="list-style-type: none"> • Tuition Assistance 	
<ul style="list-style-type: none"> • Employee Assistance Program (EAP) 	

Please note: This sample handbook is intended to be broad and applicable to a wide variety of industries and work environments. Because policies and procedures may vary based on state laws, company size, industry, organizational culture and other factors, this handbook should be customized to reflect your company's needs. The information in this handbook should not be considered legal advice and does not reflect state laws and regulations. Any new policies should be reviewed by legal counsel for compliance with federal and state laws and regulations.

Interview Guide

Category	Avoid asking about....	You can ask about....
Age	Date of Birth Age Graduation dates	Whether candidate can meet minimum legal age requirements
Arrest & Conviction Record	Arrest records, in general	Conviction for felonies that are job related
Birthplace & Citizenship	Birthplace (country) of self, spouse or relatives Candidate's native tongue Country of citizenship	Languages candidate speaks, reads or writes, if job related Whether candidate has a right to work legally in U.S.
Education	The specific nationality or religious affiliation of a school	Names of schools attended
Experience		Work experience, both military/non-military, including duties, responsibilities, names and addresses of supervisor & reasons for leaving.

Interview Guide

Category	Avoid asking about....	You can ask about....
Handicaps/Disabilities	The existence of any physical or mental handicap	Whether the candidate understands the job requirements and can carry out all job responsibilities in a safe manner.
Marital Status	Whether candidate is married, single, divorced, engaged, or separated	Whether the candidate can meet specified work schedules or has any commitments or work activities that might interfere with attendance
Military Record	Type of military discharge	The specific experience candidate acquired during military service
Name	The national origin of candidate's name	Whether the candidate would like to share any information about a change of name that might help check work or educational records

Interview Guide

Category	Avoid asking about....	You can ask about....
Organizations/Extra Curricular Activities		Memberships, accomplishments in professional, trade or other job-related organizations
Race	Race, color of skin	
References	Whether candidate can provide references from religious leader (minister, priest rabbi)	Whether candidate can provide professional or character references
Religion	Candidate's religious affiliation, parish or church of affiliation	Whether the candidate can meet specific work schedules including days and hours required by job

Fair Labor Standards Act (FLSA)



UNITED STATES
DEPARTMENT OF LABOR

All DOL WHD [Advanced Search](#)

[A to Z](#) | [Site Map](#) | [FAQs](#) | [Forms](#) | [About DOL](#) | [Contact Us](#) | [Español](#)

Wage and Hour Division



★ Was this page helpful?

[DOL Home](#) > [WHD](#) > Compliance Assistance - Wages and the Fair Labor Standards Act (FLSA)

[For Workers](#)

[For Employers](#)

[For States](#)

[How to File a
Complaint](#)

[News Room](#)

[About WHD](#)

[Contact Us](#)

[E-mail Alerts](#)

Wage and Hour Division (WHD)

Compliance Assistance - Wages and the Fair Labor Standards Act (FLSA)

Overview

The FLSA establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local governments. Covered nonexempt workers are entitled to a minimum wage of not less than \$7.25 per hour effective July 24, 2009. Overtime pay at a rate not less than one and one-half times the regular rate of pay is required after 40 hours of work in a workweek.

- [FLSA Minimum Wage](#): The federal minimum wage is \$7.25 per hour effective July 24, 2009. Many states also have minimum wage laws. In cases where an employee is subject to both state and federal minimum wage laws, the employee is entitled to the higher minimum wage.
- [FLSA Overtime](#): Covered nonexempt employees must receive overtime pay for hours worked over 40 per workweek (any fixed and regularly recurring period of 168 hours — seven consecutive 24-hour periods) at a rate not less than one and one-half times the regular rate of pay. There is no limit on the number of hours employees 16 years or older may work in any workweek. The FLSA does not require overtime pay for work on weekends, holidays, or regular days of rest, unless overtime is worked on such days.
- [Hours Worked \(PDF\)](#) : Hours worked ordinarily include all the time during which an employee is required to be on the employer's premises, on duty, or at a prescribed workplace.
- [Recordkeeping \(PDF\)](#) : Employers must display an official poster outlining the requirements of the FLSA. Employers must also keep employee time and pay records.
- [Child Labor](#): These provisions are designed to protect the educational opportunities of minors and prohibit their employment in jobs and under conditions detrimental to their health or well-being.

3. *EE COMPENSATION AND BENEFITS*

WORK SCHEDULES

The Boone County Public Library normal days of operation are Sunday through Saturday. Business hours vary depending on location and day. Library staff hours vary depending on position and library needs and may precede or extend beyond normal operating hours. Each employee is expected to report to work on time each day of scheduled work and work their complete scheduled shift unless approved in advance by the Director and/or Supervisor. Additionally, some positions may allow for "flex-scheduling" and/or "comp-time" with supervisor's approval.

A. Employee work schedules are established and/or approved by the Director. Employee work schedules may be altered as necessary to provide the best library service.

B. HOURS

1. Full-time employees are those who work forty [40] hours in a standard work week, exclusive of time taken for lunch.
2. A standard workweek is Sunday through Saturday.
3. Part-time employees are those who work less than forty [40] hours in a standard workweek.

C. BREAKS AND LUNCH PERIODS

1. Breaks and lunches are scheduled with regard for service to the public and the efficient operation of each department.
2. Employees are allowed one paid fifteen [15] minute break for each consecutive four [4] hours of work. Breaks may not be used to extend lunch hours, shorten work schedules or make up time owed.
3. Employees who work six [6] hours or more in a shift must take a lunch period of either one [1] or one-half [1/2] hour. The lunch period must be taken no more than five [5] hours after the shift begins. Lunch periods are not counted as part of the working day.

D. OVERTIME

1. All overtime must be approved in advance by the Director
2. Overtime hours are those hours worked beyond forty [40] hours during a standard workweek. Each workweek will be considered separately when computing overtime.
3. **Paid time off (vacation, sick or holiday) is not considered hours worked for the purposes of overtime pay.**
4. Hours worked beyond eight [8] hours in any single workday are not considered overtime hours.
5. Non-exempt employees, as defined by federal and state wage and hour laws, who work overtime will be paid at the rate of one-and-one-half their regular rate of pay.
6. Exempt employees, as defined by federal and state wage and hour laws, are considered exempt and will not be eligible for overtime payment.

Coaching / Performance Improvement Plan

Documentation of employee performance and/or conduct issues is very important to both management and to employees.

Effective documentation can help employees take corrective action and ward off potential law suites especially if an organization has a progressive discipline policy

Principles surrounding discipline

- **Corrective**
- **Fair**
- **Consistent**
- **Progressive**
- **Due Process**

Progressive discipline steps

- **Oral Warning**
- **Written Reprimand**
- **Suspension**
- **Disciplinary Demotion***
- **Termination**

**check your organizational policies to verify this step is included in your progressive discipline process.*

Do...

- Investigate each incident regardless of how it first appears.
- Select an appropriate time & place to meet privately with the employee.
- Document!
- Allow the employee to explain his/her understanding of the incident.
- LISTEN.
- Confer with HR for their recommendations on how to proceed.
- Present the disciplinary action in a calm manner.

Don't...

- Yell, scream or curse.
- Base disciplinary actions on rumors.
- Discuss an employee's performance or conduct issues with the employee's co-workers.

Supervisors/managers should ensure that they have applied the five principles of effective discipline (corrective, fair, consistent, progressive and due process), before disciplining employees.

Use the five W's of documentation (who, what, where, when and why) and the five principles of discipline to document performance or conduct transgressions.

Documentation should clarify the nature of the infraction, its negative impact and proposed management and employee action.

Exempt vs. Non - Exempt

U.S. Department of Labor
Wage and Hour Division



Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act (FLSA)

This fact sheet provides general information on the exemption from [minimum wage](#) and [overtime pay](#) provided by Section 13(a)(1) of the Fair Labor Standards Act as defined by Regulations, [29 CFR Part 541](#).

The [FLSA](#) requires that most employees in the United States be paid at least the [federal minimum wage](#) for all hours worked and [overtime pay](#) at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both [minimum wage](#) and [overtime pay](#) for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

See other fact sheets in this series for more information on the exemptions for [executive](#), [administrative](#), [professional](#), [computer](#) and [outside sales](#) employees, and for more information on the [salary basis](#) requirement.

Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary](#) basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

Administrative Exemptions

To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary](#) or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

Professional Exemption

To qualify for the learned professional employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

To qualify for the creative professional employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

Computer Employee Exemption

To qualify for the computer employee exemption, the following tests must be met:

- The employee must be compensated either on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- The employee's primary duty must consist of:
 - 1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - 2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - 3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
 - 4) A combination of the aforementioned duties, the performance of which requires the same level of skills.

Outside Sales Exemption

To qualify for the outside sales employee exemption, all of the following tests must be met:

- The employee's primary duty must be making sales (as defined in the FLSA), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
- The employee must be customarily and regularly engaged away from the employer's place or places of business.

Highly Compensated Employees

Highly compensated employees performing office or non-manual work and paid total annual compensation of \$100,000 or more (which must include at least \$455 per week paid on a salary or fee basis) are exempt from the

FLSA if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests for exemption.

Blue Collar Workers

The exemptions provided by FLSA Section 13(a)(1) apply only to “white collar” employees who meet the salary and duties tests set forth in the Part 541 regulations. The exemptions do not apply to manual laborers or other “blue collar” workers who perform work involving repetitive operations with their hands, physical skill and energy. FLSA-covered, non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to minimum wage and overtime premium pay under the FLSA, and are not exempt under the Part 541 regulations no matter how highly paid they might be.

Police, Fire Fighters, Paramedics & Other First Responders

The exemptions also do not apply to police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.

Other Laws & Collective Bargaining Agreements

The FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Similarly, employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Part 541 regulation relieves employers from their contractual obligations under such bargaining agreements.

Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

When the state laws differ from the federal FLSA, an employer must comply with the standard most protective to employees. Links to your state labor department can be found at www.dol.gov/whd/contacts/state_of.htm.

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
[Contact Us](#)

For additional questions you contact me at
sslavey@bcpl.org or 859-292-3392.