

Termination Policy

KDLA provides this example policy to assist a library in developing and adopting their own policy. The example policy should be modified to meet the needs of your library and community and should be reviewed by the library's attorney prior to adoption.

Employment with the _____ Library is based on mutual consent. Both the employee and the Library have the right to terminate employment "at will," with or without cause, at any time.

Employees will receive their final pay in accordance with applicable state law. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense, if the employee so chooses. Benefits that may be continued, and their terms, conditions, and limitations, will be provided to the employee by written notification.

Upon any termination of employment, regardless of reason, the director shall report the termination action to the Library Board at the next regularly scheduled board meeting. If the employee feels the grounds for dismissal are unfair or unjustified, the employee may file a grievance with the Library Board.

Resignation

Resignation of an employee should be submitted in writing to the director at least fourteen (14) calendar days before the final working day. Resignation of the director should be submitted in writing to the Library Board at least thirty (30) calendar days before the final working day. All resignations must be in writing and shall include the announcement of intention to resign and the date of the last day to be worked. A copy of the resignation will be placed in the employee's personnel file.

Any employee who resigns and then later returns to the library staff will do so as a new employee. Salary, benefits, leave, etc., will be determined by the position accepted and not by those granted during the period of previous employment.

Dismissal

Dismissal of an employee may be for any legal reason. An employee can be terminated "at will" as long as there is no violation of applicable federal and state law. A written notice specifying the reason for dismissal will be provided to the employee. Serious cases of insubordination or misbehavior may be cause for immediate dismissal at the discretion of the director.

Causes for termination generally relate to incompetence; negligence; inefficient performance of duties; violation of rules and regulations, including those related to health and safety; violation of personnel policies; failure to follow reasonable

direction given by the supervisor or director; insubordination; misuse of library funds or property; a pattern of absenteeism or tardiness, or other similar cause.

The following is a retention/dismissal process:

- 1) Coaching and counseling
- 2) Written warning
- 3) Three (3) days suspension without pay
- 4) Involuntary termination

Layoff

In some circumstances it may be required to dissolve an employee job position (for financial reasons, or because certain programs or activities have been discontinued/curtailed, or for other reasons). In the case of the abolishment of a position, the employee will be considered a layoff. However, an attempt will be made to transfer the employee, if possible, to another position for which the employee is qualified. This may result in the layoff of a lesser qualified employee or one with less seniority. Transfers will not be possible in all cases, and in the event of situations out of the norm, layoff of one or more employees may be necessary. Every effort to provide a written indication of pending layoff will be provided to an employee with as much notice as possible. A layoff employee will receive an explanatory statement for use in seeking other employment.

Privileged information regarding involuntary termination

Termination information on individual employees must be treated with confidentiality, protected from inappropriate disclosure and not be discussed among employees. Any request for information about the terminated employee will be referred to the director/supervisor. The appropriate response to any information request is "no longer employed by the library." Any employee who inappropriately discloses dismissal information about a terminated employee will be subject to disciplinary action.

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