

**WESTCHESTER LIBRARY SYSTEM**  
**Trustee Meeting**  
**September 27, 2022 – Approved November 29, 2022**

The Regular Meeting of the Westchester Library System was called to order by Francis Okelo, Vice President, at 6:06 p.m. and held in-person at the WLS Headquarters in Elmsford. The quorum requirement was met with the following people in attendance:

Board Members present: Cathy Draper, Nishat Hydari, Wes Iwanski, Karen Kelley, Jennifer Kothari, Julie Mills-Worthey, Susan Morduch, Francis Okelo, Edris Scherer, Diane Tabakman

Board Members absent: Andrea Bober, Maureen LeBlanc, Jonathan Marshall, Joseph Puglia, Karen Zevin

Also present from WLS were: Terry Kirchner, Patricia Brigham, Joe Maurantonio

Public Library Directors Association (PLDA) Representative: Yvonne Cech, Director, John C. Hart Memorial Library

Guest: Angela Groth, Director, Ardsley Public Library; Jesse Montero, Director, Yonkers Public Library; Rob Cartolano, President, Eastchester Public Library

Mr. Okelo reviewed the public comment guidelines.

## **MINUTES**

The following correction to the minutes of the regular meeting of June 28, 2022, was recommended:

On Page 2, in the paragraph regarding the action item for the extension of the WLS current borrowing facility, correct that the motion was made by Ms. Scherer, not Ms. Edris.

The Board approved the minutes with the above-mentioned correction on a motion by Ms. Mills-Worthey and seconded by Ms. Scherer. The motion was approved with 5 in favor and 3 abstentions (Ms. Kelley; Mr. Okelo; Ms. Hydari). [Ms. Kothari was not present for vote.]

The Nominating & Board Education Committee recommended Diane Tabakman to be appointed to fill the vacant term for District 11 (White Plains) that ends 12/31/2024. The Board approved the nomination on a motion by Ms. Kelley and seconded by Ms. Scherer. The motion was approved unanimously, and the oath of office was administered. An update was given on the trustee vacancies that will occur on December 31, 2022, and the upcoming Trustee Institutes.

## **FINANCIAL REPORTS**

The financial report through June 2022 was reviewed in detail. The Board accepted the financial report on a motion by Ms. Scherer and seconded by Ms. Draper. The motion was approved unanimously. The Board appreciated the enhanced notes included in the written Finance Report.

**INFORMATION ITEM**

Ms. Draper, Chair of the Governance Committee, reviewed the policy process with the board. The Committee met on August 30<sup>th</sup> to discuss potential revisions related to the changes in law for the following WLS Policies: Sexual Harassment (Policy #17); Workplace Violence (Policy #3); Board Meeting Participation via Video Conference (Policy #16); and a new policy for collection development.

The proposed revisions to the Sexual Harassment Policy were made in response to changes in the law that address a broader application, statutes of limitation, clearer anti-retaliation approaches, clarifications of remedies including local options and the chain of command.

The proposed revisions to the Workplace Violence Policy were made in response to changes in the law that added a workplace violence program.

The proposed revisions to the Board Meeting Participation via Video Conference Policy were made in light of recent amendments to the New York State Open Meeting Law and Board guidelines for public comment.

The addition of the new Collection Development policy was made in response to a nationwide increase in collection development challenges and book bans.

The draft version for each of these policies is attached, and the committee unanimously voted to bring these changes to the Board of Trustees for approval. Per regular procedure, these revisions are being presented one meeting in advance as an Information Item with official approval to be sought at the next regularly scheduled Board meeting in October.

**ACTION ITEM**

**State Aid for Public Library Construction \$34 Million Program FY2022-2023:** The PLDA Grants Committee Chair Angela Groth, Director of the Ardsley Public Library, reported that committee members Carolyn Reznick, Director of Ruth Keeler Memorial Library (North Salem), and Jennifer Daddio, Director of Somers Library, along with Dr. Kirchner and Elise Burke of WLS, met to review the 15 applications received. This year’s allocation for WLS totaled \$1,605,184, and the application request amounts totaled \$1,899,270; therefore, all requests could be met. The Committee reviewed the applications based on the nature of the projects and aid previously received. All applications met the New York State criteria for approval, and the following award recommendations were made:

Applicant Name	Title / Abstract of Project	Total Project Cost	Cost of Submitted Project	Application Request Amount	Original Committee Recommended Award Amount
Bedford Hills Free Library	Data System Upgrade to Support Network: The Library will install new data lines to support the WLS-ILS network upgrade to ensure fast, secure, and optimal performance for library patrons.	\$28,791	\$28,791	\$25,912	\$21,593

Applicant Name	Title / Abstract of Project	Total Project Cost	Cost of Submitted Project	Application Request Amount	Original Committee Recommended Award Amount
Eastchester Public Library	Conversion of 2 Library Bathrooms to Gender Neutral ADA Compliant Bathrooms: The Library would like to convert 2 public bathrooms into ADA compliant restrooms and all bathrooms into gender neutral restrooms.	\$161,060	\$161,060	\$80,530	\$80,530
Greenburgh Public Library *	Library Vestibule & Canopy Rehabilitation: Rehabilitation of front entrance library vestibule & outside overhead canopy to mitigate leaks in both areas.	\$348,006	\$348,006	\$261,004	\$197,949
Hastings-on-Hudson Public Library	Air Conditioning Replacement: This project will replace the 30-year-old, failing chiller and air handling equipment.	\$346,250	\$346,250	\$173,125	\$173,125
Hendrick Hudson Free Library-Montrose	HVAC Efficiency Upgrades: The project will replace the remaining 4 original HVAC condensers, coils, valves, piping and control software with more efficient equipment.	\$207,144	\$207,144	\$103,572	\$103,572
Lewisboro Library	HVAC Project: This project will replace failing components of the library's HVAC rooftop units.	\$6,245	\$6,245	\$3,122	\$3,122
New Rochelle Public Library -- Main Library *	Noise Abatement Project: Installation of sound absorbing panels around appropriate areas of the library will significantly reduce noise reverberation in the building.	\$303,494	\$303,494	\$227,620	\$175,591
New Rochelle Public Library -- Huguenot Children's Branch Library	General Capital Improvements: Exterior: Create Art Wall; Basement: Rework flooring, craft/prep kitchen; First Floor: Establish receiving area, upgrade work area; Second Floor: Improve storage.	\$48,760	\$48,760	\$36,570	\$24,380
North Castle Public Library -- Main Library-Armonk	Security Camera & Monitoring System Installation: Project will install security cameras and a monitoring system throughout the Armonk Library Branch.	\$27,830	\$27,830	\$13,915	\$13,915
North Castle Public Library -- North White Plains Branch	Security Camera & Monitoring System Installation: Project will install security cameras and a monitoring system throughout the North White Plains Branch Library.	\$6,420	\$6,420	\$3,210	\$3,210
Tuckahoe Public Library	Installing the new Humidity Control Unit & Furnace for Exterior Heating Control: This project will install new Humidity Control system (Dehumidifier) and also a new furnace for the exterior radiant heating control.	\$120,000	\$120,000	\$60,000	\$60,000
Warner Library-Tarrytown *	Energy Efficient Lighting & HVAC Upgrade: New insulation will be installed in HVAC system, LED lighting will be installed in the children's room to provide better energy efficiency.	\$120,000	\$120,000	\$60,000	\$83,844

Applicant Name	Title / Abstract of Project	Total Project Cost	Cost of Submitted Project	Application Request Amount	Original Committee Recommended Award Amount
White Plains Public Library *	LED Lighting for Library Stacks: Upgrade of original florescent lighting fixtures in the main publically accessible stack area of the Library to LED fixtures.	\$97,050	\$97,050	\$87,050	\$72,369
Yonkers Public Library -- Grinton I. Will Branch *	Sustainable HVAC System Replacement and Improvement: This project will replace and improve Will Library's failed 30-year-old HVAC system with a more efficient and sustainable air-cooled chiller.	\$995,500	\$995,500	\$695,500	\$523,844
John C. Hart Memorial Library- Yorktown	Program Space Expansion & Facility Safety Upgrade: Upgrade fire safety and optimize existing building footprint to expand library program space, gaining larger community meeting room and storytime room.	\$136,280	\$136,280	\$68,140	\$68,140
* Eligible for Economically Disadvantaged Community					
<b>TOTALS</b>		<b>\$2,952,830</b>	<b>\$2,952,830</b>	<b>\$1,899,270</b>	<b>\$1,605,184</b>

The recommended award amounts were approved as submitted on a motion made by Ms. Draper and seconded by Dr. Morduch. The motion passed unanimously. Ms. Burke was thanked for her efforts with the Construction Aid application process.

**WLS Policy Revisions:** Ms. Draper, Chair of the Governance Committee, noted that the Committee met on June 7<sup>th</sup> to review the recommendations made by the Finance Committee for the following policies: Exempt & Non-Exempt Employee Pay (Policy #5), Investment of Funds (Policy #12), Purchasing (Policy #13). The draft revisions of these three policies are attached. Per regular procedure, these revisions were presented one meeting in advance as an Information Item in September, and official approval is being requested.

The Board approved the recommended revisions to the Exempt & Non-Exempt Employee Pay (Policy #5), Investment of Funds (Policy #12), and Purchasing (Policy #13) on a motion by Ms. Draper and seconded by Ms. Mills-Worthey. The motion was approved unanimously.

**PRESIDENT’S REPORT**

Vice-President Okelo shared with the Board a report from President Karen Zevin, who was unable to attend the meeting. Ms. Zevin reported that the WLS Advocacy Breakfasts were very successful, and that these events helped inform the public, board members and legislators about the Digital Equity and Inclusion efforts. Dana Hysell and Joe Maurantonio were thanked for their work. The WLS Board and Staff gathering held in September was fun and useful in that individuals got to know each other better. It was suggested to do this type of event once or twice per year. The Community Aspirations presentation by Elena Falcone was much appreciated.

Mr. Okelo encouraged board members to keep aware of Digital Equity and Inclusion activities that are taking place in their local communities and in the County. He also noted that the WLS Executive Committee met on September 12<sup>th</sup> to discuss the Executive Director’s job description and annual evaluation process. Mr. Okelo also reminded trustees that in addition to the role of attending meetings, it is imperative that trustees read the board materials and come well prepared to the meeting.

A brief discussion concerning the difficulty of attending meetings with a 6 p.m. start time occurred, with additional questions raised concerning the potential impact of the meeting start times and the lack of a videoconferencing option on recruitment efforts going forward. Mr. Okelo suggested moving this issue to the WLS Executive Committee’s agenda for further review and discussion

### **COMMITTEE REPORTS**

**Budget Committee:** Ms. Scherer, Chair, announced the upcoming budget preparation meetings and she noted the parts of the WLS 2023 budget that will be reviewed at each meeting:

October 6: Information Technology (IT)/Administration;

October 12: Outreach/Career Coaching Services/Training; and

October 17: Cataloging/Delivery/Development.

### **EXECUTIVE DIRECTOR'S REPORT**

A copy of the Executive Director's Report was mailed in advance of the meeting.

Dr. Kirchner noted that the Mount Vernon Public Library has not yet provided all of the required documents to complete the registration review process or to complete the 2020 and 2021 New York State Annual Reports.

### **PLDA LIAISON'S REPORT**

Ms. Cech reported on the September PLDA meeting where the following was discussed:

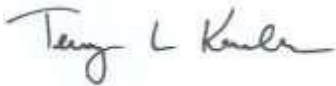
- PLDA has established Workplace Trauma & Stress Committee.
- Wilson Arana’s IT Report noted that the email/website services used by the member libraries will transition. WLS will no longer host websites, and email will be available as a billable service. The new network structure provides an individual network connection for each library that will allow each library to have its own firewall and static IP.
- The PLDA Technology Committee discussed network security and multi-factor authentication (MFA) challenges that arise when asking library staff to use their personal cell phones or the library phones to complete MFA tasks when logging into the online environment. The PLDA Technology Committee is exploring additional options. There is a goal for mobile computing for staff-related functions to be available in March 2023 (6-month plan).

- The ILS Committee is transitioning into the Development Committee for the ILS. Civil Service challenges at member libraries continue to occur and recently a list of these challenges were sent to Westchester County Executive George Latimer at his request.

## **ADJOURNMENT**

Having completed its agenda, the Board adjourned its meeting at 7:25 p.m. on a motion by Dr. Morduch and seconded by Ms. Kelley that passed unanimously. The October 25<sup>th</sup> WLS Board Meeting will take place in person at the WLS Headquarters at 6 p.m., and all should be prepared to wear a mask if needed.

Respectfully submitted,



Terry L. Kirchner  
Recording Secretary

**DRAFT August 2022**  
**Marked to show changes from existing policy**

**WESTCHESTER LIBRARY SYSTEM**

**POLICY #17**

**Subject:** Sexual Harassment<sup>1</sup>

**Application:** Employees, trustees, [applicants for employment, interns \(whether paid or unpaid\)](#), customers, consultants, contractors, [subcontractors](#), vendors, [persons conducting business](#) and visitors, [regardless of immigration status](#)

**Introduction**

Westchester Library System (WLS) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of WLS's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with WLS. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

**Policy:**

1. WLS's policy applies to all employees, trustees, applicants for employment, interns, [\(whether paid or unpaid\)](#), contractors, subcontractors, consultants, vendors, persons conducting business, and visitors, regardless of immigration status, ~~with WLS~~. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No employee shall be subject to adverse action because such employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. WLS will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee who retaliates against anyone involved in a sexual harassment investigation will be subject to disciplinary action, up to and including termination. All employees working in the workplace who believe they have been subject

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<sup>1</sup> Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

to such retaliation should inform their immediate supervisor or the Executive Director. All employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of WLS policies, is unlawful, and may subject WLS to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. WLS will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. WLS will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. WLS will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Executive Director.
8. This policy applies to all employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable and be provided to employees upon hiring.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment;  
or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.



A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report [their concern](#) so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity or the status of being transgender, such as:

- Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
- Sabotaging an individual’s work;
- Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A harasser can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

### **Retaliation**

Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a sexual harassment claim. Adverse action [includes the disclosure of an employee’s personnel file, except where such disclosure is made in connection with a judicial or administrative proceeding as permitted by applicable law.](#) Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone's responsibility.** WLS cannot prevent or remedy sexual harassment unless it knows about it. Any employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Executive Director. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Executive Director.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Executive Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

**All** complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. WLS will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of a complaint, the Executive Director will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If the complaint is verbal, the Executive Director will encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, the Executive Director will prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

[In the event an individual making a complaint is not satisfied with the result of the process described above, such individual may bring the complaint to the President of the Board of Trustees, who will bring the issue before the entire Board, in executive session, for resolution.](#)

### **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by WLS but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at WLS, employees may also choose to pursue legal remedies with the governmental entities listed below. While a private attorney is not required to file a complaint with a governmental agency, an employee may seek the legal advice of an attorney.

#### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the HRL may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court. [Any individual experiencing sexual harassment in the workplace may use the free and confidential DHR hotline, 1-800-HARASS-3, to connect with pro bono attorneys on sexual harassment issues or to submit a complaint.](#)

Complaints with DHR may be filed any time **within ~~one year~~ [three years](#)** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within ~~one year~~ [three years](#)** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to WLS does not extend an individual's time to file with DHR or in court. The ~~one year or~~ [three years](#) is counted from the date of the most recent incident of harassment.

An attorney is not required to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate a complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Individuals wishing to make a complaint may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

An employee may contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

## **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

## **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. [WLS employees may file complaints of sexual harassment with the Westchester County Human Rights Commission at https://humanrights.westchestergov.com/file-a-complaint](https://humanrights.westchestergov.com/file-a-complaint) or [may contact the commission at 914-995-7710 or humanrights@westchestergov.com](mailto:humanrights@westchestergov.com). ~~For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit <http://www.nyc.gov/html/chr/html/home/home.shtml>.~~

## **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. An individual who has been the target of such activity should contact the local police department.

*Approved: November 27, 2018*

*Amended: \_\_\_\_\_, 2022*

DRAFT August 2022  
Marked to show changes from existing policy

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**WESTCHESTER LIBRARY SYSTEM**

**POLICY #3**

**Subject:** Workplace Violence

**Application:** Employees, trustees, applicants for employment, interns (whether paid of unpaid) customers, consultants, contractors, subcontractors, vendors, persons conducting business and visitors

Westchester Library System (WLS) is committed to providing a work environment that is free from violence or threats of violence. WLS also is intent on preventing any threatened or actual destruction of company and personal property. Compliance with this policy requires that all individuals on WLS premises, conducting business with or on behalf of WLS, act in a professional, non-violent and non-threatening manner.

Workplace violence is defined as any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee, any intentional display of force that would give an employee reason to fear or expect bodily harm, intentional and wrongful physical contact with a person without his or her consent that entails some injury, or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment. includes behavior that constitutes assault, battery, or ~~It also includes~~ the intentional destruction or attempted destruction of company or personal property while on WLS premises or while engaged in WLS business. This definition expressly includes domestic violence when such behavior extends to the workplace. WLS also prohibits employees and others covered by this policy from possessing firearms or other dangerous weapons on the premises whether or not the person is licensed or permitted to carry a weapon.

Prohibited threats are those that a reasonable person would perceive as real threats of violence against a person or WLS property and that has have the effect of unreasonably interfering with the work of WLS or any of its employees.

All employees and others covered under this policy are responsible for establishing and maintaining a work environment which promotes professionalism and is free of threats and violence. This responsibility includes being alert to situations in which workplace violence is occurring or may potentially occur. Threats, acts of violence or behaviors that raises a safety or security threat should be reported to ~~a supervisor or to~~ the Executive Director at 914-231-3223 or [executivedirector@wlsmail.org](mailto:executivedirector@wlsmail.org).

WLS will initiate appropriate action based on the circumstances, including notifying law enforcement. WLS will take all reasonable steps to investigate and address the safety concerns of those who have reported or believe they may have been subject to workplace violence, or are otherwise concerned about their safety or security.

Any employee determined to have violated this policy will be subject to disciplinary action, up to and including termination of employment, at the discretion of the WLS Executive

Director.

In compliance with New York State Labor Law, WLS will develop a workplace violence prevention program that includes a workplace evaluation designed to identify the risks of workplace violence to which WLS employees could be exposed. In addition, all WLS employees will participate in an annual workplace violence prevention training program provided by WLS.

Individuals who have questions or concerns about the policy should speak with their supervisor for further clarification.

*Last approved: ~~May 26, 2015~~ \_\_\_\_\_, 2022*



D R A F T August -2022

Marked to show changes from May 2022 draft

WESTCHESTER LIBRARY SYSTEM

POLICY #16

**Subject:** Board Meetings Participation

**Application:** WLS Trustees, employees and members of the public

The participation of trustees, employees and members of the public in the Board meetings of the Westchester Library System (WLS) is necessary for the effective operation of WLS on behalf of the residents of Westchester County and its libraries. This policy sets forth procedures for participation by trustees and members of the public that both serve the needs of WLS and are in compliance with the New York State Open Meetings Law (OML).

All meetings of the Board of Trustees shall be open to the general public, except that an executive session may be called as provided by the OML. Meetings will be held in a facility that permits barrier-free physical access and can adequately accommodate members of the public who wish to attend.

The Board of Trustees allows public meetings to be photographed, broadcast, webcast or otherwise recorded by means of audio or video, in a non-disruptive manner.

**Participation by Trustees**

~~Subject to the rules specified below, trustees may participate in Board meetings using videoconferencing, provided that (a) a trustee may participate remotely only when she/he is not physically present in Westchester County or is unable to be physically present at the meeting location due to extraordinary circumstances including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event that precludes such trustee's physical attendance at such meeting; (b) a quorum is present in the physical location where the public can attend; (c) minutes of the meeting indicate which members participated remotely; (d) the public notice of the meeting indicates that videoconferencing will be used, where the public can view and/or participate in the meeting, and the physical location of the meeting; (e) any meeting using videoconferencing is recorded and made available on the WLS website as required by the OML; and (f) members of the public have the opportunity to participate via videoconference in real time where public comment is authorized.~~

~~Any trustee wishing to participate in a Board meeting remotely must follow these rules:-~~

- ~~1. In order to comply with public notice requirements, a trustee wishing to participate in a meeting remotely must notify the Board President and the Executive Director of his/her/their intent to participate remotely at least eight (8) days before the relevant Board meeting, unless such advanced notice is impracticable.~~
- ~~2. The trustee must use an Internet connection that supports video and audio functionality.~~

~~3. The trustee must ensure that participation in properly convened executive sessions will be secure from outside observation.~~

~~All trustees attending meetings by video conferencing shall be entitled to vote as if they were personally and physically present at the meeting site.~~

~~In addition, sufficient security and identification procedures shall be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all trustees attending for discussion or voting purposes are in fact authorized members with the right to speak and vote.~~

### **Participation by Members of the Public**

The Board of Trustees encourages public expression at public meetings and has designated a specific portion of its meeting agenda for public comment. Members of the public, upon identifying themselves, are permitted to address the Board ~~for a period of not more than three minutes~~. Statements by the public should be kept as brief as possible (not more than three minutes or such other time period as may be designated by the Board in their sole discretion) and must relate to library matters. Statements relating to the competence or personal conduct of individual trustees or employees are not appropriate and will not be permitted at a public meeting. All comments must be made in a civil and respectful manner. Topics raised by the public will generally not be discussed by the trustees addressed by the Trustees during the meeting but may, if appropriate, be placed on a future board agenda.

*Last Approved:* \_\_\_\_\_, 2022

# **Westchester Library System – Collection Development Policy – Draft 1**

## **8/12/2022**

### **Objective**

Westchester Library System (WLS) strives to provide collections and resources that meet the cultural, informational, educational, and recreational needs of all individuals in the System's service area in conjunction with the strategic initiatives of WLS and member libraries.

### **Principles of Free Access**

The WLS Board of Trustees affirms the principles presented in the American Library Association's (ALA) [Library Bill of Rights](#)<sup>1</sup>, [Interpretations of the Library Bill of Rights](#)<sup>2</sup>, [Freedom to Read Statement](#)<sup>3</sup>, and [Freedom to View Statement](#)<sup>4</sup> in support of acquiring and managing collections in support of its mission.

### **Statement on Minor Access**

WLS acknowledges that the responsibility for monitoring a minor's access to library materials and resources rests with the minor's parent or legal guardian.

### **Collection Development Responsibility**

Authority for the shared collections is a joint responsibility of WLS and the member libraries. For materials and resources owned, leased, or subscribed to by WLS, the responsibility is delegated to the WLS Executive Director by the WLS Board of Trustees. The WLS Executive Director may delegate related responsibilities to qualified WLS staff. For each member library's materials and resources, this responsibility is delegated by the library's Board of Trustees to the Library Director, who has the authority to delegate responsibilities to qualified library staff.

### **Selection of Materials and Resources**

For WLS, recommendations by member libraries, standard professional and journals, authoritative online tools, and popular and local media sources are among the most frequently used tools in the selection process. The acquisition of a material or resource by WLS does not constitute endorsement of the contents of the material or resource.

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<sup>1</sup> Library Bill of Rights <https://www.ala.org/advocacy/intfreedom/librarybill>

<sup>2</sup> Interpretations of the Library Bill of Rights <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations>

<sup>3</sup> Freedom to Read Statement <https://www.ala.org/advocacy/intfreedom/freedomreadstatement>

<sup>4</sup> Freedom to View Statement <https://www.ala.org/advocacy/intfreedom/freedomviewstatement>

While a single standard cannot be applied, materials and resources that are considered for acquisition are judged by these and other related criteria:

- Relevance to community needs and interests;
- Balance and diversity in the current collection;
- Suitability to the intended audience of subject, style, format, interest and reading level;
- Reputation of the author, composer, publisher, or producer; and
- Quality of the writing, design, illustration, or production.

Licensing and leasing requirements may result in the automatic addition of materials in the digital collections by a vendor or publisher.

### **Withdrawal of WLS Materials and Resources**

Materials and resources are routinely withdrawn to maintain the usefulness, currency, relevance, and condition of the WLS collections. Licensing and leasing requirements may result in the automatic withdrawal of materials in the digital collections by a vendor or publisher. Physical materials withdrawn from a collection may be disposed of in a variety of ways including but not limited to public book sales, donations to other organizations, responsible and sustainable recycling, and disposal.

### **Gifts and Donations to WLS**

WLS accepts gifts of books and other materials with the understanding that they may be added to the collection, made available to the member libraries, or used to support WLS outreach activities if deemed appropriate. If the material cannot be used by WLS or the member libraries, the material may be disposed of in a variety of ways including but not limited to public book sales, donations to other organizations, responsible and sustainable recycling, and disposal.

### **Reconsideration of WLS Materials and Resources**

Materials made available by WLS present a diversity of viewpoints, enabling residents to make informed choices. WLS strives to provide a wide range of library materials and resources to satisfy the diverse interests of all individuals living, working, going to school or who own property in Westchester County. WLS upholds the right of a library card holder to obtain these materials and resources, even though the content may be viewed as controversial, unorthodox, or unacceptable by others. While the materials and resources are available to all valid library card holders, it is not expected that all the collection will appeal to everyone.

Library card holders requesting the reconsideration of a material or resource that WLS owns, leases, or subscribes to must have a valid and current library card from WLS or a member library and are required to complete a *WLS Request for Reconsideration of Material or Resource* form and submit it to the WLS Executive Director. The request and material/resource in question will be reviewed by a committee of three, which will be composed of the WLS Executive Director, one librarian from the WLS staff, and a

representative from the WLS Board Audit Committee. The request will be reviewed by the committee considering this policy's guidelines, the ALA's documents referenced in the Principles of Free Access section of this policy, the opinions of professional reviewing sources, and other relevant information. The WLS Executive Director will notify the requester in writing of the results of the review within two weeks of receiving the completed reconsideration form.

The committee's decision may be appealed to the WLS Board of Trustees. The WLS Board will be the final level of appeal for any reconsideration request. The final determination will be developed and kept on file for a minimum of two years. An individual title or resource will not be reviewed more than once in this two-year period.

## WLS Request for Reconsideration of Material or Resource

To request the reconsideration of a material or resource that WLS owns, leases, or subscribes to and you have a valid and current library card from WLS or a member library, provide the requested information to the WLS Executive Director through the online form portal, or as an email attachment to [executivedirector@wlsmail.org](mailto:executivedirector@wlsmail.org) or U.S. Mail to the address below:

Westchester Library System  
Executive Director  
570 Taxter Rd, Ste. 400  
Elmsford, NY 10523

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Library card number: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Please specify the type/format of the resource which you are requesting to be reconsidered. Check all that apply:

**Physical collection:**

\_\_\_\_\_ Audiobook

\_\_\_\_\_ Book

\_\_\_\_\_ Magazine/Newspaper

\_\_\_\_\_ Movie

\_\_\_\_\_ Music

\_\_\_\_\_ Other (Please specify) \_\_\_\_\_

**Digital collection:**

\_\_\_\_\_ Audiobook

\_\_\_\_\_ Book

\_\_\_\_\_ Magazine/Newspaper

\_\_\_\_\_ Movie

\_\_\_\_\_ Music

\_\_\_\_\_ Other (Please specify) \_\_\_\_\_

Title of the material/resource:

\_\_\_\_\_

Author/Producer/Content Creator: \_\_\_\_\_

In what collection did you find this material/resource?

\_\_\_\_\_

What brought this material/resource to your attention?

\_\_\_\_\_

Have you examined the entire material/resource? If not, indicate the sections you did review:

\_\_\_\_\_

\_\_\_\_\_

What concerns you about the material/resource?

\_\_\_\_\_

\_\_\_\_\_

Are there resources that you suggest providing additional information and/or other viewpoints on this topic? \_\_\_\_\_

What action are you requesting regarding this material/resource?

\_\_\_\_\_

\_\_\_\_\_

**Subject:** Exempt and Non-Exempt Employee Pay

**Application:** Employees

### 1. Background

It is Westchester Library System's (WLS) policy and practice to appropriately compensate employees and to do so in compliance with applicable state and federal laws. To ensure that proper payment for all time worked and that no improper deductions are made, each employee must ~~record correctly~~correctly record all work time and review ~~your~~ paychecks promptly to identify and to report any errors.

### 2. Policies Applicable to All Employees

All employees will record their time and submit a completed timesheet to their supervisor via the ~~NOVAtime Attendance Program~~WLS attendance system.

It is a violation of WLS policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked. This kind of violation should be reported to the Executive Director.

In addition to deduction to pay that are mandated by federal and state laws and regulations, there may be reductions to an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. Employees with questions about deductions on a paycheck should contact the Chief Financial Officer and/or Personnel Clerk/Operations Manager. Each claim will be investigated and if the deduction was improper, WLS will reimburse the employee.

### 3. Non-Exempt Employees

Non-exempt employees must maintain a record of the total hours worked each day. Each non-exempt employee must submit his/her/their own timesheet to verify that the reported hours worked are complete and accurate. The timesheet must reflect all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. At the end of each pay period, each non-exempt employee must submit a completed timesheet to his/her/their supervisor for verification and approval.

A non-exempt employee should not work hours which are not authorized by his/her/their supervisor. Non-exempt employees should not start work early, finish work late, work during a meal break or perform other overtime work unless authorized to do so and the time is recorded on the timesheet. Non-exempt employees are not to "make up time" unless it is approved in advance by his/her/their supervisor. "Making up time" means working more hours on one day to cover hours not completed on a pervious day.



#### **4. Exempt Salaried Employees**

Exempt salaried employees receive a salary which is intended to compensate for all work hours. This salary is established at the time of hire or when the employee is classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, this salary will be a predetermined amount which generally will not be subject to deductions for variations in the hours worked. However, there is no requirement to pay exempt employees for any work week in which they perform no work at all for WLS.

*Last approved: May 26, 2015*

**Subject:** Investment of Funds

**Application:** Trustees and employees

Westchester Library System (WLS) is committed to investing its funds in a way that will maximize the security of principal, satisfy cash flow requirements, and use approved investments to provide the highest possible return. All investments shall conform with all applicable laws and regulations applicable to public library systems in New York State.

**Investment Objectives**

The investment objectives of the Board of Trustees of WLS are, in priority order: (1) to conform to all applicable federal, state and other legal and regulatory requirements; (2) to preserve capital; (3) to provide sufficient liquidity to enable WLS to meet its goal of maintaining a reserve sufficient to meet at least ninety (90) days of operating expenses; and (4) to generate higher rates of return than available through standard savings accounts consistent with the first three objectives.

**Authorized Investments; Security**

All WLS funds (including privately raised moneys, but excluding trust funds that may be invested as provided in the Estates, Powers and Trusts Law) shall be invested in accounts or securities permitted under Sections 10 and 11 of Article 2 of the General Municipal Law, as from time to time amended and in effect, or any successor or similar laws. All deposits in commercial banks or trust companies in excess of the amount insured from time to time under the Federal Deposit Insurance Act shall be secured as provided in said Section 10.

**Designation of Depositories**

The Board of Trustees shall designate one or more banks or trust companies authorized to do business in the State of New York for the deposit of WLS funds, and the maximum amounts that may be deposited in each such financial institution, ~~at the January meeting of annually, as a function of the annual operating budget approval process by~~ the Board of Trustees. Such designation and amounts may be changed at any time by a resolution of the Board of Trustees.

**Delegation of Authority**

The Board of Trustees hereby delegates management responsibility for investment of WLS funds to the Board Treasurer and the Chief Financial Officer, who shall jointly (1) invest WLS funds in accordance with the investment objectives and subject to the limitations described in this policy; (2) manage the deposits of cash assets in accounts designated through this policy to be consistent with the goals of this policy; and ~~(23)~~ establish procedures consistent with this policy. No person may engage in any investment

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transaction on behalf of WLS except as provided in this policy and the procedures established hereunder.

**Reporting**

The Treasurer shall provide the Board of Trustees with investment reports at regular board meetings, specifying the types of investments, principal balances, rates of return and maturities.

*Last approved: October 27, 2020*

**Subject:** Purchasing

**Application:** Employees

The Westchester Library System (WLS) is committed to promoting a responsible procurement process based on receiving the highest-quality goods and services while assuring the prudent and economical use of revenues. The intent of this policy is to maximize the use of the WLS funds by employing efficient and professional procurement practices and providing sound safeguards against favoritism, extravagance, fraud and corruption, while allowing appropriate decision-making flexibility for WLS staff to function effectively. This policy controls the procurement of goods and services with WLS funds. Procurement of goods and services shall be subject to the requirements and restrictions in these guidelines.

Purchasing activities may be initiated by any WLS staff member with the approval of the appropriate Department Head and/or the Executive Director. Large hardware and software purchases are the responsibility of the Director of Information Technology and/or Network Administrator, in consultation with and approval of the Executive Director. In the absence of the Executive Director, the Chief Financial Officer shall consult on and approve purchases.

### **Competitive Bidding**

Under normal circumstances, contracts shall be awarded to the lowest responsible bidder. Circumstances under which a contract may not be awarded to lowest responsible bidder may include, but are not limited to: (1) vendor cannot comply with the full specifications set forth in the bid; (2) vendor cannot guarantee delivery of goods or services within the time frame or under the conditions established by WLS; (3) vendor's after-purchase support services are deemed inadequate; (4) vendor's terms of payment are disadvantageous to WLS; (5) vendor's performance in previous engagements are not satisfactory.

To the extent possible, WLS will not purchase goods or services from any vendor in which a Board member or staff member has disclosed or is known to have a full or partial actual or prospective business interest.

[WLS welcomes all vendors including, but not limited to, Certified Minority-Owned, Women-Owned, 2SLGBTQAI+-Owned, Veteran-Owned and Abilities-Owned Enterprises. Vendors with such certifications are encouraged to identify their certifications when submitting bids.](#)

### **Quotes**

Competitive quotes are required when the estimated expenditure for a product or service exceeds certain thresholds, as noted below. This process allows WLS to obtain the best value for expenditure of its funds. The only exceptions to this process are for purchases in which there are fewer than the required number of competitors who offer a given product or service, or for purchases for which a "sole source" makes good business sense (see below).

**Sole Source Suppliers or Fewer-than-Required Number of Vendors**

Under certain circumstances, it may be necessary to seek quotes from fewer than the required number of vendors or make a purchase from a sole source. Sole sourcing may make sense in a situation where a specific manufacturer’s product is compatible with products already owned by the system, where a specific vendor may have special expertise related to a specific project or initiative or in a situation where it is determined that seeking competitive quotes is not advantageous to WLS. In situations where a sole source or fewer vendors will be sought, approval of the Executive Director must be obtained in advance of any purchase being made.

<b>Dollar Amount Of Purchase</b>	<b>Quote Requirements</b>	<b>Purchase Order (PO) required?</b>	<b>Payment Options</b>
Less than \$2,000	No quotes	No	1. Petty Cash (for items under \$50) 2. Vendor invoice 3. Corporate credit card
\$2,000 - \$4,999	Minimum of 2 verbal quotes	No	Vendor invoice
\$5,000 - \$24,999	Minimum of 2 written price quotes	Yes	Invoice, PO & supporting delivery documents
\$25,000 - \$99,999	Minimum of 3 written price quotes	Yes	Invoice, PO & supporting delivery documents
\$100,000 and up	Formal bid process	Yes	Invoice, PO & supporting delivery documents

**Office and Other Supplies**

Office supplies are purchased on a monthly basis. Employees make requests on a form located ~~in~~ with the supply ~~room~~ storage unit. Requests include the item description, name of requestor, requesting department and date. The ~~Administrative Assistant for Information Technology~~ Executive Director designates employees to serve as the Supplies Coordinator and as the Supply Manager. The Supply Coordinator compiles ~~these~~ supply requests and enters an online order for these items. The order is then routed to the ~~Executive Assistant~~ Supply Manager for approval and submission. When the ordered items are received, the ~~Administrative Assistant for Information Technology~~ Supplies Coordinator reviews the order for accuracy and completeness, distributes the items to the various requestors, and submits back-up information on the order to the Operations Manager.

For purchases other than office supplies, the requestor first explores the possibility of purchasing through a New York State government agency contract or any other recognized government agencies or national discount programs for libraries which offer the potential for economies of scale.

**Cooperative Purchases for Member Libraries**

For items purchased on behalf of the member libraries, WLS recognizes that those purchases are subject to competitive bidding as outlined in General Municipal Law. Therefore, the following procedures will be implemented for these purchases:

<b>Dollar Amount Of Purchase</b>	<b>Quote Requirements</b>	<b>PO required?</b>	<b>Payment Options</b>
Less than \$2,000	No quotes	No	1. Petty cash (for items under \$50) 2. Vendor invoice 3. Corporate credit card
\$2,000 - \$9,999	Minimum of 2 verbal quotes	No	Vendor invoice
\$10,000 - \$19,999	Minimum of 2 written quotes	Yes	Invoice, PO & supporting delivery documents
\$20,000 and up	Formal bid process*	Yes	Invoice, PO & supporting delivery documents

\* Request for Proposal (RFP) or Request for Quotation (RFQ), publicly advertised, and a minimum of 3 quotations, with selected vendor approved by the Executive Director. If funds have not been previously approved by the WLS Board of Trustees, then selected vendor requires Board approval.

**Exclusions**

These guidelines do not apply to the following:

1. Purchases made through a New York State contract, when the State contract vendor offers specified goods or services at a lower cost, purchase at the lower rate is recommended, with appropriate documentation included with the purchase documents.
2. Purchases of computer hardware, related equipment and support, when standardization of equipment and support can be justified, a specification document outlining in detail the technical requirements, including when appropriate brand name specification, can be developed and with Board approval used as part of the RFP or RFQ for these goods and services.

**Awarding Contracts for Purchases made for WLS or Cooperative Purchases for Member Libraries**

The basis for all contract awards shall be the lowest responsible bid that meets the requirements outlined to the vendor(s) in a statement of specifications, a RFP or RFQ.

**Purchases for WLS or Cooperative Purchases for Member Libraries Not Subject to Bid**

1. Professional services which involve specialized expertise, use of professional judgment and/or high degree of creativity, such as: attorney, architect, engineer, land surveyor, trainer;
2. Situations when immediate action is required that cannot await competitive bidding;
3. Insurance - documentation shall include written quotations and specifications;
4. Sole-source purchases which may occur when there is no substantial equivalent, or when the product is available from only one source and deemed necessary to public interest, items included under this criteria may include, but not be limited to:
  - i. Electronic databases
  - ii. Digital content (ebooks, downloadable audiobooks, videos and music)
  - iii. Specialized hardware
5. Real property
6. Dues and memberships in trade or professional organizations
7. Library materials, including periodical subscriptions
8. Advertisements
9. Postage
10. Petty cash purchases
11. Utility services
12. Copyrighted materials, patented materials, art and artistic services
13. Employee benefits
14. Legal services
15. Fees and costs of job-related travel, seminars, registration and training

*Last approved: September 29, 2015*