

**COOK MEMORIAL PUBLIC LIBRARY DISTRICT
413 N. MILWAUKEE AVENUE
LIBERTYVILLE, ILLINOIS 60048**

March 9, 2021

Virtual Special Board Meeting
6:30 p.m.

A special meeting of the Board of Library Trustees of the Cook Memorial Public Library District has been scheduled for Tuesday, March 9, 2021 and will be held virtually as authorized by Illinois Public Act 101-0640.

To join the meeting via computer or smart device, click on this link:

<https://us02web.zoom.us/j/88238257506>

and enter Passcode: 854609

To join the meeting via telephone, dial (312) 626-6799,
enter Meeting ID: 882 3825 7506 and Passcode: 854609

1. Call to order.
2. Roll call.
3. Public Comment.
To submit public comment, send an email with your comments to info@cooklib.org at any time prior to start of the meeting. All comments will be read aloud during the public comment period.
4. Review and Discussion of Library Policies.
 - a. Ethics Policy
 - b. Workplace Violence Policy
 - c. Security Camera Policy
5. Update on Board Vacancy.
6. Adjournment.

Wendy Vieth, President
Board of Library Trustees

March 4, 2021



Cook Memorial Public Library District

SPECIAL LIBRARY BOARD MEETING AGENDA SUPPLEMENT

MEETING DATE: March 9, 2021

FROM: David Archer, Library Director

AGENDA ITEM: Review of Policies

Library attorney Jim Ferolo will be attending this evening's meeting to review an initial draft of a proposed Ethics Policy and answer your questions. A final version of this policy will be formatted to reflect the style and layout of our other policies. As a reminder, here is the recommended process for the review, revision and approval of library policies.

1. Staff and library legal counsel will present a new policy or proposed changes to existing policies. The Board President will poll Trustees to determine their support of these changes for each policy. If a majority approve of the changes, the policy is drafted with the updated language for approval at a future regular board meeting
2. Trustees may propose additional revisions to each policy. The Board President will poll Trustees for each revision proposed to determine support. If a majority approve of a revision, the policy is drafted with the updated language for approval at an upcoming regular board meeting.
3. At the regular board meeting, Trustees will consider approval for each of the revised policies by resolution.

Policies presented tonight include:

- Ethics Policy
- Workplace Violence Policy (time permitting)
- Security Camera Policy (time permitting)

Policies tentatively scheduled for review at the April Policy Workshop meeting:

- Email Communications Policy
- Meeting Room Policy
- Safe Child Policy
- FMLA Policy
- Confidentiality Policy
- Purchasing Goods and Services Policy

DRAFT 2-28-21
COOK MEMORIAL PUBLIC LIBRARY DISTRICT ETHICS POLICY

ARTICLE I

DEFINITIONS

Section 1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the Cook Memorial Public Library District, whether on a full-time or part-time basis or pursuant to a contract (5 ILCS 430/70-5(c)).

"Employer" means the Cook Memorial Public Library District.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity (5 ILCS 430/70-5(c)).

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.

"Prohibited source" means any person or entity who:

(1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

(2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;

(3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE II

PROHIBITED POLITICAL ACTIVITIES

Section 1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Cook Memorial Public Library District in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE III

GIFT BAN

Section 1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift

from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 2. Exceptions. Section 3-1 is not applicable to the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

(3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

(4) Educational materials and missions.

(5) Travel expenses for a meeting to discuss business.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse or civil partner and the individual's fiancé or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 3-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE IV

PENALTIES

Section 5-1. Enforcement and Penalties.

(1) Any alleged violations of this policy may be referred to the States' Attorney.

(2) The penalties for violations of this policy shall be those as determined applicable and provided by law. In addition, any employee who violates this policy shall be subject to appropriate discipline by the Board up to dismissal.

WORKPLACE VIOLENCE POLICY

Article I Workplace Violence.

The Cook Memorial Public Library District ("**Library**") is firmly committed to providing a workplace that is free from acts of violence or threats of violence. In keeping with this commitment, it is the policy of the ~~Cook Memorial Public~~ Library to prohibit any library patron, employee, or trustee from threatening or committing any act of violence in the Library. This policy applies to all persons who are on Library property. The Library has zero tolerance for individuals who make threats, engage in threatening behavior, or commit acts of violence against employees, patrons, or other individuals.

Article II Reporting.

Employees are required to immediately report to a supervisor any incident involving a threat of violence or violent behavior. If an employee is confronted with a potentially violent situation, the employee should not attempt to handle the situation, but should report it immediately to the Library Director, manager, or supervisor.

In cases when violence threatens to erupt immediately, the employee is authorized to call 911 ~~or the local police~~ and subsequently inform the Library Director and/or the person in charge of the situation.

Employees who become aware of any workplace security hazards, or who have suggestions for increasing security in the Library, ~~must~~ **[should]** speak with their manager or supervisor. The Library expects employees to help make the workplace as safe and secure as possible.

Date

Secretary

Adopted: 07/20/04

Revised: 11/03/11

Revised: 04/19/16

Revised: 00/00/21

SECURITY CAMERA POLICY

Security cameras are used to enhance the safety and security of Cook Memorial Public Library District (CMPLD or “~~the~~ Library”) patrons and staff by discouraging violations of the Use of the Library Policy, assisting library staff in preventing the occurrence of any violations, and when necessary, providing law enforcement assistance in prosecuting criminal activity while adhering to the applicable federal, state and local law concerning the confidentiality of library records and the protection of individual privacy.

Article I Security Camera Purpose and Placement Guidelines.

- A. Security cameras are used in public spaces in the library to discourage criminal activity and violations of the Use of the Library Policy. Video footage is recorded and stored digitally. The recording of audio will not be used.
- B. Cameras may be installed in outdoor and indoor places where individuals lack a reasonable expectation of privacy. Examples include public common areas of the library such as parking lots, entrances, seating areas, service desks, and areas prone to theft or misconduct, or areas where money is stored or handled.
- C. Cameras will not be installed in areas of the library where individuals have a reasonable expectation of privacy such as restrooms or private offices.
- D. Signs will be posted at all public entrances stating that security cameras are in use.
- E. Because live footage is not continuously monitored, patrons and staff should take appropriate precautions for their safety and for the security of their personal property. The Library is not responsible for loss of property or personal injury.
- F. Recorded footage is confidential and secured in a controlled area. Recorded footage is typically stored until disc capacity has been reached. As new footage is recorded; the oldest footage is automatically deleted.
- G. In determining the placement and use of security cameras, staff and patron safety is the first priority with protection of library property of secondary importance.
- H. While cameras are not installed for the purpose of routine staff performance evaluations, the recorded footage may be used to support the discipline, up to and including termination, of an employee, if appropriate.

Article II Use/Disclosure of Video Records.

- A. Access to live video footage in order to monitor current activity is limited to staff members authorized by Senior Managers.
- B. Access to archived video in order to document incidents of injury, criminal activity or violation of the Use of the Library Policy is limited to the Library Director, Managers, Maintenance, I.T. Staff and other designated staff specifically authorized by the Library Director. Review of archived video footage should be done in non-public areas of the library.
- C. Access is also allowed by law enforcement officials when pursuant to a subpoena, court order, or as permitted by law.
- D. Archived video footage will not be retained longer than 30 days, provided no criminal activity or policy violation has occurred or is being investigated.
- E. Video records and still photographs may be used by authorized staff and law enforcement officials to identify those responsible for library policy violations, criminal activity on library property or actions considered disruptive to normal library operations as delineated in the Use of the Library Policy.
- F. In situations involving banned patrons, stored still images and/or video footage may be shared with staff. Shared images may be posted in restricted staff areas or in a secure file at public desks for the duration of the banning period. After the banning period ends, these images and/or video footage may be archived in the Administrative Offices.

Article III Disclaimer of Responsibility

The Library disclaims any liability for use of video data in accordance with the terms of this policy, given that the library is a public facility and the security cameras shall be limited to those areas where patrons and/or staff have no reasonable expectation of privacy.

Date

Secretary

Adopted: 02/21/17
Reviewed: 00/00/21