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Librarians' Personnel Policies

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8.7 University Librarians' Personnel Policies

The Librarians' Personnel Policies apply to all Librarians as defined in 8.7.1.

8.7.1 Definitions

The following are definitions of key words and phrases used in this document.

A. Librarians

All persons who have been granted full-time appointments in the University Library by the Board of Trustees to any librarian rank as described in section 8.7.3.D.

B. Bargaining Unit Librarians

Librarians who are represented by the SEIU, District 1199. As indicated in this document in the relevant sections, the bargaining unit librarians are covered by the provision of the union contracts for those areas included in the SEIU labor agreements.

C. Administrative Librarians

Librarians who hold management or confidential positions and are not represented by the SEIU, District 1199.

D. Director of the University Library

The Director of the University Library is the administrative officer of the University Library and reports to the Provost.

E. Appointment

The original admission to librarian rank and status at Cleveland State University achieved by appropriate action of the Board of Trustees. An appointment is in effect throughout a librarian's continuous service in the University.

F. Librarians' Meetings

One of the mechanisms through which the Librarians as a professional group discuss academic and professional matters relating to librarianship and the University Library, maintain currency on University Library affairs, and participate in the decision making processes of the Library.

G. Personnel Action

Any decision or recommendation made by a person or persons with authority under the rules of the University and the SEIU District 1199 union in respect to librarian appointment, dismissal or continuance of appointment, evaluation, or promotion.

H. Personnel Action Committees (PACs)

The mechanism through which the Librarians participate in personnel actions by making recommendations to the Director of the University Library. The various types of personnel actions may be performed by one or several standing or ad hoc committees as the Librarians shall determine.

I. Librarian Review Committee (LRC)

A committee elected by Faculty Senate to consist of two administrative librarians from the two highest librarian ranks and three tenured faculty members from three different colleges, not including the College of Law. The LRC deals with appeals by administrative librarians concerning denial of promotion 8.7.3.B (5) and dismissal proceedings (8.7.8.C).

8.7.2 Librarians' Meetings

- A. The Librarians shall meet monthly at a regular day and time. Scheduled meetings may be cancelled or postponed by the chair with the agreement of the Librarians.
- B. Special meetings may be called by the chair or whenever one-fourth of the Librarians request such a meeting.
- C. Meetings will be conducted informally in accordance with generally accepted parliamentary practice. In case of any disagreement, any librarian may move the use of Robert's Rules of Order. If this request is approved by a majority of the librarians present, they will be used for the determination of the matter under consideration.
- D. The chair shall be the Director of the University Library.
- E. A secretary shall be elected to provide agendas before meetings and to keep and distribute the minutes of the meetings.

8.7.3 Procedures for Searches, Appointment to All Librarian Ranks, and Promotion in Rank for All Positions except Director of the University Library

When there is a vacancy to be filled in a librarian position it is the responsibility of the Director of the University Library and the Librarians to work together to consider how the vacancy might best be used to advance the mission of the Library. They will also examine the qualifications appropriate for the position, the type of search (local, regional, national) required, and the appropriate salary range for the position. After these discussions, the Director is responsible for creating a job description and receiving authorization from the University to begin the search. The Personnel Action Committee for Searches (PAC-S) will then be elected. At the first meeting the Director and the PAC-S will review strategies for a successful search. If during the process of the search, the Director or the PAC-S has major concerns over the progress of the search, the pool of candidates, or the qualifications of the candidates, there may be additional meetings of the Director and the PAC-S before the committee begins to deliberate on its recommendation.

Recommendations for appointments and promotions shall be made to the President and then to the Board of Trustees, and shall be accompanied by the academic and personal qualifications of nominees, including relevant biographical data, evidence of professional degrees and honors, a statement of professional achievements, and recommendations from at least three responsible academic or professional sources.

A. Procedures for Appointment to All Librarian Ranks

These procedures shall be followed for appointment to librarian ranks:

- 1) The Personnel Action Committee for Searches (PAC-S) serves as the personnel action committee in all matters pertaining to the selection and appointment of personnel to all permanent librarian positions except for the directorship.

- 1.a) Membership:
 - 1.a.1) The PAC-S shall consist of four librarians.
 - 1.a.2) At least one librarian shall be from the highest two librarian ranks.
 - 1.a.3) There must be at least one bargaining unit and one administrative librarian on each PAC-S.
 - 1.a.4) The administrator of the unit in which the vacancy occurs shall be a member of the committee unless this person is the Director of the University Library.
 - 1.a.5) One person, not a librarian, from the University Library or University faculty or staff shall be elected as a voting member.
 - 1.a.6) The Director of the University Library is ineligible to serve.

- 1.b) Election:
 - 1.b.1) The PAC-S shall be elected by the Librarians at the time a vacancy is to be filled.
 - 1.b.2) There will be a separate PAC-S for each search.
 - 1.b.3) The members of the PAC-S shall elect their chair.

- 1.c) Functions and Procedures:
 - 1.c.1) The PAC-S shall base searches on the position description for the vacancy as written by the library administration. The Director of the University Library shall consult the viewpoints of the Librarians at a meeting on the appropriateness of the position description.
 - 1.c.2) The PAC-S shall conduct searches in accordance with the applicable Librarian Personnel Policies, University policies, the SEIU District 1199 contract, and Affirmative Action guidelines.
 - 1.c.3) The PAC-S shall invite comments and evaluations of the candidates from all interested parties before determining its recommendation.
 - 1.c.4) The Librarian members of PAC-S shall constitute a Personnel Action Committee for the purpose of recommending a librarian rank and salary for each candidate that the PAC-S recommends to fill the vacant position.
 - 1.c.5) The PAC-S shall present its recommendations for the vacancy, including rank and salary, to the Librarians for approval. A special meeting may be scheduled for this purpose. This meeting is an occasion for the Librarians and the Director of the University Library to discuss the recommendation. Possible actions by the Librarians might include stating reservations or objections, offering amendments, accepting, rejecting or returning the recommendation to the PAC-S.
 - 1.c.6) The recommendation(s) as approved by the Librarians, shall be submitted to the Director of the University Library.

- 1.c.7) Searches for temporary librarians do not require a PAC-S. The Director of the University Library appoints search committees for such positions.
- 2) If the Director of the University Library and the PAC-S are in agreement concerning the search, the Director shall forward the name of the recommended candidate, including a recommended salary and rank, to the Provost. If there is a disagreement over salary or rank, both recommendations shall be submitted to the Provost for his/her determination. If the Director of the University Library and the PAC-S are unable to agree on an appointment recommendation, both recommendations shall be submitted to the Provost. In such case, the Provost or representative shall meet with the Director of the University Library and the PAC-S to pursue a mutually agreed solution. If the Provost decides to recommend the appointment of a candidate that the PAC-S does not support, the Provost shall state the reasons to the PAC-S. Before a disagreement is forwarded to the Provost, an additional meeting shall be called by the Director of the University Library to seek agreement with the Librarians.
- 3) The Director of the University Library may make reasonable adjustments to the recommended salary in negotiating with candidates. The final salary will be reported to the Librarians.
- 4) The name of each candidate proposed by the Provost shall be forwarded to the President, accompanied by statements from the appropriate PAC-S, the Director of the University Library, and the Provost.
- 5) From such candidates, the President shall recommend to the Board of Trustees those acceptable for appointment.

B. Procedures for Promotion in Rank

These policies provide ranks for librarians appropriate to their education, skill, performance, and level of responsibility. The purpose of ranks is to ensure recognition of merit and to provide advancement when warranted.

The Personnel Action Committee for Promotion (PAC-P) shall be responsible for making recommendations on candidates applying for promotion.

- 1) Membership:
 - a) There shall be a separate PAC-P for each candidate applying for promotion.
 - b) Each PAC-P shall consist of three librarians.
 - c) Only librarians shall serve on a PAC-P.
 - d) A majority of members of each PAC-P must be of the same or higher rank as the rank requested by the candidate.
 - e) Each PAC-P shall include both administrative and bargaining unit librarians.
 - f) Each University Library PAC-P shall be composed of two members from the University Library and one from the Cleveland-Marshall College of Law Library.

- g) The direct supervisors of the candidate for promotion shall not be eligible to serve on the PAC-P considering that candidate.
- h) The Director of the University Library is not eligible to serve on a PAC-P.

2) Election:

- a) A PAC-P will be established only when there are candidates seeking promotion.
- b) The University Library will elect its two members first.
- c) After the University Library elects two PAC-P members, the Director of the University Library will request from the Law Library Director that the third member of the PAC-P be elected from among the law librarians. The Director of the University Library will specify to the Law Library Director the rank and bargaining unit status of the PAC-P member to be elected by the Law Library so that the membership of the entire PAC-P will meet the criteria specified in 8.7.3.B.1.
- d) The PAC-P members will be elected from the eligible librarians.
- e) In the event of conflict of interest or schedule conflicts due to vacation or sick leave, an alternate shall be elected.
- f) Upon election, the members of the PAC-P will elect a chair and receive the promotion dossier with supporting materials from the Director of the University Library.
- g) In the event that there are no eligible candidates from the Law Library who are able to serve, the balance of the PAC-P members shall be elected from the University Library.

3) Recommendations:

- a) The PAC-P shall receive the candidate's promotion dossier with supporting material from the Director of the University Library after the election of the PAC-P. Each candidate's dossier shall include a resume, self-evaluation, and administrative evaluations. Letters of reference are optional. Other supporting documentation may be included.
- b) The PAC-P shall review the candidate's promotion dossier and supporting material and make a decision by majority vote to recommend promotion or not. The PAC-P may request additional letters of reference or supporting documentation. The PAC-P's recommendation with rationale will be forwarded to the Director of the University Library for evaluation. A minority opinion with rationale may also be provided.
- c) The Director of the University Library will forward the promotion dossier with supporting materials, the PAC-P's recommendation and rationale, and his/her recommendation and rationale to the Provost.
- d) If the Director of the University Library and the PAC-P are not in agreement, the recommendations are submitted to the Provost for his/her determination. In such case, the Provost or representative shall meet with the Director of the University Library and PAC-P to pursue a mutually agreed solution. If the

Provost decides the promotion request in a manner not supported by the PAC-P, the Provost shall state the reasons to the Committee. In the case of a decision by the Provost resulting in no promotion, the Provost shall provide in writing a rationale for this denial to the Director of the University Library.

- e) Copies of the recommendations with rationales will be supplied to the candidate at every step of the procedure.
- f) Candidates for promotion may withdraw their application at any step in the procedure.

4) Timeline:

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|-----------------|---|
| By October 1: | Notification by candidates of their application for promotion to the Director of the University Library. A promotion dossier with supporting materials must accompany notification. |
| By October 8: | Election of PAC-Ps. |
| By October 15: | Election of PAC-P chairs by PAC-P members. |
| By October 16: | The Director of the University Library will submit promotion dossiers with supporting material to PAC-P chairs. |
| By October 20: | Each PAC-P will begin review of candidates' applications for promotion. |
| By December 1: | Each PAC-P will forward recommendations with rationales to the Director of the University Library. |
| By January 25: | The Director of the University Library will forward recommendations with rationales and dossiers to the Provost. |
| By February 15: | Provost will forward recommendations to University President. From candidates who have been reviewed in accordance with the procedures outlined above, the President shall subsequently recommend to the Board of Trustees acceptable candidates for promotion. |
| By April 15: | Appropriate administrative officials will notify the candidates of the final decision with respect to promotion. |

Should any of the above dates in a given year fall on a University holiday, emergency closure, or a weekend, the due date will be the next immediate business day.

5) Grievance and Disagreements:

For bargaining unit librarians:

Within ten working days of receipt of the final decision, the candidate for promotion may initiate at Step 3 the CSU/SEIU District 1199 Grievance Procedure (Article VIII) on the basis that the denial of promotion was

demonstrably arbitrary, discriminatory, capricious or in violation of procedures established in the CSU/SEIU District 1199 Agreement.

For administrative librarians:

Within ten working days of receipt of the final decision, the candidate for promotion may request a hearing from the Librarians Review Committee on the basis that the denial of promotion was demonstrably arbitrary, discriminatory, capricious, or in violation of established standards for promotion, or in violation of his/her academic freedom.

C. Qualifications for Librarian Ranks

Appointment to or promotion within librarian ranks shall be on the basis of merit and without regard to race, color, religion, national origin, sex, age, sexual orientation, handicap or disability, employee organization, veteran status or political organization. Librarians are expected to perform according to the highest standards of ethics and responsibility. The primary mission of librarians includes the selection, organization, management, and provision of information resources and services, as well as performing research and providing instruction on the use of these resources. Assignments also include the management of human, fiscal, and technological resources. Duties assigned to each librarian are found in individual position descriptions. Good performance of these assigned duties is the threshold for promotion. In addition, each librarian is expected to participate in a combination of scholarly, professional, and service activities of her/his choice. The cumulative effect of the performance of assigned duties and of scholarly, professional and service activities will be used to develop the recommendation of the PAC-P.

- 1) Assigned duties may include:
 - a) Collection development and management
 - b) Reference & information service and research support
 - c) Cataloging, database management, and organization of information resources
 - d) Instruction on library use, resources, and research
 - e) Management of library units/activities and supervision of personnel
 - f) Contributions to library planning and decision-making
 - g) Application of current advances in librarianship and information technology
 - h) Library systems, hardware, software and information technology
 - i) Liaison activities with individual faculty or assigned departments
- 2) Scholarly, Professional, and Service Activities may include:
 - a) Academic coursework and degrees
 - b) Awards/ Honors
 - c) Attendance at conferences and workshops
 - d) Participation in professional organizations

- e) Consultantships
- f) University Service
- g) Publications
- h) Community service
- i) Presentations
- j) Mentoring of colleagues
- k) Teaching

D. Librarian Ranks

1) Assistant Librarian

Assistant Librarian is an entry-level rank. An Assistant Librarian is appointed to this rank upon evidence that he/she holds a master's degree in library science from a school accredited by the American Library Association or its equivalent, exhibits good *promise* as a librarian, and *potential* for achievement in scholarly, professional, or service activities.

2) Senior Assistant Librarian

Appointment or promotion to the rank of Senior Assistant Librarian shall be based on evidence of *full competence* in performing assigned duties. The librarian will have demonstrated an *exploration* of scholarly, professional, or service activities and the ability to incorporate these activities into the work experience to enrich performance. Librarians will normally have at least two (2) years of professional experience before being appointed or promoted to this rank.

3) Associate Librarian

Appointment or promotion to the rank of Associate Librarian shall be based on *superior* performance of assigned duties. The librarian will have a record of *significant participation* in scholarly, professional or service activities and will have demonstrated the ability to incorporate these activities into the work experience. Librarians will normally have at least five (5) years of professional experience before being appointed or promoted to this rank.

4) Librarian

Appointment or promotion to the rank of Librarian shall be based on evidence of *sustained excellence* in the performance of assigned duties. The Librarian will have a record of *significant contribution* in scholarly, professional or service activities such that the cumulative effect of these contributions will reflect a leadership role at the regional or national level. Librarians will normally have at least eight (8) years of professional experience before being appointed or promoted to this rank.

E. Director of the University Library

1) Duties

The Director of the University Library (1) shall have general administrative responsibility for the program and budget of the University Library, subject to approval by the Provost; (2) shall recommend through the Provost to the President all appointments, promotions, salary adjustments, dismissals, and other personnel actions with regard to librarians; (3) shall encourage and promote morale, the highest standards of professionalism, scholarship, and professional achievement within the University Library; (4) shall annually discuss with each librarian the objectives and achievements of that librarian with respect to the standards stated in 8.7.3.C of these policies; (5) shall cultivate democratic management by sharing information on all matters of Library interest with all librarians at regularly scheduled Librarians' meetings, and by consulting their viewpoints on all significant actions; and (6) shall be assisted in the performance of his/her responsibilities by an advisory committee.

2) Method of Selection

The search committee shall consist of four librarians at the highest two ranks (to the extent possible) elected by the Librarians, and three members of the University faculty appointed by the Provost. A non-voting student member should then be added. The search committee may request the services of one or more consultants. The committee will solicit recommendations and interview candidates. The committee will recommend to the Provost and the President the names of individuals considered acceptable for appointment.

3) Librarian Rank for the Director of the University Library

On appointment, the Director of the University Library shall receive the rank of Librarian or Associate Librarian. Only candidates that meet the qualifications of these ranks shall be appointed. The Librarian members of the Search Committee for Director shall form an ad hoc PAC to recommend a rank to the Provost. The PAC will base its recommendation on the Qualifications for Librarian Ranks outlined 8.7.3.C.

4) Appointment of Acting Director of the University Library

The appointment of an acting director shall be made by the Provost after consultation with the Academic Steering Committee of the Faculty Senate and an ad hoc personnel action committee (PAC-A) elected by the Librarians. The PAC-A shall have three members with at least one bargaining unit librarian and one administrative librarian.

5) Review and Continuance of the Director of the University Library

Evaluation of the Director of the University Library is the responsibility of the Provost. Objectives against which the Director will be evaluated shall be developed by an ad hoc personnel action committee (PAC-E) elected by the Librarians. It shall have three members with at least one bargaining unit librarian and one administrative librarian. The objectives must have the approval of the Provost and the Library Committee of the Faculty Senate. Forms for the evaluation shall be developed by the PAC-E with the approval of the Provost. Formal evaluation shall be conducted every three years.

Forms shall be distributed to the Librarians. All evaluations will be received by the Provost. The Provost shall consult with the Library Committee of the Faculty Senate and other faculty members as the Provost considers appropriate. The Director of the University Library may be removed from office at the end of a

contract year by the President of the University. If after three successive negative evaluations the President chooses not to remove the Director from office, the President shall discuss this decision with the PAC-E.

For the purposes of this section, a negative evaluation requires an absolute majority of the Librarians voting "unsatisfactory."

8.7.4 Review

A. Regular Review of Librarians

Each librarian shall be given a regular annual review by the Personnel Action Committee for Peer Review (PAC-PR) and the Director to determine if the librarian is making satisfactory progress.

B. Personnel Action Committee for Peer Review (PAC-PR)

The PAC-PR shall be responsible for making recommendations on the performance of all librarians under review.

- 1) Membership:
 - a) The PAC-PR shall consist of four librarians.
 - b) Two members of the PAC-PR must be at the highest two librarian ranks.
 - c) When bargaining unit librarians are reviewed, two members of the PAC-PR shall be bargaining unit members and one member shall be an administrative librarian.
 - d) When administrative librarians are reviewed, two members of the PAC-PR shall be administrative librarians and one member shall be a bargaining unit librarian.
 - e) The administrative supervisor of the librarian under review shall not be eligible to serve on the PAC-PR reviewing that librarian.
 - f) The Director of the University Library shall not be eligible to serve on the PAC-PR.
- 2) Election:
 - a) The PAC-PR shall be elected annually at a meeting of the Librarians.
 - b) The Librarians shall first elect one bargaining unit librarian and one administrative librarian who shall participate in the PAC-PR review of all librarians. These members must be from the highest two Librarian ranks.
 - c) The Librarians shall then elect one administrative librarian and one bargaining unit librarian who will rotate in service on the PAC-PR in compliance with 8.7.4.B (1) (c) & (d).
 - d) In the event that one of the elected members of the PAC-PR is the administrative supervisor of a librarian under review, an alternate administrative librarian shall be elected for the purpose of substituting for the administrative supervisor for the review of that librarian.
- 3) Procedure:
 - a) The Associate Director of the University Library shall annually send the PAC-PR:
 - 1) Statements of Accomplishments prepared by the librarians under review
 - 2) Final draft evaluations prepared by the librarians' administrative supervisor
 - 3) Assigned goals for each librarian

- b) If, in the PAC-PR's judgement, the written documentation is incomplete or inadequate to enable the PAC-PR to reach a clear recommendation, the PAC-PR shall solicit additional information through the Associate Director.
 - c) After the PAC-PR reviews all the dossiers, including the librarians' statements of accomplishments and the evaluators' ratings and remarks, the PAC-PR shall make its recommendations regarding each librarian's annual performance to the Director of the University Library. The PAC-PR's recommendation becomes part of the evaluation documentation that is given to each librarian.
- 4) Recommendation:
- a) The PAC-PR's recommendations shall be based upon established standards.
 - b) The PAC-PR may make recommendations on a librarian's performance of specific assignments, goals, or personal attributes when it wishes to highlight the performance of these matters or when its findings differ from those of the supervisor.
 - c) The PAC-PR shall make a summary recommendation for each librarian reviewed.
 - d) If the recommendation of the PAC-PR and the administrative supervisor vary considerably for any librarian, the Director of the University Library shall write a final summary evaluative statement. This statement will be given to the librarian under evaluation, the PAC-PR, and the administrative supervisor.

5) Librarian's Comment:

A librarian may make a written response to the PAC-PR's recommendation that will become part of the evaluation documentation.

8.7.5 Layoff Based upon Financial Exigency or University Reorganization

For bargaining unit librarians: see *Layoff, Bumping, Recall*, Article XXVII of the SEIU District 1199 Contract.

For administrative librarians:

Layoff may be effected in case of financial exigency or academic reorganization. Librarians affected will be given notice as soon as possible. Librarians with up to seven years of service to the University will be given at least six months' notice; librarians with seven or more years of service to the University will be given at least nine months' notice.

Before layoff under this section, the University will make a good faith effort to place affected librarians in other suitable positions in the University. If financial reasons require a reduction in librarians within the University Library, the needs of the University and individual performance will be considered in the decision. When layoff is based on financial reasons the released librarian's position will not be filled by a replacement within two years, unless the released librarian has been offered reappointment and a reasonable time within which to accept or decline it. Librarians will be kept informed of changes in program in instructional departments or changes in the internal structure of the University Library's departments that would have an effect on staffing. Whenever possible, librarians will be provided ample opportunity to develop the mutually acceptable level of competence to fill another position agreeable to the individual and the University. A librarian who believes that his/her layoff based upon financial exigency or University reorganization is arbitrary, discriminatory, or in violation of his/her academic freedom may

request a hearing within ten (10) working days from the notice of layoff from the Librarian Review Committee. The Committee shall promptly forward its report and recommendation to the Provost.

8.7.6 Academic Freedom

A. The Right to Demonstrate and Protest on University Property

It is recognized that free speech is essential in a democratic society. As individuals or groups, librarians are permitted to demonstrate and protest on University property in opposition to University, city, state, national, or international policy provided they do not violate any applicable local, state, or federal law, and no acts are performed that (1) cause damage to personal or University property; (2) cause injury to an individual; (3) prevent any student from attending class, entering or leaving any University facility, or attending any special program on University property; (4) prevent administrative officers, faculty, librarians, students, employees, or invited guests of the University from performing duties that they are authorized to perform; (5) block the normal business of the University, particularly classroom or laboratory instruction; and (6) block pedestrian or vehicular traffic.

Librarians are subject to the limitations imputed by law in the exercise of their rights of freedom of speech, protest, and demonstration in support of or opposition to public or University policy.

B. Academic Freedom in Performance of Responsibilities:

The University recognizes the academic freedom of librarians in the performance of their academic responsibilities to select materials to create an appropriate academic library collection, to provide instruction in its use, and to create websites, displays, and other academic resources.

8.7.7 Institutional Due Process

As a principle, the University will operate in such a way that librarians enjoy freedom from arbitrary or discriminatory treatment. The Director of the University Library shall establish reasonable criteria and fair procedures regarding decisions significantly affecting librarians, including the assignment of responsibilities and the scheduling of assignments.

Grievance Procedure

The purpose of grievance procedures is to secure prompt resolution of complaints by librarians regarding the terms and conditions of employment. These procedures shall be followed:

For bargaining unit librarians:

Bargaining unit librarians are covered by Article VIII of the CSU/SEIU District 1199 Agreement.

For administrative librarians:

A. Direction of Complaints

When a complaint arises, the librarian shall attempt to resolve the issue with the administrator of his/her immediate unit through discussion, mutual understanding, and documentation if appropriate. If the complaint is not resolved, either the grievant

or the library administrator(s) involved may refer the grievance to the PAC-PR that will constitute a special PAC for addressing the issue.

B. Response to Complaints

If the grievance is submitted to the PAC-PR, it will examine the grievance, prepare a finding of fact, and recommend a basis for resolution to the concerned parties. This recommendation shall thereafter accompany the grievance until it is resolved. This recommendation is made to the Director of the University Library who shall present a written decision to the librarian and the PAC-PR within ten working days of receiving the PAC-PR recommendation.

C. Appeal to the Provost

If the decision of the Director of the University Library is not satisfactory to the librarian, it may be appealed in writing to the Provost within five (5) working days. The Provost or his/her designee shall promptly meet and discuss the grievance with the librarian and any representative of the University community of the librarian's choice and reply in writing within fifteen (15) working days.

8.7.8 Dismissal

Dismissal is an action that results in the ending of University employment of a librarian. It is clearly differentiated from layoff (8.7.5).

For bargaining unit librarians:

Bargaining unit librarians are covered by Articles VIII and IX of the CSU/SEIU, District 1199 Agreement. There is also a probationary period, Article X, for bargaining unit librarians.

For administrative librarians:

Dismissal of an administrative librarian may be effected only according to procedures set forth below in 8.7.8.C and only for reasons set forth in 8.7.8.A and 8.7.8.B or a relevant provision of the Ohio Revised Code.

A. Causes of Dismissal Based on Charges

- 1) Professional incompetence
- 2) Substantial, willful and persistent neglect, without justification or excuse, of an essential institutional duty, validly prescribed by the University
- 3) Conviction of a crime involving moral turpitude
- 4) Proscribed behavior under Section 8.7.6.A.
- 5) Fraudulent credentials

B. Dismissal Procedures

- 1) Dismissal procedures against a librarian shall be initiated by notification by registered mail of intent to dismiss with supporting reasons sent to the librarian by the University President's delegate, hereinafter referred to as the administration.
- 2) The affected librarian shall have the right to appeal the intended dismissal before a formal hearing committee. The committee for this appeal shall be the Librarian Review Committee (LRC) that shall be created in the event that a case arises. Such a request for appeal shall be made in writing to the administration by the

affected librarian within ten (10) working days after notification of intent to dismiss.

- 3) If the librarian does request a hearing, he/she must respond to the reasons stated for the intended dismissal in writing within ten (10) working days after making the request for the hearing or the right to a hearing is waived.
- 4) If the librarian does request a hearing, the LRC, in consultation with the administration and the librarian, will exercise its judgement as to whether the hearing should be public or private.
- 5) During the proceedings the librarian will be permitted to have an adviser of his or her own choice.
- 6) The burden of proof that adequate cause exists rests with the University and shall be satisfied by a preponderance of the evidence in the record considered as a whole.
- 7) The LRC may grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.
- 8) The LRC shall have access to all documentation and witnesses that will be of benefit to it in formulating its recommendation.
- 9) The librarian will be afforded the opportunity to obtain necessary witnesses and documentary or other evidence, and the administration will, insofar as it is possible with due regard for confidentiality and privileged information, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.
- 10) The librarian and the administration will have the right to confront and cross-examine all witnesses insofar as possible. Where a witness cannot or will not appear, and the LRC determines that the interests of justice require admission of his\her statement, the committee will identify the witness and disclose his\her statement.
- 11) In the hearing of an appeal of intended dismissal for professional incompetence, the testimony may include that of qualified librarians from the University or other libraries.
- 12) The LRC will not be bound by the jury trial rules of evidence and may admit any evidence that is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- 13) The LRC's findings of fact and decision will be based solely on the hearing record.
- 14) Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the librarian or the administration will be avoided as far as possible until the proceedings have been completed.
- 15) The administration and the librarian will be notified of the decision in writing.
- 16) If the LRC concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the administration. If the LRC

concludes that dismissal is not appropriate in a particular case, it may recommend a lesser penalty to the administration with supporting reasons. If the administration rejects the report, it will state the reasons for doing so, in writing, to the LRC and to the librarian and provide an opportunity for response.

- 17) Until the final decision upon dismissal has been reached, the librarian may be suspended or assigned to other duties in lieu of suspension, if no immediate harm to himself/herself or others is threatened by the continuance of service, and the librarian is able to render effective service during the duration of the proceedings. Salary will continue during a period of suspension.

8.7.9 Vacation and Sick Leave

A. Vacation Leave

- 1) **Accrual.** Full-time librarians earn vacation leave at the rate of 1.83 days a month or a total of twenty-two (22) workdays per year, prorated for the nine month or ten month academic year. Librarians appointed to a part-time position of one-half time or more will earn vacation leave on a prorated basis. Full-time librarians on a nine or ten month academic year who are issued a supplemental summer contract are not required to use vacation during the summer semester.
- 2) **Scheduling.** Vacation leave shall be available to librarians to the extent earned. Librarians shall schedule their vacations after consultation with and approval by their supervisor. Whenever possible, vacations shall be scheduled at the preference of the librarians.
- 3) **Holidays.** When an official University holiday occurs while a librarian is on vacation leave, the librarian shall receive holiday pay.
- 4) **Maximum Accumulation.** Vacation leave accumulation may not exceed forty-four (44) days at any time within a fiscal year. On June 30 of each year, librarians may carry over a maximum of thirty (30) days (240 hours) of accumulated vacation leave to the next fiscal year. The Vice President for Administration & Executive Assistant to the President or designee may grant exceptions to the vacation leave carryover limitation at his/her discretion.
- 5) **Termination.** Upon termination of employment, librarians are entitled to pay for up to a maximum of twenty-two days.
- 6) **Balance Tracking.** The University will continue to provide a statement of a librarian's accumulated vacation.

B. Sick Leave

Sick leave with pay is a benefit available during absence due to personal illness; injury; medical confinement or disability; medical, dental or optical examinations; for the illness of or medical attention for a member of the immediate family; to cover a period of quarantine required by exposure to a contagious disease; or for the death of a member of the immediate family. For the purpose of this policy immediate family includes mother, father, sister, brother, spouse, daughter, son, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, grandchild, stepparent, stepchild, legal guardian, registered same sex domestic partner, or other person who stands in place of a parent.

- 1) **Accrual.** Sick leave will accumulate at the rate of 1.25 days (ten hours) for each month of service, without limit, including periods of vacation and sick and other paid leave. Sick leave accumulation is pro-rated for nine and ten month academic year appointments. Librarians on less than full-time status shall receive sick leave credits proportionate to the percent of time or hours worked as compared to full-time librarians.
- 2) **Notification and Certification.** For planned absences consistent with this policy, a librarian must notify the appropriate supervisor and gain prior approval. For unanticipated absences consistent with this policy, sick leave with pay shall be granted provided the librarian has reported the absence to the supervisor prior to the beginning of duty or as soon as practicable, except in case of an emergency. Librarians failing to comply with sick leave notification procedures or who abuse sick leave may be subject to discipline.
- 3) **Medical Certification.** The University reserves the right to require medical certification in cases of planned or unanticipated absence and prolonged or repeated absence. The University ordinarily will not require such a certificate in the case of illness or injury of less than three (3) days duration. The University may also require medical certification as evidence of the librarian's fitness to return to work.
- 4) **Transfers/Other Public Service.** If a librarian transfers from one department of the University to another, from the University to another Ohio public agency, or from another State of Ohio agency to Cleveland State University, accumulated sick leave credits will transfer insofar as allowed by law. Proof of sick leave credits must be furnished in writing to the University by the former employer of the librarian transferring credits from another State of Ohio employer.
- 5) **Holidays.** When a holiday occurs during a period of paid sick leave, the librarian receives regular holiday pay; the time is not charged to sick leave.
- 6) **Exhaustion of Sick Leave Balance.** If an absence is due to sickness and extends beyond accumulated sick leave, the librarian may request vacation with the supervisor's approval. Bargaining unit librarians may also be eligible for the Sick Leave Bank as provided for in the CSU/SEIU District 1199 Agreement. Leave without compensation may be requested in accordance with the provisions for unpaid leaves.
- 7) **Disability.** If the disability due to sickness extends beyond three (3) months, eligible librarians may apply for disability benefits.
- 8) **Balance Tracking.** The University shall continue to provide a statement of accumulated sick leave.
- 9) **Record Keeping.** The University shall establish and maintain procedures for recording the use of sick leave.
- 10) **Retirement.** Upon retirement librarians with ten (10) or more years of service with the State of Ohio, at least five (5) years of which have been at Cleveland State University, shall be compensated in an amount not to exceed one-fourth of the value of accrued but unused sick leave credit based on the rate of compensation at the time of retirement insofar as is allowed by law. The maximum payment shall be for 240 hours based on an 8-hour working day.

8.7.10 Leaves of Absence

Short leaves ranging from a day to a week, which are sought for professional purposes, such as to attend a professional convention, require written notification of and authorization by the Director of the University Library or designee. The librarian may be required to demonstrate that the absence will not unduly inconvenience or burden colleagues and that adequate library services will be maintained during the absence. For extended leaves of more than one week, a written request must be submitted sufficiently in advance to allow adequate consideration and response by the Director of the University Library or designee.

A. Leaves With Pay

1) Military Reserve Leave

As a general rule, librarians who participate in military reserve programs should take their training during the summer months. Leave with pay will be granted, however, to members of the National Guard and other armed forces for up to thirty-one (31) days each contract year.

2) Judicial Leave

Leave with pay is granted when a librarian is called for jury duty or is subpoenaed to testify as a witness before any court or governmental hearing body.

B. Leaves Without Pay

1) Military Service Leave

The provisions of state and federal law shall prevail for all aspects of military leave, including request for and return from such leave.

2) Special Leave

Librarians may apply for and may be granted a leave of absence without pay for reasons such as study, research, professional employment, vacation, or other personal or professional reasons not specified in these policies. Bargaining unit librarians continue accruing seniority while on special leave of absence. Periods of leave without pay may be credited as professional service in consideration of promotion and increments. University benefits shall continue during a period of special leave as permitted by law and with approval of the President, provided that the librarian on leave makes proper arrangements to pay any premiums on all continuing benefit programs.

3) Family and Medical Leave Act (FMLA)

The University Library shall meet and comply with the requirements of the Family and Medical Leave Act of 1993 (FMLA) and all regulations issued pertaining to it.

8.7.11 Resignation

A librarian has the obligation to give notice of the intention to resign in the form of a written notice of intent to resign to the Director of the University Library at the earliest date possible, but not less than thirty (30) days before termination of service.

8.7.12 Retirement

A librarian planning to retire should give written notice of intent to retire to the Director of the University Library at the earliest date possible, but not less than thirty (30) days before termination of service.

8.7.13 Consulting and Extramural Employment

- A. The University recognizes the value for librarians, the University, and the community of many types of consulting and other external employment experiences that enhance the professional competency of the individual and bring credit, not only to the librarian, but to the University as well. Therefore, with appropriate approval, activities are permitted that may render valuable service to business, industry, and professional groups, and to local, state, and federal governments.
- B. No librarian shall be permitted to undertake any extramural employment during scheduled hours of employment without prior written approval.
- C. No librarian shall use the name, symbol, or address of Cleveland State University in any extramural employment agreement. University staff, facilities, equipment, and material may be used for such purposes only with the express written consent of the University and according to explicit terms for reimbursement.

8.7.14 Candidacy for Public Office

A librarian may run for or accept public office under the following conditions:

- A. The librarian shall in all cases submit a full statement of any proposed campaign activities and of the responsibilities of the office that may be assumed to the Vice President for Administration & Executive Assistant to the President.
- B. When, in the judgment of the University, those activities and responsibilities will conflict with the professional obligations of the librarian, a written application for reduced levels of employment and compensation or for special leave without pay shall be submitted to the Vice President for Administration & Executive Assistant to the President at least ninety (90) days before assumption of said activities or responsibilities.

8.7.15 Emeritus Status

Appointment to the status of Librarian Emeritus or Associate Librarian Emeritus shall be conferred upon request. To be eligible for emeritus status, a retiring librarian must have served at the University Library for at least ten (10) years and have attained the rank of Librarian or Associate Librarian. A request for appointment may be made by any retiring librarian to the secretary of the librarians' meetings. Requests approved as eligible by the librarians will be submitted to the Director of the University Library for submission to the Provost.

Emeritus Librarians shall be issued a current identification card and shall be entitled to listings in the CSU Bulletin and telephone directory, mailings of appropriate materials, use of such University facilities as the gym and library, access to the University's Internet provider, and such other privileges as the President may designate.

8.7.16 Bylaws

The Librarians may by majority vote at Librarians' meetings adopt bylaws to implement the Librarians' Personnel Policies.

