ADVISORY TO THE PUBLIC:

Pursuant to Chapter 20 of the Acts of 2021 and extended by Chapters 22 and 107 of the Acts of 2022, this Jones Library Personnel, Planning, and Policy Committee meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so via Zoom or by telephone. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means.

Public Body: The Jones Library, Inc. Personnel, Planning and Policy Committee
Date: Tuesday, July 9, 2024
Time: 9-10:00am
Location: Zoom Webinar

You are invited to a Zoom webinar.
When: Jul 9, 2024 09:00 AM Eastern Time (US and Canada)
Topic: The Jones Library, Inc. Personnel, Planning, and Policy Committee

Please click the link below to join the webinar:
https://amherstma.zoom.us/j/86956014051
Or One tap mobile :
+13126266799,,86956014051# US (Chicago)
+16468769923,,86956014051# US (New York)
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
+1 646 876 9923 US (New York)
Webinar ID: 869 5601 4051
International numbers available: https://amherstma.zoom.us/u/kdDQuNHRvR

Meeting Agenda

I. Call to Order (Welcome, Tamson, Eugene, and Sharon!)
II. Minutes (5-14-24) *
III. Public Comment
IV. Town/Library Policies (Conflict of Interest; Whistleblower; Retention Schedule) *
V. JEDI Report (Ameen)
VI. Adjourn

Next meeting: Tuesday, August 13, 2024; 9am; Zoom

** Please note that the list of topics in this notice was comprehensive at the time of posting, however the public body may consider and take action on unforeseen matters not specifically named in this notice.
* Indicates Handout(s) will be made available.
Red indicates vote required.
I. Meeting called to order at 9 a.m.

II. Minutes for January 13, 2024 and February 9, 2024 approved.

III. No public comment.

IV. Library Director’s Annual Review Forms were approved. They will be presented to the Board on June 10th for their approval.

V. JEDI Committee Report: Farah reported that she will be meeting with the town’s DEI Director about her work and the JEDI Committee’s work.

VI. Meeting adjourned at 9:20 a.m.

Tamson Ely
To: All Town of Amherst Municipal Employees  
From: Susan Audette, Town Clerk  
Date: January 17, 2024  
RE: 2024 Conflict of Interest Law Compliance

Happy New Year!

Last year the State Ethics Commission launched an online program for completing the State’s Conflict of Interest requirement. For those of you who utilized this program, you will be receiving a reminder email from the State that it is now time to complete your 2024 requirements. **For those employees who completed the online training last year, you are not required to do it again this year but simply need to acknowledge receipt of the Summary of the Conflict of Interest Law.**

New employees who create user accounts in 2024 will need to satisfy both requirements – the online training and acknowledgement of the Summary. Once your online account is created, you will have 30 days in which to complete both requirements.

As a reminder, the Conflict of Interest Law (MGL c.268A, §27) requires that all municipal employees annually receive a [Summary of the Conflict of Interest Law](https://massethicstraining.skillburst.com/help/MSEC), and complete and file an Acknowledgement of Receipt of the Summary with the Town Clerk. **The return of the summary and certificate of online completion is done electronically – you do not need to print out a copy for our office.**

The law defines a municipal employee as “a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis…” This includes appointed and elected municipal board, committee and commission members. **These requirements are waived ONLY for the exempt municipal positions shown on page 2 of this memo.**

The online State program allows users to self-register and will send reminders if compliance is not met within 30 days of date of registration.

**HOW TO GET STARTED:**

1. **Access the State online program here:** [https://massethicstraining.skillburst.com/](https://massethicstraining.skillburst.com/)
2. **Self-register** using your name, email address and agency (Town of Amherst)
3. **Launch program.**


Please contact me with any questions, and I thank you for your cooperation!

*Sue*
1) Unpaid volunteer positions in which employees do not have or exercise governmental authority and do not participate in or have responsibility for government decision-making, contracting, hiring, investigation or any other discretionary governmental action:
   - Library volunteer positions in which employees re-shelve books or read books to children during a story hour;
   - School volunteer positions in which employees come into the schools a few times a year to help with parties and projects, shelve books in the school library, or chaperone field trips and other school events;
   - Volunteer positions in which employees pick up litter at parks or beaches, or participate in a town "Clean Up Day";
   - Senior Center or Parks and Recreation volunteer teacher positions;
   - Positions in which volunteers assist with a town event by selling tickets, engaging in face painting, or helping "police" the grounds.

2) Short-term temporary or seasonal compensated positions in which employees do not have or exercise governmental authority and do not participate in or have responsibility for government decision-making, contracting, hiring, investigation or any other discretionary governmental action.
   - Poll worker positions;
   - Non-supervisory seasonal positions such as lifeguards and snowplow operators;
   - Substitute teachers who work less than one day per week;
   - Participants in senior citizen tax abatement programs (MGL c.59, §5K), and Senior Corps, the Retired and Senior Volunteer Program, Foster Grandparents, Senior Companions and comparable programs;
   - Medical Reserve Corps volunteers;
   - High school, college and graduate school students participating in summer and work-study employment, whether paid or unpaid;
   - Participants in programs of the Department of Mental Health who are patients in a therapeutic program that includes employment;
   - Individual vendors and contractors to public agencies who provide one day or less of services per calendar year;
   - Participants in volunteer programs whose names are not available or known to any public agency, such as, for instance, town residents who help shovel snow or clean up after a flood.
4. Is not paid a fee, salary or other compensation by any insured or anyone else for their work performed for the insured.

P. "Whistleblower law" means a statute, rule or regulation, which protects an employee against discrimination from his or her employer, if the employee discloses or threatens to disclose to a superior or any governmental agency; or who gives testimony relating to, any action with respect to the employer's operations, which may be a violation of public policy as reflected in legislation, administrative rules, regulations or decisions, judicial decisions, and professional codes of ethics.

Q. "Wrongful employment act" means any actual or alleged:

1. Wrongful dismissal, discharge or termination (either actual or constructive), including breach of an implied contract;
2. Harassment or coercion (including sexual harassment, whether quid pro quo, hostile work environment or otherwise);
3. Discrimination (including but not limited to discrimination based upon age, gender, race, color, national origin, religion, sexual orientation or preference, pregnancy or disability);
4. "Retaliation" (including lockouts);
5. Employment-related misrepresentation(s) to "your" "employee" or applicant for employment with "you";
6. Employment-related libel, slander, humiliation, mental anguish, infliction of emotional distress, defamation, or invasion of privacy;
7. Wrongful failure to employ or promote;
8. Wrongful deprivation of career opportunity, wrongful demotion or negligent "employee" evaluation, including the giving of negative or defamatory statements in connection with an "employee" reference;
9. Wrongful discipline;
10. Failure to provide or enforce adequate or consistent corporate policies and procedures relating to any "wrongful employment act";
11. Negligent supervision or hiring by an insured, relating to any of the above; or
12. Violation of an individual's civil rights relating to any of the above.

All such acts, errors or omissions committed by one or more insureds that are substantially the same or are in any way directly or indirectly related - either logically, causally or temporally - shall be deemed to constitute one "wrongful employment act", regardless of the number of "claims" or claimants. The entire "wrongful employment act" will be considered to have been committed on the date of the first act, error or omission.

SECTION VI – EXTENDED REPORTING PERIODS

In case of cancellation or nonrenewal of this Coverage Part, by either you or us, for reason other than your non-payment of any amount due under this Coverage Part or non-compliance with the terms and conditions of this Coverage Part, you shall have the right to an Extended Reporting Period as follows:

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to the Town Manager. The Department Head receiving a complaint shall inform the Town Manager and the Director of Human Resources/Sexual and Unlawful Harassment Officer. In every case of an allegation of sexual or unlawful harassment the attached Sexual Harassment or Unlawful Harassment Complaint Form will be completed or delivered orally to person receiving the complaint.

The Department Head, Town Manager or the Director of Human Resources & Human Rights (acting in the capacity of Sexual Harassment or Unlawful Harassment Officer) may discuss the complaint with the person bringing the charges if it is necessary to determine if the allegation falls within the scope of this policy against sexual harassment or unlawful harassment. If the initial determination is that the allegation falls within the scope of the policy, the Town Manager shall appoint a trained sexual or unlawful harassment investigator to conduct a thorough and impartial investigation. The Investigator will make a report of findings to the Town Manager.

If the Department Head, Town Manager or Sexual Harassment Officer determine that the complaint does not fall within the scope of this policy, the complaint should be addressed according to appropriate Supervisory and disciplinary procedures. If the complainant does not agree with a finding of no sexual harassment or unlawful harassment, an appeal may be made to the Town Manager (see Section VII).

The Employee Assistance Program (EAP) is available for consultation and counseling regarding unlawful or sexual harassment, but consultation with EAP is confidential to the Employee and will not result in follow-up and investigation.

B. RETALIATION: In all instances in which a complaint is made, the Employee making the complaint, or any witness involved in an investigation, will be afforded protection from retaliation. Any form of retaliation against a complaint or witness is prohibited and unlawful and will result in appropriate disciplinary action.

C. CONFIDENTIALITY: In the investigation is of the utmost importance to protect the complainant, respondent and the employer. Lack of confidentiality may lead to damaged careers/reputations and may undermine confidence and trust in the employer. All communications regarding the complaint, both written and oral, should be confidential. Information should be disclosed only on a need to know basis and with the understanding that the recipient has a duty to preserve confidentiality.

V. INVESTIGATION: All sexual harassment complaints shall be investigated by a trained and unbiased investigator assigned by the Town Manager. The Sexual Harassment or Other Unlawful Harassment Officer shall serve in an advisory capacity to the Supervisor if requested and appropriate. Any investigation shall be thorough and impartial and shall be pursued with all practical discretion and confidentiality in a timely manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. The investigator will interview any Amherst town Employee alleged to have committed sexual or unlawful harassment and will request to interview non Employee(s) alleged to have committed sexual or unlawful harassment. When the investigation is completed, the finding of the investigation will be communicated to both the complainant and the respondent.

The rights of the respondent shall not be compromised by such confidentiality. If the conduct of any
Updates and new schedules exported from the Massachusetts Records Retention Schedule Database on September 1, 2022
<table>
<thead>
<tr>
<th>Schedule Number and Title</th>
<th>Total Retention</th>
<th>Schedule Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.001 Application for a Library Card</td>
<td>Retain until administrative use ceases. Permission from Supervisor not required for destruction.</td>
<td></td>
</tr>
<tr>
<td>17.002 Bibliographic Database</td>
<td>Retain until deaccession.</td>
<td></td>
</tr>
<tr>
<td>17.003 Circulation Records</td>
<td>Retain until administrative use ceases. Permission from Supervisor not required for destruction.</td>
<td></td>
</tr>
<tr>
<td>17.004 Complaint and Censorship Records</td>
<td>Retain until resolution.</td>
<td></td>
</tr>
<tr>
<td>17.005 Fine Payment Request Form</td>
<td>Retain until administrative use ceases. Permission from Supervisor not required for destruction.</td>
<td></td>
</tr>
<tr>
<td>17.006 Library Building Program Files</td>
<td>Retain 20 years.</td>
<td></td>
</tr>
<tr>
<td>17.007 Library Improvement Program Files</td>
<td>Retain 7 years.</td>
<td></td>
</tr>
<tr>
<td>17.008 Long Range Program Files</td>
<td>Retain until superseded.</td>
<td></td>
</tr>
<tr>
<td>17.009 Master Plan</td>
<td>Permanent.</td>
<td></td>
</tr>
<tr>
<td>17.010 Patron Information Database</td>
<td>Retain until expiration of patron's borrowing privileges.</td>
<td></td>
</tr>
</tbody>
</table>