

BOULDER PUBLIC LIBRARY DISTRICT

-SPECIAL MEETING-

Tuesday, October 24, 2023

Boulder Public Library, Canyon Meeting Room

1001 Arapahoe Avenue, Boulder CO

and

Via Zoom

6:00 p.m.

Join Zoom Meeting

<https://tinyurl.com/yckjjw7v>

<u>Board of Trustees</u>	<u>Term Expiration</u>
Benita Duran	2028
Jennifer Yee	2028
Sylvia Wirba	2027
Doug Hamilton	2027
Cara O'Brien	2026
Sam Fuqua	2025
Joni Teter	2024

AGENDA

1. Call to Order
2. Declaration of Quorum
3. Public Comment
4. Consider Approval of Minutes of October 17, 2023
5. Staff Employment and Benefits Program
 - A. Final Presentation and Review
 - B. Consideration of Board Approval
6. 2024 Budget
 - A. Second Reading
 - B. Second Public Hearing
 - C. Consider Resolution No. 2023-10-2:

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE [DISTRICT] FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2024 AND APPROPRIATING FUNDS

7. Library District Director Updates (David Farnan)
8. Subcommittee Updates
9. Trustee Matters
 - A. Changes to Meeting Schedule:
 - i. October 31 - no meeting

- ii. November 7 – special meeting will be held
- iii. November 14 – special meeting will be held
- iv. November 21 – no meeting due to Thanksgiving
- v. November 28 – no meeting due to Thanksgiving
- vi. December 5 – special meeting will be held
- vii. December 12 - special meeting will be held
- viii. December 19 – no meeting to avoid year-end holidays
- ix. December 26 – no meeting due to Christmas

10. Legal Counsel Status Report including IGA update (Legal Counsel)

Possible Executive Session:

Upon Motion Made and carried by a 2/3 vote the Board may enter executive session as allowed by Section 24-6-402 (4), CRS for a conference with the attorney on specific legal matters and to determine matters that are subject to negotiations concerning the Intergovernmental Agreement with the City and County as allowed by subsections (4) (b) and (e).

11. Adjournment

**NEXT SPECIAL MEETING: Tuesday, November 7, 2023 at 6:00 p.m.
Boulder Public Library, Canyon Meeting Room, 1001 Arapahoe Avenue**

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

OF THE

BOULDER PUBLIC LIBRARY DISTRICT

Held: Tuesday, October 17, 2023, at 6:00 p.m. at Boulder Public Library, 1001 Arapahoe Avenue, Boulder, Colorado.

Attendance

The regular meeting of the Board of Trustees of the Boulder Public Library District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Trustees, having confirmed their qualifications to serve on the Board, were in attendance:

Katharine (Joni) Teter
Cara O'Brien
Sam Fuqua (via Zoom)
Jennifer Yee (via Zoom)
Doug Hamilton
Cara O'Brien (joined at 6:40 p.m. via Zoom)
Sylvia Wirba
Benita Duran

Also present were Kim J. Seter, Esq., Marissa Peck, Esq. (via Zoom), and Kelly Hansen from Seter & Vander Wall, P.C.; David Farnan, Director of the Boulder Public Library; Jennifer Phares, Deputy Director of the Boulder Public Library; and, Ronnie Meyers of FH Insurance.

Call to Order

Trustee Teter called the meeting to order at 6:03 p.m. noting that a sufficient number of appointed trustees were present to create a quorum authorized to act on behalf of the District.

Consider Approval of Minutes of October 10, 2023

Following motion from Trustee Wirba and second from Trustee Duran, the October 10, 2023 minutes were approved unanimously as amended.

Public Comment

None.

Health Care Benefits Report

Ms. Meyers provided an update on various health care benefits package matters, noting the excellent progress being made on the project. Trustee Wirba suggested that the 2024 benefit guide

RECORD OF PROCEEDINGS

provided to the Trustees by Ms. Meyers refer to the Boulder Public Library District rather than the Boulder Public Library. Ms. Meyers agreed to make the change.

Responding to an inquiry from Trustee Duran, Ms. Meyers shared her belief that the Foundation Health (“FH”) membership and lifestyle spending account offerings are the most impressive components of the benefits package. These offerings demonstrate the District’s commitment to health and wellness for its employees.

In response to Trustee Yee’s question regarding plans for educating staff on the health care benefits package, Mr. Farnan stated his intent to send the 2024 benefit guide to employees on October 19 to give them some time to review before an all-staff meeting on the topic is to be held on November 14. Ms. Meyers, along with representatives from Cigna and FH, will be attending the meeting to present an overview of the benefits package and answer any questions staff may have. Open enrollment will begin on November 14 and end on November 24, during which time Ms. Meyers and others will be available to staff to answer any remaining questions or concerns. Spouses and/or other dependents of Library employees are welcome to attend the November 14 all-staff meeting.

Responding to Trustee Duran’s inquiry concerning an employee benefits portal, Ms. Meyers stated that FH is currently using Employee Navigator but that she intends to switch to Paylocity once implemented.

Mr. Farnan noted that FH will be offering employees access to the Foundation Health clinic for the month of December at no cost to the District. Additionally, Ms. Meyers shared that Cigna has agreed to provide \$5,000 for general wellness perks and \$5,200 for a program that awards employees with gift cards for taking various proactive measures towards their health, such as attending yearly wellness exams.

Treasurer’s Report

Trustee Wirba reported that although \$17,600,000 is deposited into the District’s checking account, many other financial matters are not resolved. This includes setting up ACH payments, obtaining access to the JP Morgan portal for requesting checks and making electronic payments, and acquiring purchasing cards.

While the District paid one invoice, independent of the City, for

RECORD OF PROCEEDINGS

FocusConnect IT consulting in the amount of \$76,000, the District will need to reimburse the City \$97,000 for financial, IT, facilities, and HR consulting on behalf of the District. The District intends to pay invoices, amounting to approximately \$289,000, for legal, IT, and project management consulting either this week or next.

Responding to Trustee Duran's question regarding purchasing cards, Ms. Phares stated that Mr. Farnan, Ms. Boniakowski, Ms. Seaton, and Ms. Schumm would each receive a purchasing card.

Following brief discussion of procedures for reviewing and approving expenses, Trustee Teter requested either Ms. Boniakowski, Mr. Farnan, or Mr. Seter follow up with the County about invoicing the District for election costs.

CALCON Report

Trustee Yee, Trustee Teter, Trustee Wirba, and Trustee O'Brien attended a total of five different sessions offered at CALCON over October 12-15. The sessions included topics on advocacy resources, being an employer of choice, legal resources, policy creation and administration, and social justice. Trustee Teter compiled documents and notes from the conference to create a shared file which can be accessed and added to by the Trustees.

Trustee Yee discussed the session hosted by the Colorado Library Consortium ("CLiC") on being an employer of choice, including novel ideas and approaches regarding employee recruitment and retention. Trustee Yee also attended the session on social justice, neutrality, intellectual freedom, and the ALA and encouraged all the Trustees to read the ALA Executive Board's report on alternatives to neutrality rhetoric.

Trustee Wirba reported on her attendance at the session regarding changes to library law hosted by Seter & Vander Wall, where she learned about the balancing act libraries must perform when handling materials challenges. Trustee Wirba also attended the session regarding the "nuts and bolts" of library policy where she listened to different perspectives from individuals working with libraries, big and small. Trustee Wirba briefly discussed the sessions on advocacy and new issues facing libraries.

Regarding the session on Trustee advocacy, Trustee Teter noted the myriad of ways Trustees can get more involved, including developing relationships with local elected officials and participating in CAL's lobby day in March.

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Director Update

Mr. Farnan reported that applications for current employees opened earlier in the week and that open enrollment for health insurance will begin on November 14, as Ms. Meyers had discussed earlier. Additionally, the District will be seeking property and liability insurance after completion and execution of the final IGA. Also, the RFP for an auditor will close on Friday at which point Mr. Farnan expects to have 4-5 responses.

Mr. Farnan reminded the Trustees that because Sage Intacct will likely not go live until February 1, 2024, full accounting reports should be expected to begin in March or April. Mr. Farnan anticipates using Excel spreadsheets for financial tracking, rather than QuickBooks, until Sage Intacct is fully implemented.

Mr. Farnan presented the Trustees with an RFP for a vendor to provide furniture, fixture, workplace design, procurement, and installation services for the space reconfiguration project at the Main Library. While the District would not enter into a contract for the project before final budget approval,, Mr. Farnan would prefer to bring this consultant on before the end of the year. Mr. Farnan has allocated \$500,000 in the budget to complete the project, but is unsure whether it will end up being that much.

Subcommittee Updates

None.

Trustee Matters

Trustee Teter reminded the Trustees that there will not be a Board meeting on October 31. The Board then discussed meeting dates for November and December and agreed on November 7 and 14 and December 5 and 12 special meetings. Trustee Yee encouraged the Trustees to attend the Boulder Library Foundation Gala on October 26.

Trustee Teter suggested the Board and Library officials start thinking about hosting an event celebrating the District's transition.

Legal Counsel Status Report

Mr. Seter discussed the near-final draft IGA and pointed out areas where he is still waiting on responses from the City, all of which relate to the provision of internet services. However, Mr. Seter was pleased to see the City agree to four months of facilities assistance. Mr. Seter has a conference call with City attorneys on October 18 to discuss IGA matters before its

RECORD OF PROCEEDINGS

inclusion in City Council’s November 2 meeting packet.

Trustee Teter requested asked that Mr. Seter: 1. Inquire about the “outside consultants” provision of Section 1.1.1 of the IGA 2. Remove Exhibit F listing City Library facilities; and 3. Change “will engage” in Section 2.5.2 to “has engaged.” Mr. Seter agreed to make the changes requested.

In response to confusion from the Board regarding Section 2.6.1, Mr. Seter discussed the statutory requirements related to the creation, maintenance, and transferal of the public library fund. Mr. Seter expressed discomfort with removing the provision regardless of whether such a fund exists and is maintained by the City.

Trustee Teter expressed a desire for consistency in City policy regarding charging for use of the parking lot outside of the Main Library for special events. Mr. Seter agreed to get clarification on the matter from City attorneys.

Trustee Duran requested the signature line for Trustee Teter on the IGA be consistent with the signature line for her on the interim IGA, identifying Trustee Teter by her full name: Katharine (Joni) Teter

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at approximately 7:32 p.m.

Secretary for the Meeting



2024 Benefit Guide

FOR

**THE BOULDER PUBLIC
LIBRARY DISTRICT**



PRESENTED BY FH INSURANCE

Enroll By November 30th

We Appreciate You

We're glad you're here with us and want to take good care of you. That's why we take the time to make these valuable benefits available to you and your family. We have created a benefits program that helps you and your dependents stay healthy and protected. We encourage you to take a look at the information in this guide so you can make informed choices about these benefits.

Benefits Summary

**YOUR MEDICAL INSURANCE WILL BE WITH
Cigna**

**YOUR DENTAL INSURANCE WILL BE WITH
Ameritas**

**BASIC LIFE & VOLUNTARY LIFE INSURANCE WILL BE WITH
The Hartford**

**YOUR VISION INSURANCE WILL BE WITH
Ameritas**

**SHORT TERM & LONG TERM DISABILITY WILL BE WITH
The Hartford**

**GROUP ACCIDENT, CRITICAL ILLNESS & HOSPITAL INDEMNITY WILL BE WITH
AFLAC**



Good Things to Know

QUALIFYING EVENTS

A qualifying event is defined by the IRS to include:

- Change in marital status,
- Gain or loss of an eligible dependent, or
- Change in employment for you or your spouse that affects your benefits or eligibility for Medicare or Medicaid.

Benefit changes related to an IRS qualifying event must be submitted within 30 calendar days from the qualifying event date along with documentation supporting your change request.

ELIGIBILITY

All full-time regular employees working 30 hours or more per week and part-time employees working 20-29 hours per week are eligible to participate in the insurance plans on the first of the month following or coinciding with 30 days of employment.

CIGNA ELECTRONIC ID CARDS

Cigna will no longer mail out member ID cards. Member ID cards can be found by logging on to [MyCigna.com](https://www.MyCigna.com).

THE NO SURPRISES ACT

You are protected from balance billing for:

- Emergency services
- Certain services at a hospital or ambulatory surgical center in your plan's network

When you receive services from a hospital or ambulatory surgical center (places that perform outpatient surgeries) in your plan's network, certain doctors or specialists there may be out-of-network. In these cases, the most they may bill you is your plan's in-network cost-sharing amount. This applies to emergency medicine, anesthesia, pathology, radiology, laboratory, neonatology, assistant surgeon, hospitalist, or intensive services. These specialists cannot balance bill you and cannot ask you to give up your protections not to be balance billed.

If you think you've been wrongly billed, we can work with you to contact the Employee Benefits Security Administration (EBSA), the No Surprise Help Desk (NSHD) at 1-800-985-3059 or cms.gov/nosurprises or your State Regulator.



Cigna Medical Plans

IN-NETWORK BENEFITS

	HDHP/HSA Plan	Copay PPO Plan
Deductible	\$4,500 Single \$9,000 Family	\$1,250 Single \$2,500 Family
Coinsurance	100%	80%
Out of Pocket Maximum	\$4,500 Single \$9,000 Family	\$4,500 Single \$9,000 Family
<u>Preventive Care</u>	100% Covered	100% Covered
Office Visit	100% covered after deductible	\$25 copay
Specialty Doctor Office Visit	100% covered after deductible	\$50 copay
Emergency Room Visit	100% covered after deductible	80% covered after deductible
Urgent Care	100% covered after deductible	80% covered after deductible
Hospital Stay Cost	100% covered after deductible	80% covered after deductible
X-Rays and Labs	100% covered after deductible	100% covered; deductible does not apply
MRI's, CAT scans, PET scans	100% covered after deductible	80% covered after deductible
<u>Prescription Drug Coverage</u>	100% covered after deductible	\$15/\$45/\$60
Provider Finder Website	Open Access Plus	



Cigna Monthly Medical Rates

FULL-TIME EMPLOYEES (30-40 HOURS)

<i>HDHP/HSA Plan</i>	Monthly Premium	Library Pays	Employee Pays
Employee Only	\$582.52	\$477.67	\$104.85
Employee + Spouse	\$1,223.32	\$1,003.12	\$220.20
Employee + Child(ren)	\$1,106.82	\$907.59	\$199.23
Family	\$1,747.59	\$1,433.02	\$314.57
<i>Copay PPO Plan</i>	Monthly Premium	Library Pays	Employee Pays
Employee Only	\$753.16	\$617.59	\$135.57
Employee + Spouse	\$1,581.65	\$1,296.95	\$284.70
Employee + Child(ren)	\$1,431.02	\$1,173.44	\$257.58
Family	\$2,259.49	\$1,852.78	\$406.71

PART-TIME EMPLOYEES (20-29 HOURS)

<i>HDHP/HSA Plan</i>	Monthly Premium	Library Pays	Employee Pays
Employee Only	\$582.52	\$291.26	\$291.26
Employee + Spouse	\$1,223.32	\$291.26	\$932.06
Employee + Child(ren)	\$1,106.82	\$291.26	\$815.56
Family	\$1,747.59	\$291.26	\$1,456.33
<i>Copay PPO Plan</i>	Monthly Premium	Library Pays	Employee Pays
Employee Only	\$753.16	\$376.58	\$376.58
Employee + Spouse	\$1,581.65	\$376.58	\$1,205.07
Employee + Child(ren)	\$1,431.02	\$376.58	\$1,054.44
Family	\$2,259.49	\$376.58	\$1,882.91





Your Cost
\$0 for employees
and dependents
who enroll on
any health plan!

FOUNDATION HEALTH PRIMARY CARE

About Your Membership

Foundation Health is a membership based medical practice that gives BPL employees unlimited access to extended primary care at no cost. Foundation Health allows employees to make same day or next day appointments, up to 90 minute visits, without dealing with insurance. FH is conveniently located at 1949 Pearl Street in Boulder.

ACCESS

- Same-day or Next-day Appointments
- Limited to No Wait Times
- Unlimited Office Visits
- 24-hour Video Conference, Phone & Email Access
- Extended Hours & Appointments
- No Copays or Coinsurance
- Personalized Primary Care
- On-site Blood Draw
- Discounts with Wellness Partners
- Lab, Specialist & Hospital Coordination
- Chronic Disease Management
- Health Risk Assessment
- Lifestyle & Risk-reduction Coaching

OUR SERVICES

- Women’s & Men’s Wellness
- Chronic Disease Management & Screenings (Including Heart Disease, Cancer, & Diabetes Exams)
- Fracture Care & Basic Splinting
- EKGs
- Basic Wound Care & Stitches
- Suture & Staple Removal
- Mental Illness Screening
- STI/ STD Screening
- Skin Biopsy & Skin Cyst Removal
- Peak Flow Testing
- Nebulizer Treatment
- Basic Vision Screening
- Fitness & Nutrition Coaching
- Blood Pressure Screening
- Chronic Disease Management
- Prenatal Counseling
- Routine Pediatric Care
- Pregnancy & Strep Throat Tests
- Discounts with our Wellness Partners
- AND MORE!

ALSO OFFERED @ FOUNDATION HEALTH:

Psychiatry (No more than \$150/visit))

Acupuncture (\$45/visit)





**BOULDER PUBLIC
LIBRARY WILL
CONTRIBUTE:**

\$1,000

(Individual)

or

\$2,000

(Family)

HEALTH SAVINGS ACCOUNT

About Your HSA

**HSA CONTRIBUTIONS
ARE TAX-FREE UP TO
ANNUAL IRS LIMITS:**

2024

\$4,150

(Individual)

or

\$8,300

(Family)

HSA FACTS

- If you enroll in an HSA qualified health plans option (HDHP/HSA Plan) you may use an HSA to pay for qualified [medical, dental, and vision expenses](#) for you, your spouse, and your qualified dependents.
- Funds not used in a plan year will “roll-over” to the next year. You own this account.
- You can exhaust funds even if you are later covered by a non-HDHP health plan, you just have to stop contributing.
- If you are over the age of 55, you can contribute an additional \$1,000 per year.

HSA ELIGIBILITY

To be eligible, you must be enrolled in a qualified High Deductible Health Plan [HDHP]. If you are enrolled in Medicare, or if you are listed as a “dependent” on another person’s Individual Federal tax return you are not eligible.





FLEXIBLE SPENDING ACCOUNT

About Your FSA

FLEXIBLE SPENDING ACCOUNT (FSA)

FSA coverage is offered to eligible employees. Boulder Public Library provides you the opportunity to set aside up to \$3,200 for your qualified medical, dental, and vision out of pocket expenses with pre-tax dollars through Lively FSA. FSA's are a lot like a savings account with monies used for qualified health-related costs. You can save approximately 25% of each dollar spent on these expenses by contributing them to one of the 2 pre-tax Spending Accounts. FSAs work on an annual plan year basis and are funded through regular payroll deductions on a pre-tax basis.

These funds are subject to a use-it-or-lose-it rule, which means that any funds that are unspent by the end of the plan year are forfeited. That means you lose your remaining money if you miss the deadline for spending it all, so always keep track! There is a grace period to submit for reimbursement of claims through March 31, 2025

\$610 dollars can be rolled over to the following plan year for medical or limited purpose FSA plans only.

DEPENDENT CARE SPENDING ACCOUNT

The Dependent Care Spending Account allows you to set aside up to \$5,000 tax-free to go toward dependent care costs. These costs can be for daycare, care for elderly or disabled tax-dependents, or toward before- and after-school care. **You can contribute up to \$5,000 per household, or \$2,500 if married or filing separately. Dependents include children up to age 13, your tax-dependent spouse or a relative who is incapable of self-care.** These funds are available as accumulated. Dependent care FSAs are subject to use it or lose it rules.

Please be aware that these two FSA accounts cannot be commingled.





LIFESTYLE SPENDING ACCOUNT About Your LSA

LIFESTYLE SPENDING ACCOUNT THROUGH LIVELY

Boulder Public Library will offer a new benefit this year: a lifestyle spending account. BPL will provide **\$300 per employee per year** that employees may spend on wellness, transportation, financial wellness or their furry friends. Eligible expenses are:

Best Self

- *Fitness classes*
- *Gym / fitness membership*
- *At home workout equipment*
- *Meditation classes*
- *Sleep trackers*
- *Digital health*
- *Ski passes*

Best Friends

- *Pet insurance*
- *Pet food / supplies / toys*
- *Pet grooming services*
- *Pet walking / daycare services*
- *Pet boarding services*
- *Pet / adoption fees*
- *Veterinarian fees*

Lively 'Healthy Wallet' LSA

- *Financial consulting services*
- *Financial workshops*
- *Tax prep services / consulting*
- *Student loan consulting*
- *Lively 'Healthy Wallet' LSA*
- *Financial planner*
- *Budgeting training*
- *Accounting services*
- *Retirement planning*

Transportation

- *Bike maintenance*
- *New bike*
- *Toll fees*
- *Gas costs*

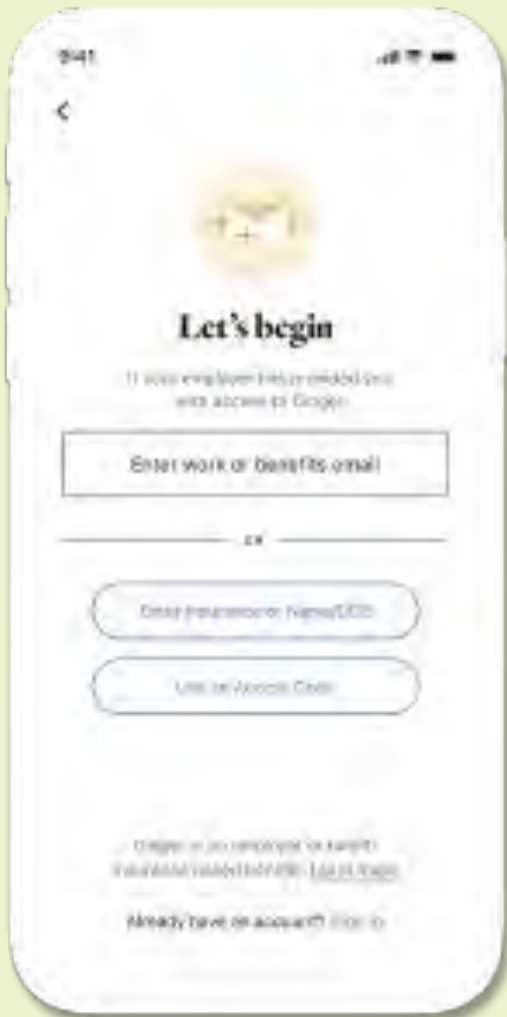


Ginger Health

Mental Health Coverage

Everyone deserves access to incredible mental healthcare. That's why Ginger created the world's first integrated mental healthcare system where coaches, therapists, and psychiatrists work as a team to coordinate the best, personalized care right from your smartphone, whenever you need it. It's like a virtual clinic without the waiting room. Ginger's mental health services are in-network and accessible through your behavioral health benefits.

Visit ginger.com/cigna to learn more.



How do I begin chatting with a Ginger behavioral health coach?

Download the **Ginger Emotional Support** app from your smartphone. Follow the instructions sent to your email. Enter your: First name, last name, DOB and your Member ID # to verify your eligibility. Then, answer a few simple questions, and you're ready to get started! Choose to schedule an appointment with your coach at a time that works best for you, or chat right away.

What kinds of things can a Ginger coach help me with?

With a behavioral health coach, anyone can get personalized support to help overcome life challenges and reach goals in their moment of need. Coaches can help with any issue you're struggling with such as stress, anxiety, depression, issues with work, relationships, sleep, and more.

Is there a cost for behavioral health coaching?

Yes. Access to Ginger includes 30 days of unlimited behavioral health coaching, and Ginger's self-care content library, including learning activities, for a cost similar to a doctor's office visit. The cost of care is determined by your benefit plan. Costs related to therapy and psychiatry services are separate, and determined by your benefit plan.





**Join
Virgin Pulse
today!**

<https://join.virginpulse.com/cigna>

CIGNA Wellness Programs

CIGNA WELLNESS

Want to get active, eat healthier, manage stress and live your best life? Join Virgin Pulse offered through Cigna! This well-being program lets you connect with coworkers, friends and family for support and motivation, and celebrate your successes together.

Each eligible employee has an opportunity to earn \$100.00 in incentives, also known as “pulse cash”. To earn pulse cash, certain health metrics/goals must be achieved by the member.

Sign up today to:

- Receive helpful tips and messages
- Participate in fun challenges
- Track your progress

You can watch a demo of the website [here](#).

Join Virgin Pulse today!

join.virginpulse.com/cigna



AMERITAS Dental Plan

	In Network	Out of Network
Deductible (Ind/Fam)	\$50 Single \$150 Family	\$50 Single \$150 Family
Preventive Services	100%	100%
Basic Services*	90%	90%
Endodontics/ Periodontics*	90%	90%
Major Services*	60%	60%
Benefit Maximum (Calendar Year)	\$2,500	\$2,500

If you use an out of network dentist you will be responsible for any amount over the Usual and Customary charges.

**Prior to having a Basic and/or Major service performed, please ask your dentist for a predetermination of charges*

Dental Cost (Monthly)

	Monthly Premium	Library Pays	Employee Pays
Employee Only	\$47.76	\$39.16	\$8.60
Employee + Spouse	\$114.00	\$93.48	\$20.52
Employee + Child(ren)	\$145.76	\$119.52	\$26.24
Family	\$212.00	\$173.84	\$38.16



AMERITAS Vision Plan

	In Network	Out of Network
Eye Exam	\$20 copay	\$20 copay then up to \$45 reimbursement
Lenses	\$20 copay	\$20 copay then reimbursement up to \$30-\$100 depending on lens type
Frames	\$150 allowance	\$20 copay then up to \$70 reimbursement
Elective Contacts	\$150 allowance	\$20 copay then up to \$70 reimbursement
Frequency	Eye exam, lenses, and frames every 12 months	

**Ameritas utilizes the VSP [Network of Providers](#)*

Vision Costs (Monthly)

	Monthly Premium	Library Pays	Employee Pays
Employee Only	\$9.88	\$8.10	\$1.78
Employee + Spouse	\$19.20	\$15.74	\$3.46
Employee + Child(ren)	\$16.64	\$13.64	\$3.00
Family	\$25.96	\$21.29	\$4.67





The Hartford

BASIC LIFE & VOLUNTARY LIFE INSURANCE OPTIONS

BOULDER PUBLIC LIBRARY-SPONSORED LIFE INSURANCE

Boulder Public Library provides eligible with life and accidental death insurance coverage. There is no cost to you. Employees receive 1.5 x annual salary up to \$200,000 in coverage.

VOLUNTARY LIFE INSURANCE

Boulder Public Library employees can purchase additional life insurance if needed - \$500,000 or 5x your salary (whichever is less). No evidence of insurability is required up to \$120,000 or \$100,000 in coverage for employees under 70 if newly hired. Coverage is also available for spouses in increments of \$5,000 up to 100% of the Employee's benefit up to \$250,000. No evidence of insurability is required up to \$25,000. Child(ren) coverage is available in increments of \$1,000 up to a benefit maximum of \$10,000.





The Hartford

SHORT TERM & LONG TERM DISABILITY

SHORT TERM DISABILITY

Boulder Public Library provides a short term disability policy at no cost to employees. In the event that you become sick, disabled, or involved in a non-work related accident, the short term disability policy will cover 67% of your income up to a maximum of \$2,000 per week. Benefits begin 7 days after your disability and will continue for 25 weeks. The Library will supplement your benefits up to 75% of your income.

LONG TERM DISABILITY

In the event your short term disability extends beyond 25 weeks, your long term disability will begin paying you. **Benefits begin 180 days days after a disability begins** and will continue to pay until Social Security Normal Retirement Age (SSNRA). This benefit is paid monthly and provides you 60% of your income to a maximum of \$8,000 per month.



MyCigna.com

YOUR PERSONALIZED HEALTH & BENEFITS INFORMATION IN ONE PLACE

As a Cigna member, you have access to a health hub on [MyCigna.com](https://www.mycigna.com). Here you can find your personalized benefits information, find a provider, estimate costs, access virtual care and behavioral support as well as wellness resources.

FEATURES OF MyCigna.com

- **Claims** – Check if a claim has been paid along with your estimated cost, if any
- **ID cards** – View, print and email up-to-date member ID cards
- **Coverage details** – Review deductibles, coverage levels and limits
- **Provider search** – Find in-network providers, hospitals, and facilities
- **Cost estimates** – Estimate costs for appointments, procedures, and medications
- **Drug pricing** – Look up coverage, estimated prices and possible alternatives
- **Health and wellness resources** – Access to health and wellness resources, including an online health assessment, health tracking tools, and My Health Assistant digital coaching
- **Virtual Care** – Make appointments with an in-network provider or connect with an MDLIVE provider
- **Behavioral Care** – Find an in-network provider or one that is virtual

REGISTER TODAY!

- Have your Cigna member ID or Social Security number available
- Go to [MyCigna.com](https://www.mycigna.com)
- Select “**Register**” towards the bottom of the page
- Create a **username** and **password**



Employee Assistance Program

EMPLOYEE ASSISTANCE PROGRAM (EAP) – The Hartford

We provide an EAP. This benefit provides you with support, guidance, and resources when you need them (i.e., family, relationship, stress, financial, legal, child and elder care, alcohol and drug, depression/anxiety, grief, crisis, and work issues). This benefit is free to you and any members in your household and is **completely confidential**. This benefit provides three in person visits per year.

Website: guidanceresources.com

EAP Phone: 800-96-HELPS

EAP Login Access: If you're a first-time user, click on the Register tab.

1. In the Organization Web ID field, enter:
HLF902

2. In the Company Name field at the bottom of personalization page enter:
ABILI

3. After selecting “Ability Assist program”, create your own confidential user name and password.





AFLAC

VOLUNTARY ACCIDENT POLICY

VOLUNTARY ACCIDENT POLICY

Out of pocket expenses associated with an accident are unexpected and often burdensome and its impact on your finances and well-being certainly can be reduced. An Accident policy can help you provide for an unpredictable future by paying cash benefits for accidental injuries. Policy benefit include:

- Daily hospitalization benefits payable for hospital stays
- Benefits payable for emergency room treatment, x-rays, and major diagnostic exams
- Benefits payable for follow-up treatment and physical therapy
- Transportation and lodging benefits payable for travel to receive treatment

Benefits are paid directly to the insured.

	Monthly Cost
Employee Only	\$16.19
Employee + Spouse	\$25.36
Employee + Child(ren)	\$32.81
Family	\$41.98





AFLAC

HOSPITAL INDEMNITY & CRITICAL ILLNESS POLICIES

HOSPITAL INDEMNITY POLICY

The AFLAC Hospital Indemnity policy provides cash benefits directly to the insured that help pay for some of the costs - some medical, some nonmedical - associated with a hospital stay due to a sickness or an accidental injury.

VOLUNTARY CRITICAL ILLNESS INSURANCE

Critical Illness Insurance, offered by AFLAC, provides cash benefits when an insured person is diagnosed with a covered, critical illness with benefits being paid directly to the insured. This plan provides a lump-sum benefit to help with out-of-pocket medical expenses and living expenses that may accompany a covered illness and is also HSA-compatible.

For pricing, please see your employee navigator account.

Hospital Indemnity Monthly Cost	
Employee Only	\$27.30
Employee + Spouse	\$53.94
Employee + Child(ren)	\$46.18
Family	\$72.82





Retirement Plans

401k, PERA

Employee Pension Plan

Employees participate in the Public Employees' Retirement Association (PERA) pension plan. Pensions are a retirement benefit that the library contributes to on your behalf to assist you in your post-career life. Participation in a pension plan is not voluntary and you cannot opt-out. The library enrolls you in PERA, but once you are a PERA member you are responsible for becoming educated about the two (2) types of plans offered and determine what best fits your anticipated needs. Employees new to PERA have 60 calendar days from their start date to elect either the Defined Benefit Plan or Defined Contribution Plan. If you do not make a formal election, you are automatically enrolled in the Defined Benefit Plan. If an employee has already enrolled in PERA previously, you will continue with the plan that you are currently in. Here is the link to the PERA Handbook for New Employees. <https://www.copera.org/files/accbdeb20/5-57.pdf>

Supplemental Retirement Savings Plans

Boulder Public Library also offers supplemental retirement savings plans; you are not required to enroll in these plan options, but they can assist you in accumulating additional retirement savings through efficient paycheck deductions. The plans outlined below are plans to which only employees contribute; the library does not match or make contributions. Learn more about your eligibility to enroll in different plan types from PERA.

PERA 401(k) Plan: A retirement savings plan with a wide variety of investment options, including pre-tax and post-tax (Roth) options for contributions.





MAKE YOUR ELECTIONS BY
**November
30th!**

How to Enroll in Benefits Online

ENROLLING IN BENEFITS ONLINE IS EASY!

Enrollment will be available beginning November 14th and will continue through November 30th. Please go to <https://www.employeenavigator.com> to make your enrollment selections.

You can enroll using your DOB, SSN, NAME and the company ID:

Boulder Public Library

If you have previously registered on Employee Navigator, enter your username and password at <https://www.employeenavigator.com>.

Open Enrollment is the time to make changes to your benefit selections. You will only be able to make changes during the year if you have a qualifying event such as loss of other coverage, marriage, divorce, birth or adoption of a child, etc.

If you have a qualifying event and need to make a change to your benefits, you must do so within 30 days of the event.





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CARRIERS

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Ameritas

www.ameritas.com

Ameritas

\${Vision_Carrier_Phone}



BOULDER
PUBLIC LIBRARY

**EMPLOYEE
HANDBOOK**

January 1, 2024

VERSION NOTICE: This handbook is designed to acquaint employees with the Boulder Public Library District (the “Library”) and some information about working here. The handbook is not all-inclusive but is intended to provide employees with a summary of some of the organization’s guidelines. This edition replaces any previously issued editions.

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Dear Boulder Public Library District Employee,

This handbook describes some of the policies, guidelines, and benefits for employees. All employees should familiarize themselves with the contents of this handbook as soon as possible, for it may answer many questions about employment with the Boulder Public Library District.

We believe that each employee contributes directly to the Library's success, and we hope you will take pride in being a member of our team. We hope that your work experience here will be engaging and enjoyable.

David Farnan

Library Director

I. ABOUT THE LIBRARY

The Library's mission and vision statements and guiding principles were created by staff and the Library Commission in 2018 and adopted by the Boulder Public Library Board of Trustees in 2023. The mission statement defines the Library's reason for being and the vision statement defines the Library's purpose and aspiration. The guiding principles inform decisions for resource allocation, priority of implementing the Library's goals, and for evaluating recommendations for new programs or services.

Mission

Connecting people, ideas, and information to transform lives and strengthen our community.

Vision

The Boulder Public Library serves as a centerpiece of the community, a destination for human connection, life-long learning, civic engagement, and creative exploration.

Guiding Principles

Provide Inclusive Access

We strive to create convenient and equitable access for the community through our physical spaces, services and onsite and offsite programs. Our libraries are welcoming to all: safe, clean and well-maintained facilities.

Promote all Forms of Literacy

We create opportunities for the development of literacy skills needed to understand, interpret, create, communicate, and compute in our world.

Foster Personal Development and Self-sufficiency

We support life-long learning for all ages to create a more resilient community and empower individual growth.

Support and Sustain an Inspired, Engaged, and Informed Community

We cultivate an informed community by providing resources and facilities to encourage civic dialogue and create a forum that connects people and ideas.

Form Strong Partnerships and Leverage Community Resources

We value the work and expertise of our community, volunteers, and the Boulder Library Foundation and seek beneficial relationships that enhance the programs, services, and financial stability of the library.

Reach Out and Respond to Our Diverse Community

We evolve with our community. The library will continually engage with the community to develop programs and services that are relevant to their needs.

Maintain High-Quality Programs and Services

We give priority to maintaining high-quality programs and services that are impactful or have strong participation before expanding our offerings.

In 2014, staff collaborated to create the Library's customer service philosophy statement. It is our collective belief and commitment to serving anyone who visits the library. The Equity, Diversity and Inclusivity Statement was created by the Library's Equity, Diversity and Inclusivity Team to define our commitment to these values.

Values

Staff adopted the following values during their work with the City of Boulder.

Customer Service

We are dedicated to exceeding the expectations of our community and our co-workers by demonstrating consistent and professional service with a solution-oriented approach.

Respect

We champion diversity and welcome individual perspectives, backgrounds and opinions. We are open-minded and treat all individuals with respect and dignity.

Integrity

We are stewards of the public's trust and are committed to service that is transparent and consistent with city regulations and policies. We are honorable, follow through on our commitments, and accept responsibility.

Collaboration

We are committed to organizational success and celebrate our shared dedication to public service. We believe community collaboration and the sum of our individual contributions leads to great results.

Innovation

We promote a forward-thinking environment that supports creativity, calculated risks and continuous improvement. We embrace change and learn from others to deliver leading edge service.

Customer Service Philosophy

In accordance with the Boulder Public Library's Mission, Vision and Guiding Principles, we strive to consistently exceed every customer's expectations by:

- Welcoming each individual with respect and friendly professionalism.
- Regarding each interaction as important.
- Fostering exploration and discovery.
- Listening and pro-actively seeking solutions.
- Collaborating to make the experience seamless.
- Sharing the responsibility for a safe and enjoyable library experience for everyone.

Equity, Diversity and Inclusivity Statement

The Library is committed to advancing equity, diversity, and inclusion. We will continuously strive to include diverse perspectives, draw upon unique skills and experiences, and honor identity-based differences. Our work to instill these values in programs, customer service, and internal practices and culture is on-going. We rely on the contributions of everyone in our organization to create an environment of belonging, satisfaction, and growth for our staff and our community.

Organization Structure

The Library's functional areas are:

- Boulder Library District Board of Trustees and the Library Director
- Budget and Finance
- Collection Development and Acquisitions
- Communications and Marketing
- Community Literacy and Outreach
- Facilities
- Human Resources
- Innovation and Technology
- Programs and Events
- Public Services

The organization reporting structure is here. [\[Insert link\]](#)

II. EMPLOYMENT WITH THE BOULDER PUBLIC LIBRARY DISTRICT

The language used in this handbook and any verbal statements by management are not intended to constitute a contract of employment, either express or implied, nor is there a guarantee of employment for any specific duration. The contents of this handbook are summary guidelines for employees and therefore are not all-inclusive. The handbook cannot anticipate every circumstance or question. After reading this handbook, employees who have questions should talk with their supervisor or the Human Resources representative.

Colorado is an at-will employment state which means neither the employee nor the organization they are employed with is committed to an employment relationship for a fixed period of time. Employment with the Boulder Public Library District is at-will. Either the employee or management has the right to terminate the employment relationship at any time, for any reason.

The Library has policies described in this handbook that guide decisions and actions for employees and management to resolve conflicts and disagreements and to address performance related issues and policy violations. [\[Insert links to sections within handbook.\]](#)

No representative of the Library, other than the Board of Trustees or the Director, has authority to enter into an agreement of employment for any specified period, and such agreement must be in writing, signed by the elected official or agency head and the employee.

Except for the at-will nature of the employment, the Library reserves the right to suspend, terminate, interpret, or change any or all the guidelines mentioned, along with any other procedures, practices, benefits, or other programs of our organization. Changes to the handbook may occur at any time, with or without notice.

A. Equal Employment Opportunity and Unlawful Discrimination

The Library is dedicated to the principles of equal employment opportunity and prohibits unlawful discrimination against applicants or employees on the basis of age 40 years and older, race (including physical traits historically associated with race), creed, ancestry, sex, sexual orientation, gender identity, gender expression, color, religion, national origin, mental or physical disability, military status, genetic information, genetic characteristics, marital status, source of income, immigration status, or any other status protected by applicable state or local law.

B. Position Type and Classification Definitions

Full-Time Equivalent (FTE)

The calculation of FTE is a position's number of consistently scheduled hours divided by the employer's 40-hour full-time workweek. Positions with a consistent schedule of 40 hours per week are 1.0 FTE. Positions with a consistent schedule of 30 hours per week are 0.75 FTE. Positions with a consistent schedule of 20 hours per week are 0.5 FTE. Positions with a consistent schedule of 10 hours per week are 0.25 FTE. In instances where it is specified, accruals and other benefits are prorated by the FTE.

Standard Full-Time Positions

Standard full-time positions are those that are consistently scheduled to work 40 hours per week and are referred to as 1 FTE.

Standard Part-Time Positions

Standard part-time positions are those that are consistently scheduled to work fewer than 40 hours per week. Employees who hold part-time positions may be assigned a work schedule in advance or may work on an as-needed basis. See the FTE definition above.

Standard Fixed Term Positions

Full-time or part-time standard fixed term standard positions have a set time period with a specific end date.

Substitute Positions

Positions designed to be substitute in nature have no set schedule and no guarantee of hours. These positions are eligible for FLSA overtime provisions, for the state mandated 48-hour sick leave allowance, and Public Employee Retirement Association retirement benefits; some substitute positions may be eligible for medical insurance benefits.

Employees with nonexempt positions that are engaged to perform program presentation or language translation will do so under a Substitute program presenter role. If they work more than 40 hours during the workweek the overtime will be calculated for the position with the highest rate of pay.

Paid Intern Positions

Intern positions are temporary in nature with a designated end date, no set schedule, and no guarantee of hours. These positions are eligible for FLSA overtime provisions, for the state mandated 48-hour sick leave allowance, and Public Employee Retirement Association retirement benefits; some positions may be eligible for medical insurance benefits.

Fair Labor Standards Act Status (FLSA)

FLSA status is determined by criteria used to classify a position as exempt or nonexempt according to the Fair Labor Standards Act. Positions are classified as either exempt or nonexempt under federal and state wage and hour laws, and are further classified for administrative purposes, such as for the administration of fringe benefits, e.g., paid personal time off, holidays, and non-required paid training.

FLSA classifications do not determine an employee's eligibility for participation in the Library's group health plan which is governed by the terms of the plan documents as well as applicable law. Summary plan documents are available here. [\[insert link\]](#) Contact the Human Resources representative with questions about employee benefits. The following classifications are used throughout this handbook:

Exempt Positions

Exempt positions have job assignments that meet specific criteria established by the FLSA and are exempt from overtime pay requirements.

Nonexempt Positions

Nonexempt positions have job assignments that do not meet FLSA or applicable state exemption criteria and are not exempt from overtime pay requirements. Employees with nonexempt positions will be paid time and one-half of the regular rate of pay for any work in excess of 40 hours per workweek (excluding sick time, personal time off, holiday, or other paid or unpaid leave time or unpaid meal periods) [\[insert link to sections.\]](#).

C. Probationary Period

All employees must satisfactorily complete a 90-day probationary period for the first job into which an employee is hired. The probationary period is regarded as an integral part of the onboarding process and is used to observe the employee's work performance.

The probationary period may be extended up to an additional 90 days if, in the opinion of the employee's supervisor in consultation with the Human Resources representative and the Director, the initial probationary period was not sufficient to evaluate the capability of the employee to serve in the position for which they were hired.

D. Performance Appraisals

Evaluating employee job performance and providing feedback is an important factor in supporting employee growth and development and in making employment-related decisions. Human Resources and management establish procedures and timelines for administering performance appraisals based on best practices. Information regarding the performance appraisal process is here. [\[insert link\]](#)

E. Rest Breaks and Meal Periods

Employees are entitled to a rest break when they have worked at least 4 hours consecutively. In general, each rest break should not exceed 15 minutes. Employees are expected to remain on or near the job site for the 15-minute rest break.

Employees with nonexempt positions who work 6.5 or more consecutive hours are eligible for at least one unpaid 30-minute meal period. The business need and shift schedule of the workgroup determines if employees may choose to give up an unpaid meal break during any work shift. Employees are encouraged to discuss with their supervisor their preferences for taking unpaid meal breaks.

During the meal period, employees will be relieved of all duties and permitted to pursue personal activities. If the nature of the business activity or other circumstances exist that makes an uninterrupted meal break impracticable, the employee will be allowed to consume an on-duty meal without any loss of time or compensation.

Rest Breaks and Meal Periods

Shift Length*	Rest and Meal Break Time
Less than 4 hours	No rest break
4 hours	15-minute paid rest break
5 hours	15-minute paid rest break
6 to 7.5 hours	15-minute paid rest break plus a 30- or 60-minute unpaid meal period*.
8 hours	Two 15-minute paid rest breaks plus a 30- or 60-minute unpaid meal period*.
12 hours	Three 15-minute paid rest breaks plus a 30- or 60-minute unpaid meal period*.

*Cumulative if an employee works in more than position during a workday.

**Please note that when adding in an unpaid meal period that this time is in addition to your scheduled shift.

III. ACCOMMODATIONS

The Library will make reasonable accommodation for qualified individuals with known disabilities, religious, or health conditions unless doing so results in an undue hardship to business operations or causes a direct threat to health or safety of anyone in the workplace.

If an employee requests an accommodation, the Human Resources representative will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position.

The Library may require that an employee provide documentation from their health care provider detailing the medical advisability of the requested accommodation. Employees who have questions about this policy or who wish to request an accommodation should contact the Human Resources representative.

The Library will not deny employment opportunities or retaliate against an employee because of an employee's request for an accommodation. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

A. Americans with Disabilities Act (ADA)

The Library will make reasonable accommodation for qualified individuals with known disabilities.

B. Religious

The Library will make reasonable accommodation for employees whose work requirements interfere with a religious practice.

C. Pregnancy

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

D. Nursing Employees

Upon the employee's request, a private space will be made available, and reasonable time will be permitted for nursing employees to express milk during the workday for up to two years following the birth of a child. Up to an additional 30 minutes of paid time will be allowed for employees to use separately or combined with a rest break or meal period. The supervisor and the employee will agree upon a general schedule for how the additional 30 minutes will be used. If the employee requires additional time on an ongoing basis, the employee may request an accommodation. For an occasional need of more time, the employee and supervisor will agree upon whether the employee will use unpaid leave (if non-exempt), sick leave, personal time off, or adjust their work schedule to accommodate the additional time. In the event leave is used, the employee will be relieved of all work-related duties during such time.

Employees will be allowed the use of a room, office, or other private area, excluding a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The Library will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

Nursing employees are responsible for using anti-microbial wipes to clean milk expression areas, and for keeping the general lactation space clean for the next user. This responsibility extends to other areas where expressing milk is permitted, equipment is cleaned, and milk is stored.

All employees are covered under this policy. The Library will not demote, terminate, or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

IV. COMPENSATION

Information about the Library's Compensation Philosophy, Compensation Structure and Total Rewards is here. [\[Insert link\]](#)

A. Worktime Reporting

Online time entry records are the only records used by the Library to calculate employee pay and leave balances. It is critical that time entry records are accurate, complete, and submitted on time. Employees are required to complete online time entry weekly. On the last day of each pay period, employees must submit their time entry information to their supervisor for approval.

If an employee believes an improper deduction has been made to their pay or if they discover any mistakes in their time records or pay, they should promptly report this information to the Human Resources representative. Reports of improper deductions will be investigated. If it is determined that an improper deduction has occurred, the employee will be reimbursed. Employees should contact the Human Resources representative with any questions about how their pay is calculated.

Employees also must promptly notify the Human Resources representative if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated, and appropriate corrective action will be taken. The Library will not tolerate retaliation against employees for making a report or participating in an investigation.

Exempt Positions

Employees with exempt positions are paid on a salary basis. This means the employee will regularly receive a predetermined amount of compensation for each week during a pay period. The Library will comply with salary basis requirements which allow properly authorized deductions. Employees with exempt positions are required to complete online time entry if they have taken any paid or unpaid leave time during the pay period. Once time entry is submitted, it is considered as an accurate reflection of the employee's time worked during the pay period.

Nonexempt Positions

Employees holding nonexempt positions are required to record time worked and any paid or unpaid leave time used during a pay period. Employees must promptly notify their supervisor if their paid work time is different than their actual time worked. Employees who also choose to keep their own personal time records must provide them to the Library if they find a discrepancy between the Library's records and their records.

B. Overtime

From time to time, supervisors may request employees with nonexempt positions work overtime. In these instances, the employee will be given as much advance notice as practical. All overtime must be approved in advance by the supervisor.

Hours worked in excess of 40 hours per workweek are paid at one and one-half (1 1/2) times the employee's pay rate. The established workweek begins at 12:00 a.m. midnight on Monday and ends at 11:59 p.m. on Sunday. The 40-hour threshold is based on actual hours worked in the week. Therefore, sick time, personal time off, holiday, or other paid or unpaid leave time is not included in calculating the 40-hour threshold for overtime.

C. Paydays

Employees are paid biweekly on Wednesdays. If the regular payday occurs on a holiday, the payday is the last business day prior to the holiday. On each payday, employees receive a statement showing gross pay, deductions, and net pay. Paychecks are automatically deposited into employees' bank accounts.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged by the employee with the Human Resources Department.

D. Holidays

Library facilities close for regular library business on the official date of each holiday listed below:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Juneteenth
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Christmas Eve
Christmas Day
New Year's Eve

The Library may designate additional paid days off for days adjacent to official holidays. Employees will be notified of the dates of these additional holidays each year. The holiday and closure schedule for the year is here: [\[Insert Link\]](#).

Employees whose positions are nonexempt and are scheduled by their supervisor to work during an official paid holiday will be compensated at two times their hourly rate. The number of hours for each paid holiday is typically prorated according to the FTE of the position an employee holds. If a paid holiday falls on a day when an employee with a non-exempt position is regularly scheduled to work, the employee is paid for their regularly scheduled hours if that amount is more than the prorated paid holiday hours.

Example: The library closes on the official day designated for Memorial Day, a Monday. Employee A has a .5 FTE position and is normally scheduled to work on Mondays for a 6-hour shift. Employee A will receive 6 hours of holiday pay for Memorial Day. Employee B has a .5 FTE position and is not normally scheduled to work on Mondays. Employee B will receive 4 hour of holiday pay for Memorial Day.

If an employee with a nonexempt position works 40 hours in a week and a holiday falls on their day off, they have the option to flex their schedule and take another day off during the workweek or work their regular schedule and be paid for the hours worked plus their holiday pay. Holiday time is not included in the calculation of overtime.

Employees with exempt positions who are scheduled to work on the day of an official paid holiday take that day off. Exempt employees who are not scheduled to work on an official paid holiday take the holiday time off on another day they are scheduled to work during the workweek. If a paid holiday occurs during an employee's scheduled personal time off, the time is recorded as paid holiday time off rather than personal time off. If a holiday occurs during an employee's unpaid leave, the employee will not be paid for the holiday.

E. Floating Holidays

To support the Library's value of inclusivity, employees with standard positions are provided with up to three 8-hour floating holidays per year. An employee's floating holiday hours are prorated based on hire date during the year and the position's FTE. Floating holidays are provided annually on pay period 1 and if unused expire at the end of the payroll year. Floating holiday hours cannot be carried over into succeeding years and have no cash value upon separation of employment.

Floating holiday hours can be used in 15-minute increments to observe holidays or other days important to the employee that are not designated as a paid holiday. Employees should schedule their floating holidays with their supervisor in accordance with workgroup guidelines.

F. Inclement Weather and Emergency Event Pay

During inclement weather, emergency events, or facility system failures, the Director may temporarily close library facilities to ensure the safety of employees and patrons. Based on the situation, supervisors may reassign employees to an alternate facility, temporarily revise their work schedule, or assign remote work. Standard employees scheduled to work during a facility closure who cannot be assigned to work at an alternate facility, cannot flex their schedule during the week or who are not eligible for remote work will be compensated at their regular payrate. Employees scheduled for hours as a Substitute or Intern will receive pay during a closure.

Employees who need to leave work or miss work due to weather-related events when a facility closure is not authorized may arrange with their supervisor to use accrued paid leave such as sick or personal time off, floating holiday leave, flex their work schedule or be assigned remote work.

Employees who are not scheduled to work during a facility closure are not eligible for compensation. Employees who are taking paid or unpaid leave or who became sick and unable to report to work prior to the announcement of the closure are not eligible for closure pay.

G. Rewards and Recognition

To promote a culture of innovation, employee engagement, and to reward and retain talented employees, the Library may recognize outstanding job performance with monetary rewards, gift cards, public recognition, additional paid time off, and/or learning and development opportunities. Nominations for employees to receive rewards will be submitted, considered, and approved according to the process approved by the Leadership Team and documented with Human Resources. All employees are eligible to receive rewards and recognition. [\[Link\]](#)

V. EMPLOYEE LEAVE

A. Personal Time Off

Standard employees accrue Personal Time Off (PTO) each pay period according to the schedule below. PTO accruals are prorated based on the FTE for the position an employee holds. PTO is not accrued during an unpaid leave of absence. Employees may not use PTO leave time in excess of the total amount accrued at the time of their absence.

Employee Length of Continuous Service	Annual PTO Accrual Total based on 1 FTE	Accrual Rate per Pay Period based on 1 FTE
Year 0 through 4	160 hours	6.15 hours
Year 5 through 15	200 hours	7.69 hours
Year 15 or more	240 hours	9.23 hours

Employees are responsible for scheduling their PTO, in advance, with their supervisor in accordance with their department or workgroup’s guidelines and must receive their supervisor’s prior approval. Requests to use PTO are approved in a manner that minimizes interruptions to library operations. PTO may be used in increments of 15 minutes.

If a paid holiday occurs during an employee's scheduled PTO, the time is recorded as paid holiday time off rather than PTO. PTO is not counted in the computation of overtime. If an employee has exhausted their paid sick leave, they may use PTO.

Employees may carry over unused PTO into the next year, subject to the maximum accumulation of 320 hours. When the 320-hour maximum is reached, the employee's accrual will stop, and will resume when the total amount of PTO is less than the 320-hour maximum.

One time annually, employees are permitted to sell up to 40-hours of accrued PTO at the employee's current rate of pay. Contact Human Resources for more information.

Upon separation of employment, employees are paid for unused PTO at the employee's current rate of pay.

B. Paid Sick Leave

Current standard employees are granted 80 hours of sick time at the beginning of pay period 1 each year; new standard employees will be granted 80 hours of sick time on their hire date. Current substitute and intern employees are granted 48 hours of sick at the beginning of pay period 1 each year; new substitute and intern employees will be granted 48 hours of sick time on their hire date. Unused paid sick leave does not carry over to the subsequent year, the maximum hours in an employee's sick leave bank at any time is 80 hours. For purposes of sick leave use, "Family member" is defined as any person who is a family member, a close personal associate of the employee or who provides significant emotional, psychological, or financial support to the employee, including a pet. Paid sick leave may be used in increments of 15 minutes.

Paid sick leave may be used if an employee:

- has a mental or physical illness, injury, or health condition that prevents them from working;
- needs to get preventive medical care or a medical diagnosis, care, or treatment for any mental or physical illness, injury, or health condition;
- needs to care for a family member who has a mental or physical illness, injury, or health condition or who needs to get preventive medical care or a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition;
- has been a victim of domestic abuse, sexual assault, or criminal harassment and needs related medical or mental health care, or counseling, victim and or legal services, or needs to relocate their place of residence;
- needs to care for a family member who has been a victim of domestic abuse, sexual assault, or criminal harassment and needs related medical or mental health care, or counseling, victim and or legal services, or needs to relocate their place of residence;
- experiences a public health emergency, a public official having closed either the employee's place of business, or the school or place of care of the employee's child or dependent, requiring the employee to be absent from work to care for the child or dependent;
- needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care;
- needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member; or

- needs to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence.

Employees are responsible for notifying their supervisor according to workgroup guidelines no later than 60 minutes prior to the beginning of the employee's work shift if possible when they are unable to work due the reasons listed above. When possible, employees should inform their supervisor when they expect to return to work. In the event an employee is absent using sick leave for three or more consecutive workdays, appropriate documentation may be required by Human Resources. This documentation should indicate that the employee was unable to work, the time period of the absence, and any restrictions upon returning to work duties.

Employees who experience an extended illness may be eligible to request paid sick leave from the Shared Sick Leave Bank or apply for short and/or long-term disability benefits. Paid sick leave is not used in the calculation of overtime. Also, employees are not paid for unused sick time when they separate from employment with the Library.

The Library will not retaliate against an employee for requesting or using paid sick leave in accordance with this policy. Additional guidelines and leave allowances may apply in the case of a public health emergency.

C. Short-Term Disability (STD) Insurance

Standard employees who have a disabling illness or injury that prevents them from performing the essential functions of their position for up to 6 months may qualify for STD insurance benefits. Employees are not required to exhaust their PTO and/or sick leave to be eligible for STD benefits. To qualify for short term disability, employees and their physicians must complete and submit a claim form to Human Resources. The plan summary documents and claim form are here. [{Link}](#)

D. Long-Term Disability (LTD) Insurance

Standard employees who have a disabling illness, pregnancy or injury that prevents them from performing the essential functions of their position for a period of time that exceeds 6 months and extends up to 2 years may qualify for LTD insurance benefits. The duration of approved LTD is dependent on the employee's situation, operational needs of the Library, and completion of the application process. Employees are required to exhaust all accrued sick leave and PTO before LTD benefits may be paid. Refer to the plan summary document here [\[Insert link\]](#) for more information about this benefit or how to apply.

Also, employees are encouraged to consult information regarding their eligibility for LTD coverage under Public Employee's Retirement Association.

E. FAMLI (Family and Medical Leave Insurance) Program

The Board of Trustees voted to opt-out of participating in the FAMLI state-run family leave program. In lieu of FAMLI participation, the Library provides separate family and medical leave protections. Library employees may participate in FAMLI on an individual basis.

Contact the Human Resources Department to obtain a copy of the required notice to employees of local government employers who have opted out of FAMLI or for information about how to participate in the FAMLI Program at their own request.

F. Family and Medical Leave

In accordance with the Family and Medical Leave Act (FMLA), the Library provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reason(s):

- Incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job.

Active Duty Military Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the U.S. Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered servicemember is:

- a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment for physical or mental health, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Benefits and Protections

During FMLA leave, the Library maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave.

Upon return from FMLA leave, every effort will be made to restore employees to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (considered "key employees" under FMLA definition) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. PTO does not accrue while an employee is using unpaid leave. Holidays, compassionate leave, or employer's jury duty pay are not granted when an employee is using unpaid leave.

Eligibility Requirements

Employees are eligible if they have worked for the Library for a minimum of 12 months and worked a minimum of 1,040 hours during the previous 12 months.

Serious Health Condition Definition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA leave is either 12 workweeks in the 12-month period as defined by the Library, or 26 weeks as explained above. The Library uses a "rolling" 12-month period measured forward from date an employee uses any FMLA leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt library operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Library's agreement may be required to accept temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Substitution of Paid Leave for Unpaid Leave

The Library requires employees to use accrued paid leave while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with the Library's paid leave policies. If an employee's absence does not qualify for use of paid leave, the employee cannot use accrued paid leave in conjunction with FMLA leave. FMLA leave is an unpaid leave benefit that provides job protection. Paid leave includes paid sick leave and PTO.

Employee Responsibilities

Employees must provide a 30-day advance notice of their need to take FMLA leave when foreseeable. When a 30-day notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Library's leave notification procedures.

Employees must provide sufficient information for the Library to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, there is a need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Library if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification to continue to qualify. The Library may require second and third medical opinions at the Library's expense. Documentation confirming family relationship, adoption, or foster care may be

required. If notification and appropriate certification are not provided in a timely manner, approval for FMLA leave may be denied.

If an employee requests an accommodation, the Human Resources representative will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position.

Continued absence after FMLA leave is not permitted if there is no request made by the employee for an accommodation or a request is not approved. Continued absence in this situation may result in disciplinary action. Employees on leave must contact the Human Resources representative at least two days before their first day of return and may be required to provide a work release from their medical provider.

Library Responsibilities

The Human Resources representative will advise employees of their rights under FMLA if they are made aware of an employee's situation that may qualify for FMLA protection. The Library will inform employees who have applied for FMLA leave of their eligibility. If they are eligible, the notice will specify any additional information required as well as the employee's rights and responsibilities, and amount of leave approved. If they are not eligible, the Library will provide the reason.

Unlawful Acts

FMLA makes it unlawful for the Library to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

G. Medical Leave

A medical leave of absence may be granted to standard employees for absences arising from the employee's illness, injury, or pregnancy. This leave may be approved under the following circumstances if the employee:

- Is not eligible for FMLA leave, or
- Has exhausted all approved FMLA leave.

The following conditions must be met for a medical leave to be granted:

- The employee has completed 90 days of employment with the Library, unless leave is needed as a reasonable accommodation for a disability.
- The employee has notified their supervisor as soon as possible of the need for medical leave.
- All available sick leave and earned PTO are used from the beginning of the leave of absence until they are both exhausted.
- The employee submits a written statement from the attending medical provider outlining the reason for leave and the estimated time needed to Human Resources. The Library may require the employee to obtain an opinion from a medical provider selected by the Library.
- The Human Resources representative approves the leave before the leave is taken.

FMLA leave, and any extension of FMLA leave, generally will be limited to no longer than 90 days. An employee ready to return to work from leave must present a medical provider's statement indicating ability to return to work. If an employee is unable to return to work at the end of FMLA leave, the employee may be entitled to additional accommodation under the Americans with Disabilities Act (ADA) or other law. The employee must supply sufficient information from their medical provider indicating that they are unable to return due to a disability and the likely date the employee will be able to return to work with or without reasonable accommodation. The employee must qualify for coverage under the ADA and any accommodation provided must be reasonable and not result in any undue hardship to the employer. The scope and duration of the potential accommodation will be determined after an interactive dialogue between the employee and Human Resources.

The Library may reinstate an employee ready to return from FMLA leave when, in the opinion of the Library, it is practical to do so or as a reasonable accommodation under the ADA.

The Library continues medical and life insurance benefits for an employee on FMLA leave for a maximum of 90 days as long as the employee continues to pay the employee's portion of the premium. PTO and sick leave will not accrue during FMLA leave. During FMLA leave, an employee will not be paid holiday pay, compassionate pay, or employer's jury duty pay. See guidelines for Family and Medical Leave [\[Insert Link\]](#).

H. Compassionate Leave

Employees are eligible for paid bereavement or exigency leave as part of Colorado's Healthy Families and Workplaces Act. [\[Insert Link to relevant leave sections\]](#). For the following events listed below, employees are eligible for a supplemental paid leave of up to 48 hours. Substitutes are eligible for compassionate leave:

- To attend a funeral or memorial service or to take time to grieve due to the death of a family member.
- To handle a personal emergency matter.
- To attend to a family member who has a life-threatening illness or injury.
- To assist a dependent or older adult family member with health care, to move their place of residence, or to arrange for daily living care services.

This time may be used in addition to sick time used for the same purpose. "Family member" is defined as any person who is a family member, a close personal associate of the employee or who provides significant emotional, psychological, or financial support to the employee. Compassionate leave to grieve the loss of a pet is limited to once per calendar.

Use of Compassionate Leave time does not need to be consecutive. The amount of Compassionate Leave an employee is eligible for is based on their position's FTE. If more time off is needed than provided above, additional leave may be granted upon the approval of the Human Resources representative in consultation with the supervisor.

I. Domestic Abuse and Crime Victim Leave

Employees subjected to domestic abuse or who are a victim of a crime may be eligible for a leave of absence. Contact the Human Resources representative for more information.

J. Grandparent Leave

The Library recognizes the importance of grandchildren in employees' lives. All standard employees are allowed one-week paid leave annually for a new grandchild. The amount of Grandparent Leave an employee is eligible for is based on the position FTE. This policy is subject to evaluation and budgetary considerations. This benefit may be modified or discontinued at any time.

K. Shared Sick Leave Bank

The Shared Sick Leave Bank is an additional benefit for standard employees who need to be absent from work for a prolonged period of time, but who have inadequate sick leave or PTO accumulated to cover the absence when major illness, injury, medical situations, or family emergencies occur.

Any standard employee who has passed probation and has exhausted all their own paid leave time may apply to the bank for a maximum of 176 hours (22 workdays) per application. The amount of shared sick leave an employee is eligible for is based on the FTE of the position the employee has. An employee may be approved for shared sick leave once per calendar year. Employees must have worked for the Library for a minimum of 90 days to be eligible. This leave may not be used when they are receiving worker's compensation pay.

Requests for shared sick leave are submitted to and reviewed by a Human Resources representative. Awards that are used in an intermittent manner will only be available for use for a period of six months after the first date of use of this leave. This sick leave is not eligible for carryover or sell back if it is not used. [{Link to form}](#)

L. Unpaid Leave

Standard employees are eligible to request unpaid leave time and may request unpaid time off work after exhausting their paid leave. Unpaid leave may be used with paid leave to extend a leave of absence. Unpaid leave time may not exceed four weeks per 12-month period and the length approved is subject to the operational needs of the Library. Contact the Human Resource representative about requesting the use of unpaid leave.

M. Military Leave

Employees granted military leave are re-employed and paid in accordance with Uniform Services Employment and Re-employment Rights Act (USERRA). Employees are eligible for pay for the first 15 days of leave per year. After that time, leave is unpaid.

For up to 30 days, the Library will continue to pay its portion of insurance benefits coverage. For periods longer than 30 days, the employee must pay the entire cost of the health insurance. The employee may choose to continue their health insurance and dependent coverage for up to 24 months. Even if the employee does not elect to continue coverage during their military service, they have the right to be reinstated in their employer's health plan when they are reemployed, generally without any waiting periods or exclusions (e.g. pre-existing condition exclusions) except for service-connected illnesses or injuries.

N. Parental Leave

Standard employees are granted paid parental leave for use before or after the birth of a child, or during or following the adoption or foster placement of children up to age 18. Standard employees who have worked for the Library for a minimum of 90 days and passed probation are eligible for this benefit.

Parental leave is 12 weeks or 480 hours per event per calendar year, and the time must be used within the first six months from the initiation of leave. Intermittent use of parental leave is acceptable so long as the time used is within six months from the initiation of the leave period. Any unused paid parental leave remaining after the 6-month period following the start of the leave will be forfeited. An employee on paid parental leave who fails to report back to work at the scheduled end of the leave will be considered to have voluntarily resigned.

Some employees will also be eligible for unpaid FMLA leave. Employees who are not eligible for FMLA leave may still qualify for parental leave. FMLA leave runs concurrent with paid parental leave. This policy is subject to evaluation and budgetary considerations.

O. Pet Adoption Leave

The Library recognizes the importance of pets in employees' lives. All standard employees with a minimum of one year of service are eligible for one week or 40 hours of paid Pet Adoption Leave. The amount of Pet Adoption Leave an employee is eligible for is based on the position FTE. This policy is subject to evaluation and budgetary considerations and is limited to once in an employee's career at the Library. This benefit may be modified or discontinued at any time.

VI. EMPLOYEE BENEFITS

A. Health Care Insurance

Employee health care benefits vary by the type of position and status. To receive health care benefits, employees may be required to meet participation requirements, pay required premiums, and make other contributions. The Library complies with all applicable federal and state laws regarding the provision of benefits to same-sex spouses, domestic partners, and couples in a civil union.

Benefit plans offered by the Library are defined in legal documents such as insurance contracts and summary plan documents. In the event information in this handbook or other employee communication conflicts with the actual terms and conditions of coverage, the benefit plan documents will control. Benefits described in this handbook, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the Library's discretion as permitted by law.

Employees will have an opportunity to make changes to their benefit selections during the Library's annual open enrollment period. Employees who experience a qualifying life event such as loss of health coverage, changes in household, or changes in residence will also be allowed to make a change in their benefit selection when that event occurs, in accordance with the terms of the plan document.

In the event that an employee takes any leave of absence, they should consult the Human Resources representative to determine the impact the leave may have upon benefits including maintaining eligibility and/or making any required premium payments.

For more information on the benefits offered by the Library including the terms, conditions, or eligibility requirements contact Human Resources or read the summary plan documents [[Insert link](#)].

B. Section 125 Cafeteria Benefit Plan

The Library maintains the Boulder Public Library Section 125 Premium Only Plan for the benefit of eligible employees. The Plan is a "cafeteria plan" which offers the option of paying for qualified benefits on a pre-tax basis. This can result in significant savings. Contact Human Resources for a copy of the plan document. The plan summary and application are here [\[Insert Link\]](#).

C. Professional Development

The Library is committed to supporting employee professional development. To promote a culture of innovation, engagement, and to stay informed about industry trends and professional knowledge, the Library will pay for standard employees to attend job related classes, training, conferences, workshops, maintain professional memberships, and reimburse costs for job-related travel. Employees interested in requesting professional development support should contact their supervisor.

Once annually, the Library hosts All Staff Day for all staff members. Substitutes and Interns are welcomed to attend All Staff Day on paid time.

D. Transportation and Parking Assistance

The Library will purchase an RTD EcoPass or a renewal for any standard employee at their request during open enrollment for benefits. An EcoPass is offered to offset some of the costs of commuting to work as well as support the community to meet its climate goals. New employees may request an EcoPass requested from Human Resources.

The Library will provide paid parking coupons in instances when any employee needs to park at the Main Library during work time. Employee parking coupons can be requested from Administration.

E. Infant at Work Program

Standard employees who are new parents or legal guardians may bring their naturally born, adopted, or foster infant to work with them until the child is mobile or nine months of age, whichever occurs first. This program is designed to accommodate an individual parent's participation with a single infant. For information contact Human Resources. [\[Link to guidelines\]](#)

F. Colorado Secure Savings

The Library has a certified exemption from the Colorado Secure Savings Program since it offers to eligible employees an employer-sponsored retirement plan, the Public Employee Retirement Association of Colorado (PERA) Defined Benefit Plan and PERA Defined Contribution Plan. Contact Human Resources for information about the plan, including the terms, conditions, or eligibility requirements [Investments - Colorado PERA \(copera.org\)](#).

Employees who are not eligible for the PERA Defined Benefit Plan or PERA Defined Contribution Plan can independently enroll in Colorado Secure Savings as a voluntary participant. Colorado Secure Savings Program: www.coloradosecuresavings.com.

G. Educational and Career Development Assistance

The Library encourages employees to continue job-related education and training by offering financial assistance for educational and career development courses to obtain a professional certificate or degree. Standard employees who have worked for the Library for a minimum of one year may be eligible to receive up to \$4,000 per calendar year to attend courses from an accredited university or college, technical college or approved certificate program. The courses

must be job related and the employee must be currently employed in order to receive the assistance.

The financial assistance is paid directly to the institution for tuition and registration fees. Expenses for textbooks, lab fees, and parking fees are the responsibility of the employee and are not reimbursable. Time spent attending and studying for the course is not paid work time.

Contact Human Resources at least one month prior to the commencement of the course to apply for financial assistance.

H. Student Debt Repayment Assistance

Standard employees who have worked for the Library for a minimum of one year may be eligible to receive a match up to \$100 per month for up to 36 months for repayment of their Federally guaranteed student loan. This match applies only to debt incurred by and for the employee. The employee must be currently employed by the Library in order to receive the match. Contact the Human Resources Department for more information.

VII. CIVIC AND POLITICAL PARTICIPATION

A. Jury Duty and Court Appearance

The Library recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, any employee will be granted leave to perform their duty as a juror. If the employee is excused from jury duty during their scheduled work hours, they are expected to report to work promptly.

Employees required to serve in court as jurors will be paid for the hours (no less than \$50 per day) they are scheduled for each workday for the duration of such duty, with the provision that compensation other than mileage received from the court for this duty will be remitted to the Library. Employees with nonexempt positions who work part-time and/or a flex schedule will be paid based on their regularly scheduled hours on each day they serve on the jury. Employees holding exempt positions will not have deductions for partial day or partial week absences for jury duty in which the employee has performed work.

For subpoenaed appearances for cases not arising out of library employment, the Library will pay up to eight hours of pay per calendar year should an employee be subpoenaed to appear in court during a regularly scheduled work shift. No payment will be made if the employee is a defendant or otherwise implicated in an offense to the case for which they are under subpoena.

B. Voting

Voting is an important responsibility of U.S. citizens. Employees are encouraged to exercise their voting rights in all municipal, state, and federal elections. Any employee is eligible for up to two hours of paid time off if they are unable to vote either before or after work. Employees should arrange with their supervisor no later than the day prior to Election Day if they need time off to vote.

C. Political Participation

Employees are encouraged to participate in matters of responsible citizenship. The Library will not interfere with the conduct of employees engaged in political activity, if the activities are confined to hours when the employees are not on duty, are not campaigning as a representative of the Library, and the activities do not impair the employee's job efficiency or the efficiency or performance of other employees.

Employees may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office. In addition, they may not coerce, attempt to coerce, command, or advise other employees to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

Political beliefs, activities, and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and political activities.

An employee may be a candidate for a partisan political office provided that their involvement does not interfere or present a conflict of interest with their job. If involvement is necessary during normal working hours, the individual must take PTO or unpaid leave.

VIII. WORKPLACE BEHAVIOR

A. Attendance and Punctuality

Employees are expected to report to work on time. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Employees who are going to be absent or late must contact their supervisor as soon as possible prior to the start of their shift, adhering to workgroup notification guidelines if applicable.

Leaving messages with other employees is not acceptable.

Failure to call in when absent for three consecutive days may be considered a voluntary termination. Extenuating circumstances will be considered.

B. Appearance and Attire

As representatives of the Library, employees are expected to adhere to the dress code guidelines below. Variances from this may be guided by state and federal regulations based upon job duties, environmental factors to ensure employee safety, or protected religious beliefs.

- Attire should present in a professional manner and be free of rips or stains.
- Clothes with any graphic pictures or writing on it should be limited to library-inspired themes.
- Avoid advertising and/or political messages on clothing.
- Attire covering the lower-half of the body should be to mid-thigh or longer in length.
- Clothing covering the upper half of the body should cover your mid-section, include straps or sleeves over your shoulder, and have a neckline and arm openings appropriate for library activities.

Employees who work in public-facing settings are expected to dress business casual and follow the general dress code guidelines provided above. Employees should contact their supervisor about workgroup-specific dress code requirements such as shoe requirements for safety reasons (e.g., closed-toed shoe) and fit of clothing for safety and functionality reasons.

Employees who have questions or need clarification should contact their supervisor prior to wearing a particular item to work. Individual workgroup expectations for appropriate work attire established by supervisors may be more restrictive than this dress code; they may not be less restrictive than this dress code. Any exception to this dress code may be granted by the Human Resources representative. So long as clothing does not conflict with the dress code, employees' attire may be based on their gender identity.

C. Ethics

Employees must be committed to the highest ethical standards in the execution of their duties and responsibilities. If an employee is asked to violate library policies or guidelines, laws, or perform an unsafe act, they should address their concerns with their supervisor, a member of the Leadership Team or Human Resources.

The Library expects employees to make a timely report of perceived ethical violations to enable the Library to investigate and resolve any behavior that may be in violation. Report the incident to your supervisor or a Human Resources representative. Reports will be kept confidential as practicable. The Library prohibits retaliation against an employee for filing a report or for assisting in an investigation.

Use of Library Resources

As a publicly funded institution, library resources are to be used in a manner that supports the Library's mission. Employees should recognize their responsibility to protect and conserve library property and resources, and to make an honest effort to use library property during work hours for official business.

Employees may access and use library property for personal reasons in the same manner and frequency as afforded to patrons or otherwise described in library policies. [\[Link to computer use\]](#)

D. Arrest or Convictions Policy

An employee arrested or convicted of a crime – whether the crime is related or unrelated to the individual's employment activities with the Library – must report the arrest or conviction within three business days of the arrest or conviction to their supervisor or a Human Resources representative.

Disclosing an arrest or conviction does not automatically impact an employee's eligibility for employment with the Library. Continued employment depends on a variety of factors, such as the nature and gravity of, and circumstances surrounding, the arrest or conviction, including the employee's truthfulness and completeness in disclosing the information in a timely manner. If an employee is convicted of a criminal offense while employed by the Library, the employee may be terminated and, if terminated, may be ineligible for rehire.

Employment may be ended if an employee is unavailable to work for three days or more due to circumstances related to an arrest or conviction.

E. Employment of Relatives

The Library may employ relatives of current employees except in the following situations:

- Relatives would be in a position to supervise another relative.
- Relatives have access to confidential information, including payroll and personnel records.
- Relatives audit, verify, receive, or are entrusted with money handled by the other relative.

Employees working for the Library who are relatives of one another must disclose this to Human Resources.

In cases of marriage or the formation of a civil union between two employees, if the above guidelines apply, one must transfer. These guidelines apply to all categories of employment. They also apply to all relatives and individuals who are not legally related but who reside with another employee.

F. Hybrid Work Policy

As a public service organization, employees' work is inherently connected to the place in which they serve. For this reason, it is important for employees to work some of the time in the community.

To support a successful and sustainable environment where employees thrive, the Library allows supervisors some discretion with where, when, and how employees work. The level of discretion offered is based on the nature of work for each position and the business need of the workgroup. Most positions require on-site work all of the time at the library or a location in the community. With the use of technology, the work of some positions can be performed from a non-library facility.

As determined by their supervisor, standard employees with eligible positions may work remotely up to two days per week. All employees may be eligible to work remotely up to one work shift per month. Employees requesting to work remotely must receive prior approval and coordinate their schedule with their supervisor. Remote work will only be approved for positions in which it doesn't impact the library's business needs and operating schedule.

G. Conflicts of Interest

The Library requires that employees protect library information and avoid outside activities or relationships which do or could improperly influence their decisions or actions on the job. Some examples of conflict of interest would include the following:

- Serving as a board member or director of a firm holding financial interest in a business that works directly with the Library.
- Self-employment in an occupation which provides goods or services to the Library.
- Ownership, partnership, or personal involvement in supplier companies or distribution outlets related to Library business.
- Working for a Library contractor.

If employees have questions about whether a situation is a conflict of interest, employees should discuss the matter with their supervisor. If it remains unresolved, refer the matter to the Library Director for a final determination.

Supplemental Employment

Employees may hold a job with another organization as long as they satisfactorily perform their responsibilities for the Library. Supplemental jobs must not create any actual conflict or the appearance of a conflict of interest and must not affect an employee's ability to meet job requirements or perform competently, to meet the business needs of the library. Employees should disclose their supplemental employment by completing a supplemental employment form here. [\[link\]](#)

Romantic Relationships

While it is not necessarily in the best interests of the Library or the employees involved, romantic relationships may develop between coworkers. Employees must behave in a professional manner while working at the Library and while at library functions. It is important to keep romantic relationships separate from the work environment.

The Library prohibits romantic relationships between supervisors and their direct reports or where the relationship interferes with either employee's work duties. Such situations can create an actual or potential conflict of interest. They may also lead to potential charges of sexual harassment or interfere with employee morale. It is for these reasons that, should such a relationship occur, the employees or the supervisor involved must notify their supervisor or a Human Resources representative immediately. The Library will attempt to arrange a transfer for one of the employees. If no such transfer is available, one of the employees must terminate within 90 days. The decision as to which employee resigns will be left to the two employees. If they cannot reach a decision, the Human Resources representative will make the decision.

Accepting Gifts

Solicitation or acceptance of any money or gifts of goods or services for personal use having a fair market value or aggregate actual cost more than \$65.00 currently (and adjusted for inflation) from any business representative or vendor bidding on a library project or service, or working with the library, is not permitted. Items won during a raffles or drawings during professional conferences are excluded. Solicitation or acceptance of money, loans, forbearance, forgiveness of indebtedness of any amount of money, promises or negotiations of future employment or special discounts is not permitted.

Employees may accept payment or honoraria for presentations during professional speaking engagements when the engagements are not during scheduled work time.

H. Resolution of Job-Related Conflict or Problems

Employees are expected to demonstrate courteous and respectful behavior even in the event that conflicts or disagreements arise in the workplace. Whenever possible, employees should attempt to resolve conflicts directly with each other. Employees may also choose to obtain coaching from Human Resources or from the Library's Employee Assistance Program (EAP) so that they may prepare themselves to have a productive conversation about workplace conflict. By resolving conflict quickly and directly, many conflicts can be resolved successfully.

If direct action is unsuccessful, or the employee needs assistance in solving the conflict, they should involve their supervisor or a Human Resources representative. If the employee's conflict is with their supervisor and cannot be resolved directly, they should involve a Human Resources representative. At this level, the Human Resources representative may decide to work directly with the individuals involved; they may involve EAP or other trained professionals, or management, as appropriate.

I. Corrective Action and Discharge

Occasionally employee performance or other workplace behavior falls short of library standards and/or work expectations. When this occurs, management will take corrective action, which in its opinion, seems appropriate.

Corrective action is not intended to be punitive but provide the employee with an opportunity to improve their performance or change their behavior. As such, corrective action is intended to progress from less to more severe.

Employees may be placed on a performance improvement plan which may include required training. They may receive an oral warning or a written warning for unsatisfactory workplace behavior. More serious corrective action, such as suspension or termination, may be required for employees who do not meet the objectives in a performance improvement plan or if they commit a serious violation of library policy. The supervisor in consultation with a Human Resources representative has the right to deviate from this progression should individual circumstances warrant more severe action.

IX. EMPLOYEE SAFETY

A. Reporting of Injury

The Library is committed to providing a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees experience injury on the job, no matter how minor, they must report this fact as soon as they are able before the end of their shift to their supervisor, a Manager on Duty, or a Human Resources representative (unless they are physically unable to do so).

If medical treatment for an on-the-job injury is needed, it must be obtained from a Library designated medical provider. If not, the employee may be responsible for the cost of medical treatment. The Human Resources representative will assess whether the employee is eligible for to file a workman's compensation claim.

B. Use of library-owned heavy equipment, tools and machines

The Library is committed to a safe work environment for all. For safety reasons and to limit library risk and liability, employees are not permitted to use library-owned heavy equipment or machines, such as power tools, the aerial lift, etc. without proper training.

Use of heavy equipment, tools and machines in library facilities are to be used solely during approved work time and in an official job-related capacity, unless engaging in a library program as an event participant.

C. Tobacco Free Workplace

The Library is a smoke-free and tobacco-free work environment. Smoking and vaping are prohibited in library buildings and within 25 feet of any entrance or as directed by Boulder Revised Code. This no smoking policy applies to all employees, at all times, including non-business hours.

D. Anti-Harassment and Anti-Violence

The Library strives to maintain a work environment free of violence and unlawful harassment. Unlawful harassment includes any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual (or group) because of that individual's (or group's) membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment, and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in-person and can occur over a virtual meeting platform or other electronic platforms. Prohibited behavior may include but is not limited to the following:

- Written form, such as cartoons, emails, posters, drawings, or photographs.
- Verbal conduct, such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault or blocking an individual's movements.

This policy applies to employees and non-employees, such as patrons, clients, vendors, consultants, etc.

Sexual Harassment

Because sexual harassment raises issues that are, to some extent, unique in comparison to other types of harassment, the Library believes it warrants separate emphasis. The Library has zero tolerance for sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature when:

- Submission to such conduct or communication is made explicitly or implicitly a term or condition of employment.
- Submission to, objection to, or rejection of, such conduct or communication is used as a basis for employment decisions affecting an individual.
- Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and business-like manner at all times. Conduct that may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, and emails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body or otherwise violating their personal space.

Anti-Violence

Employees should directly contact law enforcement, security, and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or co-workers.

Any action, which in management's opinion is inappropriate to the workplace, will not be tolerated. Such behaviors may include, but are not limited to: physical and/or verbal intimidating, threatening, or violent conduct; vandalism; sabotage; arson; use of weapons; and bullying. Employees should immediately report any such occurrences to their supervisor or to the Human Resources representative. Complaints will be investigated. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

Weapons

No person may carry weapons, whether in an open carry or concealed manner, on any Employer Property pursuant to Boulder County Ordinance 2022-4 and City of Boulder Municipal Code 5-8-15. Any individual who brings Weapons onto Employer property must leave the premises immediately. Additional precautions may be taken depending upon the circumstances.

“Employer property” covered by this guideline includes all employer-owned or leased buildings and surrounding areas, such as sidewalks, walkways, driveways, and parking lots under the employer’s ownership or control. This guideline also applies to all employer-owned or leased vehicles and all vehicles that come onto Employer property.

“Weapons” include, but are not limited to, handguns, firearms, explosives, and knives. If employees have a question regarding whether an item is covered by this guideline, they should call the Human Resources Manager. Employees have the responsibility to make sure that any item not specifically listed above that is possessed by the employee is not prohibited by this guideline.

Complaints

The Library takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices, and also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. The Library therefore expects employees to make a timely complaint to enable the Library to investigate and correct any behavior that may be in violation of this policy.

If an employee believes there has been a violation of this policy or harassment based on a protected class, including sexual harassment, they should report the incident to the Human Resources representative or Deputy Director, who will investigate the matter and take corrective action. Complaints will be kept as confidential as practicable. If an employee prefers not to submit their complaint to the Human Resources representative or a Deputy Director, they should report the incident to the Director.

The Library prohibits retaliation against an employee for filing a complaint under this policy or assisting in a complaint investigation. If an employee perceives they are being retaliated against for making a complaint or participating in the investigation, they should report as described above. The situation will be investigated.

If the Library determines that an employee’s behavior violates library policy, disciplinary action will be taken, up to and including termination of employment.

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated *and* which prove to have been made maliciously or knowingly to be false, will be viewed as a serious disciplinary offense.

E. Drug-Free Workplace

The Library complies with the Drug-Free Workplace Act of 1988 and all other applicable federal or state mandated drug regulations. To ensure a safe and productive work environment, the Library prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs, controlled substances or drug paraphernalia on any library premises or worksite.

Employees should not report to work with any detectable amount of alcohol or prohibited drugs in the employee’s system. A detectable amount refers to the standards generally used in

workplace drug and alcohol testing. This prohibition specifically includes marijuana, whether used for medical purposes or obtained legally under state law.

When drugs are prescribed by a medical professional, employees should inquire of the prescribing professional whether the prescribed drug has any side effects which may impair the employee's ability to safely or productively perform the employee's job duties. If there is potential impairment of the employee's ability to work safely or productively, the employee must report this information to the supervisor. With input from the employee, the Library will determine if the employee should work in their regular job, be temporarily assigned to another job or placed on leave.

This policy applies to all personnel while working at library offices, at field locations, while driving library vehicles or personal vehicles being used for library business or parked on library property and/or operating equipment or tools. The Library expects all employees to report fit for work in accordance with this policy. The Library may make exceptions for the responsible consumption of alcohol by employees of legal age at library events and for the transport of alcohol in sealed containers from point of purchase to the employee's residence.

Violation of this policy will result in corrective action up to and including termination of employment, or the requirement of participation, and completion of, a satisfactory treatment program.

Employee Drug and Alcohol Testing

1. Reasonable Suspicion Testing

- a. An employee will be asked to submit to tests for drug and alcohol intoxication when the employer reasonably suspects the employee is impaired in the performance of their job.
- b. Reasonable suspicion testing may result from one of the following, but is not limited to:
 - i. Specific, personal and articulable observations concerning the appearance, behavior, speech or performance of the employee; or
 - ii. Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the manager(s) to believe that the employee's functioning is impaired; or
 - iii. Other physical, circumstantial, or contemporaneous indicators of impairment.
- c. When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager will arrange to transport the employee to the collection site and will arrange for the employee's transport home.
- d. The employee may continue in a paid status pending the receipt of test results by the Library.

2. Post-Accident Testing

- a. An employee will be required to submit to a drug and alcohol test after an on-the-job accident.
- b. An accident for purposes of this policy is defined as an incident or occurrence in which:
 - i. the accident involves a Library vehicle, or a privately owned or rental vehicle used for Library business.
 - ii. A person dies or requires medical treatment;
 - iii. An incident that results in property damage is estimated at greater than \$5,000 to repair or replace.

- iv. Any other incident, for example a fire, spill, or accident resulting in damage to equipment that is not otherwise described by the above
- c. An employee who is involved in an incident must immediately report the incident to their supervisor or manager in accordance with the Incident Reporting Procedure [{Insert Link}](#). If safe to do so, employees are expected to remain at the scene of an incident or accident until all related issues are resolved or until they are given further instructions by their immediate supervisor or the supervisor's designee. If drug and alcohol testing is required, arrangements will be made by the supervisor or manager to transport the employee to the testing site and then home if required.
- d. The employee will continue in a paid status pending the receipt of drug testing results by Library.

Specimens collected for testing will be analyzed for the presence of the following substances or their metabolites or concentration:

1. Tetrahydrocannabinol (THC)(Marijuana)
2. Cocaine
3. Phencyclidine (PCP)
4. Amphetamines (Methamphetamines, MDMA, MDA, MDEA, Ecstasy)
5. Benzodiazepines
6. Barbiturates
7. Methadone
8. Propoxyphene
9. Methaqualone or oxycodone
10. Expanded opiates (including heroin, codeine, morphine, hydrocodone, hydromorphone, oxycodone, and oxymorphone)
11. Alcohol

A test will be considered positive if the amount of prohibited drug metabolites or alcohol concentration present in the specimen is above the minimum thresholds established by law or generally used workplace drug and alcohol testing standards. It is always the responsibility of the employee to ensure products taken or used do not contain the prohibited substances or metabolites listed above. Employees with a positive test result will be immediately removed from performing duties. The Library will determine if and when an employee may return to work.

In the event of a "Negative Dilute" test result, the employee will be required to submit to another test immediately. If an employee's test results are Negative Dilute after two consecutive attempts, a Hair Follicle test will be required.

In the event of a "Shy Bladder" test result, two urine attempts are permitted. Following the first attempt, the employee will be provided with 40 oz. of water and will have a three-hour time limit to complete a drug test. If the employee is unable to produce a sample within these parameters, a Hair Follicle test will be required.

Procedures/Safeguards/Confidentiality

The drug screen analysis is accomplished through urinalysis testing. Alcohol testing may be through breath testing or blood testing. Samples will be collected in a sanitary environment designed to maximize employee's privacy while minimizing the possibility of sample tampering. If there is a positive drug and/or alcohol result on the initial screening test, the laboratory or blood alcohol technician will automatically do a second test to confirm the results. The second drug test will be performed using gas chromatography/mass spectrometry or other scientifically accepted method. A positive breath alcohol

test will be confirmed by a second breath test. In the event the drug and alcohol test result is dilute, the applicant or employee will be required to re-test if the test result is a negative dilute.

All drug tests are performed by a government-certified outside laboratory. All government-certified outside laboratories strictly follow chain of custody guidelines to ensure the integrity of the testing process. The Library shall use a Medical Review Officer (MRO) who will receive the laboratory results of the testing procedure. The MRO shall be a licensed physician and have knowledge of substance abuse disorders and the appropriate medical training to evaluate positive results, medical histories, and any other relevant biomedical information. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.

If the results of the initial test are negative, the testing laboratory will report the results to the MRO retained by the Library. The MRO or the testing laboratory reports the negative results to the Library. In this instance, no additional tests on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the permitted levels for any of the six drugs tested or for alcohol, a second confirmatory test shall be performed. Only specimens that are confirmed positive on the second (confirmatory) test are reported positive to the MRO for review and analysis. The MRO will contact the employee personally, in the case of a positive test result. The MRO has the responsibility of reporting to Library whether the test results are positive or negative.

An employee who does not pass a drug test may request that the original sample be analyzed again at the individual's expense by a government certified laboratory. All requests for an independent analysis must be made in writing within 72 hours of notification of a confirmed positive test result.

The employee will have an opportunity to discuss the drug and/or alcohol test with an MRO in a confidential setting. The employee upon their written request may be provided with a written copy of the positive test result. Upon written request within seven days of taking the test, an employee may access records relating to his drug and/or alcohol test.

Inspection and Searches

The Library may conduct unannounced inspection for violations of this policy in the workplace, worksites, or Library premises with reasonable suspicion. Employees are expected to cooperate in any inspection.

Voluntary Treatment

The Library supports sound treatment efforts. Whenever practical, the Library will assist employees in overcoming drug, alcohol and other related problems which may affect employee job performance, as long as this policy has not already been violated. The Library may remove the employee from performing duties for the employee to voluntarily seek assistance. A return to work certification from a medical provider will be required. This may include a recommendation to contact the Employee Assistance Program (EAP). If the employee elects to enter an appropriate treatment program, the employee will be required to use any accrued time off while participating in the evaluation and treatment program. The Library has the right to require verification from the treatment provider that the conditions of treatment are being met and for the release to work. It is the sole responsibility of the employee to provide the Library with this information on a timely basis, at a minimum within seven days of a request. With the exception of such verification, no medical records shall be released to the Library. In addition, the Library may require the employee to take and pass drug and alcohol tests at the Library's discretion during the 12-month period following their full release to work.

Remote Collections

The Library will conduct drug and alcohol testing within the parameters established in the drug and alcohol policy, regardless of working location. In the event an employee is required to complete a drug and/or alcohol test while the employee is working in a remote working environment, the following general collection and testing procedures will take place:

1. Employees will be notified by phone and email that they are required to complete a drug and/or alcohol screening within a two (2) hour period. It is the employee's responsibility to confirm their working location with Human Resources. Any reasons for delay must be documented.
2. The Library will arrange for a designated mobile collection site to come to the employee's work location where they shall be required to verify their identity and cooperate in the specimen collection procedures.
3. The collection and testing will be conducted, in private, by trained individuals who will use approved testing devices and testing forms. Chain of custody procedures shall be maintained from collection to the time specimens may be discarded to ensure proper identification, labelling, recordkeeping, handling and testing of specimens.

Corrective Action

Any employee, who has been observed using or possessing drugs or alcohol during work time, including lunch breaks, or on Library premises is in violation of this policy. Such discipline may be imposed regardless of whether the employee is tested and found to have alcohol or drugs in his or her system. The Library may make exceptions for the responsible consumption of alcohol by employees of legal age at library events. Employees are subject to appropriate corrective action, up to and including termination, for violation of this policy if the following occur:

1. Testing Positive: Employees who test positive for drugs or alcohol are in violation of this policy.
2. Refusal to comply: Employees who refuse required testing are in violation of this policy. This may be defined as, but is not limited to, the following:
 - a. Failing to appear for any test within a reasonable time frame.
 - b. Failing to remain at the collection site until the testing process is complete.
 - c. Failing to provide an adequate urine specimen for a drug test without a valid medical reason.
 - d. Failing to provide an adequate breath sample for an alcohol test without a valid medical reason.
 - e. Failing to submit to a medical evaluation when required by the MRO as part of the verification process.
 - f. Submitting an adulterated or substituted specimen.
 - g. Failure to submit to or follow the instructions of an observed collection when required.
 - h. Failure or decline to take an additional test the Library or designated collector has directed the employee to take.
3. Interference with testing: It is a violation of this policy for employees to adulterate, dilute, or tamper with samples. Any other action that interferes with accurate testing is also a violation of this policy.

X. PRIVACY INFORMATION AND DATA MANAGEMENT

A. Confidential Information and Privacy Policy

Safeguarding privacy is one of the most important responsibilities of employees. Employees will have access to confidential information of the Library and patrons. Confidential information includes, but is not limited to, personal information of patrons, materials checked out or on hold for patrons, information concerning donations, employee personal information, schedules and similar information.

Disclosure of confidential information is prohibited by Colorado Revised (C.R.S.), or Library Law, [C.R.S. § 24-90-119](#) and might seriously damage the Library or patron and therefore such action will not be tolerated. Employees who disclose information in violation of this section of the C.R.S. commits a civil-infractions and upon conviction could be fined up to \$300.00. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the employer and must be returned to the Library upon separation or at any time upon demand. Please see Human Resources for more information if you have questions on this topic.

Any employee who violates the privacy of a patron by using information about a patron without the patron's knowledge and/or permission may be subject to corrective action. Employees who are unsure if an action on their part will violate the privacy policy should contact their supervisor.

The following examples of use of patron information are not permitted:

- Using a patron's personal information to call for dating purposes.
- Using a patron's personal information to create a list for non-library business purposes. Example: An employee makes a list of patrons who read books on bicycles. An employee gives the list to friend for use in promoting friend's new bicycle shop.
- Using a patron's personal information to create a list for social groups including book clubs or writing clubs.
- Leaving a patron's personal information on voicemail. Example: An employee calls a patron to inform the patron their book has arrived. If leaving the message on voicemail, employees should not include the name of the item.
- Giving a patron personal information about a family member without the family member's card or card number. Example: A patron's spouse asks an employee what their spouse has checked out on their library card.
- Purchasing or selling securities based on information not generally available to the public.

The following examples of use of patron information are permissible:

- Renewing items without a card or card number (do not print the receipt listing items checked out on the account, do tell the patron the new due date.)
- Collecting fees without a card or card number (do not print the receipt listing items, a receipt stating the amount paid is fine.)
- Checking out items on another patron's card if they have possession of that card, card number, or permission has been granted by the cardholder for picking up holds and is noted in the patron record.

B. Bulletin Boards and Online Messaging

The Library provides bulletin boards as well as online messaging to notify employees of labor laws, management decisions and other business-related matters. Employees are responsible for reviewing the bulletin boards and online messaging for announcements.

C. Data Disposal Policy

During the course of employment, the Library will collect certain information from employees that is classified as “personal identifying information,” or PII, under applicable laws. Such information may include, but is not limited to:

- First and last name or initials
- Username(s) and password(s)
- Social security number
- Driver license or other identification card number
- Medical documentation
- Biometric data, etc.

The Library may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, the Library will either (a) destroy the records or (b) arrange for their destruction (e.g., by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means).

D. Professional Work References

The Library does not furnish open letters of recommendation addressed “To Whom It May Concern.” Inquiries about a former employee’s employment with the Library should be referred to the Human Resources representative. Only the Human Resources representative has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

With permission from the employee or volunteer, a library supervisor or colleague may serve as a positive person of reference when requested as appropriate. All other reference checks will be deferred directly to the Human Resources representative.

E. Technology Use and Security Policy

All employees use technology to accomplish their duties, and every department has employees who administer the Library’s data and technology. Employees also use technology to support themselves and their families.

The use of technology is critical to the advancement of the Library’s mission, but also exposes the Library to financial loss, infrastructure damage, reputation damage, and legal risks. The use of technology also results in the Library being responsible for compliance with regulatory requirements, audit findings, and the terms of the Library’s cyber security insurance policy.

The choices which will protect the Library from these risks can no longer be treated primarily as a technical function carried out by IT experts who manage the Library’s technology infrastructure, but as an essential responsibility of all employees.

This policy defines that responsibility and seeks to make technology security an established practice within the Library’s culture. Employees are encouraged to employ the behaviors described in this policy at all times, not just at work, to protect themselves and their families. Employees must not circumvent the policies, procedures, and safeguards in place to protect the Library. Employees must promptly report technology-related security incidents or concerns to the IT Department.

Communication Systems

The Library's computer network, access to Internet, e-mail and voicemail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the Library. All information regarding access to the Library's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential library information and may not be disclosed to non-library personnel.

All computer files, documents, and software created or stored on the Library's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through library systems, whether password protected or not.

Employees should not assume that any such information is confidential, including e-mail either sent or received. Upon separation of employment, all computer equipment and communication tools should be returned to the Library.

Personal Use of Computers and the Internet

Some employees need to access information through the Internet using work computers in order to do their job. Use of the Internet is for business purposes during the time employees are working. Limited personal use of work computers and the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Employees should have no expectation of privacy. Regardless, the Library prohibits the display, transmittal, or downloading of material that is in violation of library rules and policies or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

Software and Copyright

The Library adheres to copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in library facilities.

Unauthorized Use

Employees may not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using the Library communication systems in ways that management deems to be inappropriate. If an employee has a question about whether an activity constitutes unauthorized use, they should contact their supervisor before engaging in such activity.

E-mail

Business e-mail accounts are to be used for business purposes. While checking personal e-mail is permitted, its use during work time should be during rest breaks or meal periods and otherwise is to be kept to a minimum. The Library prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service through the use of e-mail or anywhere else on library premises at any time. The IT Department may monitor e-mail from time to time. Employees should be aware that emails might be public records and subject to public disclosure.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages.

Voicemail

The Library's voicemail system is intended for transmitting business-related information. Although the Library does not monitor voice messages as a routine matter, the Library reserves the right to access and disclose all messages sent over the voice mail system for any purpose. Employees must use judgment and discretion in their personal use of voicemail and must keep such use to a minimum.

Telephones/Cell Phones/Mobile Devices

Employee work hours are valuable and should be used for business. Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls.

Phones and mobile devices with cameras should not be used in a way that violates other library rules or policies such as, but not limited to, sexual harassment and confidential information. Employees authorized to access library systems and information using a personal device must immediately inform the Library if the device is lost or stolen. Such access, once authorized, may subject the employee's personal device to discovery requests or library action.

For safety reasons, employees should not use cell phones and mobile devices to make calls while driving library vehicles. Employees must park whenever they need to use a cell phone.

Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked.

XI. Separation of Employment

If an employee desires to end their employment with the Library, they should notify their supervisor as soon as possible of the intended separation. Notice is preferred in writing and generally allows sufficient time to transfer work, cover shifts, return library property, review eligibility for continuation of insurance, and arrange for your final pay.

Employees who plan to retire are asked to provide sufficient advance written notice to the Library for timely process of any pension forms or other retirement benefits to which an employee may be entitled.

DATE: October 23, 2023

TO: Boulder Public Library District Board of Trustees

FROM: David Farnan, Library Director

Jennifer Phares, Director of Administration

Subject: Second Reading of the 2024 Boulder Public Library District Recommended Budget

The recommended fiscal year 2024 Boulder Public Library District [BPLD] budget immediately follows the memo. It includes the following updates:

- **Sources:** the 2024 Grants line was adjusted, as requested by the Boulder Library Foundation, to include the dispersal of grant funds. The capital grant funds will be passed to the City of Boulder for the NoBo Library construction.
- **Other Uses:** Funds for a purchase of a transport vehicle was added to the 2024 Capital and One-Time Total. The 2024 Debt Service Total was adjusted to show the \$13 million reimbursement to the City of Boulder for 2023 operating costs, \$510,000 of capital grant funds for the NoBo Library construction, and a \$350,000 loan from the city General Fund to the Library Fund to replace the .333 mill property tax revenues that were not collected in 2023 with the establishment of the Boulder Public Library District.

I. SUMMARY

The recommended 2024 library district budget is \$38,619,172. The simplest explanation of this amount is that the inaugural 2024 budget shows nearly two full years of revenue and nearly two full years of operating expenses in one year. A portion of the budget [\$13M, or 34%] is debt service owed to the City of Boulder for funding the library's 2023 operating costs. The other portion of the budget [\$19.8M, or 51%] is projected operating expenditures for the first full year of library services without direct and indirect support from the City of Boulder.

II. LAST YEAR

In November of 2022, the voters approved of formation and funding for the Boulder Public Library District. While the district was "formed" in 2022, it was only after the City of Boulder had approved of the 2023 library budget. Between January and May of 2023, while Boulder City Council and the Boulder County Commissioners deliberated on appointing and ratifying the first Boulder Library District Board of Trustees, the library functioned for all intents and purposes as a city department.

In May of 2023, the first Board of Trustees was seated. One of their first actions was to approve of an \$18.5 million budget [the approximate amount of revenue anticipated to be earned in 2023.] Soon after, the Board of Trustees entered an interim agreement with the City of Boulder and agreed to allow library functions and operations to remain under City of Boulder guidance for the remainder of 2023 with a promise from the district to pay the city for costs incurred.

III. 2024

Boulder Public Library District anticipated revenue for 2024 is approximately \$22M. This is an 18.2% increase from 2023 Trustee approved district budget, and a 24% increase from the current actual

BOULDER PUBLIC LIBRARY DISTRICT 2024 BUDGET (Revised 10/20/2023 for Second Reading)

SOURCES	2023 BPLD Actuals			BPLD 2024	Notes
	2023 BPLD Budget	[projected]			
General Fund					
Property Tax Revenues	\$ 18,500,000	\$ 17,605,051		\$ 21,878,106	
Other taxes				\$ 3,053	
Grants		\$ -		\$ 641,634	2024 - State grant for collections, Gates grant for NoBo, BLF Program grants, and \$510,000 NoBo Capital to pass through to City.
Revenue				\$ 35,000	Booksale
Other revenue				\$ 5,000	
Carryover	\$ -	\$ -		\$ 16,489,379	
TOTAL REVENUE	\$ 18,500,000	\$ 17,605,051		\$ 39,052,172	
USES					
Personnel Budget					
Salaries				\$ 9,385,698	
Employee Benefits		\$ -		\$ 3,277,198	
Non-Personnel Budget					
Library Operations				\$ 808,463	
Administration	\$ 2,500,000	\$ 73,491		\$ 1,122,937	Admin and Communications
Collections				\$ 1,695,593	
IT		\$ 97,181		\$ 1,503,307	
Facilities				\$ 2,044,565	
Operating Total				\$ 19,837,761	
Other Uses					
Capital and One-Time Total		\$ 945,000		\$ 1,390,000	2023 - IT Infrastructure 2024 - Office reconfiguration, \$750K Maintenance backlog, \$75K Vehicle.
Debt Service Total		\$ -		\$ 13,865,000	Pay Back to City of Boulder: \$13 million 2023 operating, \$510,000 NoBo Capital, \$350,000 General Fund loan to Library Fund loan for 2023.
TOTAL EXPENDITURES	\$ 2,500,000	\$ 1,115,672		\$ 35,092,761	
Reserve Funds					
General Reserve	\$ 550,000	\$ 550,000		\$ 2,000,000	2024 = 8%
Capital Fund		\$ -		\$ 2,466,411	Gunbarrel - possible expense
Ending Fund Balance	\$ 16,000,000	\$ 16,489,379		\$ 3,959,411	

APPENDIX A. Revised Boulder Public Library District 2024 Recommended Budget Highlights

Revision: Reference to the ten-year plan to address the maintenance backlog was added to Section II. New Operating Infrastructure.

I. STAFFING

The library recommends two wage increases for staff in 2024 and increasing the professional development budget by 320% to \$250,000.

Pay Leveling

The Library made a policy decision to suspend performance evaluations and merit increases for 2023. In 2024, a new performance evaluation process will be developed which will not be tied to pay increases. To replace the 2023 city merit increases, the library proposes offering current standard staff who accept positions with the District, a “pay-leveling” increase. The goal of “pay leveling” is to increase the average annual salary to \$65,000 by offering the same dollar amount to every person. Reaching this goal may require another adjustment in 2025. Employees will receive the increase in the job offers made by the District, effective Jan. 1, 2024.

\$335,955 is included in the 2024 recommended budget for pay leveling. Approximately, 89 staff members will receive this increase.

Minimum Wage Increase

To align with the City of Boulder’s 2024 budget proposal to increase the City’s minimum wage to \$22.44, the Library is proposing raising its minimum wage to \$22.45. After the pay leveling increase is applied to standard staff wages, those staff members whose wage is less than \$22.45 will be increased to this new BPLD minimum wage. Approximately, 19 standard staff members will receive this increase. The annual cost for these 19 staff members is \$40,639.

Substitute staff whose wage is below this minimum will also receive an increase. Approximately, 34 substitute staff members will receive an increase to their wage. The substitute worker pool is increasing from 27 to 34 staff members in October 2023 to ensure service coverage during the upcoming holiday season. The Library recommends an increase to the substitute budget of 57% which is \$253,000 to accommodate the addition of new substitute jobs in programs and events and literacy and outreach and to support increased public hours at the Reynolds Library, the Carnegie Library for Local History and the North Boulder Library.

II. NEW OPERATING INFRASTRUCTURE

In 2024, the Library will hire new staff positions for facilities, human resources, finance, IT and communications. Non-personnel costs are estimated to increase for technology and software, asset and liability insurance, legal consulting, and facilities maintenance. The facilities cost are grouped and separate from the other new operating costs.

Estimated New Personnel Wages

	Personnel	Base Wages + 35% for benefits
Human Resources	3	\$356,875
Finance	1	\$93,320
Communications	3	\$356,875
IT	5	\$577,135
TOTAL	18	\$1,384,205

Estimated Non-Personnel Costs for New Functions

	One-Time	Ongoing
Finance and Human Resources Information Systems	\$70,000	\$96,000
Reconfiguration of office spaces to accommodate new staff	\$500,000	\$0
IT infrastructure	\$875,000	\$465,000
Legal	\$0	\$40,000
Insurance	\$0	TBD
TOTAL	\$1.45 million	\$601,000

Facilities and Maintenance

A primary goal in the 2018 Library Master Plan is to “Take care of what we have” in terms of Library facilities and assets. To do this, the Library has a plan to address the \$9 to \$11 million maintenance backlog during the next ten years. The 2024 Recommended budget includes six new facilities and maintenance personnel at a cost of \$486,878. Non-personnel costs including grounds maintenance, building maintenance, custodial services at an estimated ongoing cost of \$1,082,784.

III. NORTH BOULDER LIBRARY OPERATING

The North Boulder Library is slated to open in late spring 2024. Currently, there are three staff members who operate the NoBo Corner Library. The following new staff will be hired to operate the branch library.

	Personnel	Base Wages + 35% for benefits
Public Services	7	\$584,161
IT	1	\$107,318
Programs and Events	2	\$214,637
TOTAL	10	\$916,116

Non-personnel budget for operating this library are included under administration, facilities, programs and events, and the collection services budgets.

IV. LITERACY AND OUTREACH STRATEGIC PLAN IMPLEMENTATION

The Literacy and Outreach Strategic Plan is scheduled to be complete in December 2023. In anticipation of expanding the literacy and outreach team, the Library recommends hiring two more personnel at an estimated cost of \$230,188.

V. RESTORATION AND EXPANSION OF SERVICES

Additional personnel are recommended to restore and expand service levels in several areas.

	Personnel	Base Wages + 35% for benefits	Purpose
Branch Services*	4	\$415,793	Restore public hours on Mondays at Reynolds Library. Increase Librarian and manager support.
Youth Services	1	\$208,568	Increase Librarian support. Add youth internship program.
Public Services**	4	\$390,657	Public desk coverage. Training coordination and increased manager support.
Programs and Events	5	\$729,507	Increase program coordination. Restore makerspace program and add manager support.
Carnegie Library for Local History	2	\$230,188	Increase Archivist and management support. Resume public hours.
Total	16	\$1,974,713	

*Does not include NoBo library.

**Does not include any Branch Services.

Collection Services

The Library is proposing a 61% increase in the materials acquisitions budget to \$1,695,593 and three new staff be hired an estimated cost of \$321,956.

Main Library Café

After a nine-month trial period the owner of Tonantzin Casa de Café requested termination of the café lease effective Sept. 27, 2023. In 2024, the Library will consider new options for café service. A recommended budget of \$125,000 will be included in the proposed budget for personnel and non-personnel costs.

VI. MAIN LIBRARY CANYON THEATER PILOT

The Library recommends piloting community activation of the Main Library Canyon Theater to support offering the theater for community groups to use free of charge. Two new staff positions will be hired at the estimated cost of \$186,641.

VII. GUNBARREL LIBRARY FACILITY

A capital appropriation between \$2.5 million is included in the recommended budget for the purchase of a library facility in Gunbarrel.

APPENDIX B: 2023-2024 LIBRARY BUDGET COMPARISON

SOURCES	Revised City Library		Variance compared to City		Notes
	2023	BPLD 2024	2023	% Change compared to City 2023	
General Fund	\$ 10,378,897	\$ -			
Property Tax Revenues	\$ 1,410,920	\$ 21,878,106			
Grants and other revenues	\$ 430,855	\$ 251,687			2024 - State grant for collections and Gates grant for NoBo.
Carryover	\$ -	\$ 16,489,379			
Total	\$ 12,220,672	\$ 38,619,172			

USES	Revised City Library		Variance compared to City		Notes
	2023* Including Distributed Cost	BPLD 2024	2023	% Change compared to City 2023	
Combined Operating Budget. Personnel and Non-Personnel. [City Budget includes Internal Cost Allocation distributed by Department)					
Administration	\$ 2,469,547	\$ 1,786,534	\$ (683,013)	-28%	Inc. Council, Clerk, City Mgr, Gen Gove, City Attny, HR, Finance,
Archive	\$ 255,738	\$ 434,160	\$ 178,422	70%	Carnegie
Collection Services	\$ 1,824,019	\$ 2,619,749	\$ 795,730	44%	
Communications and Marketing	\$ 297,105	\$ 425,021	\$ 127,916	43%	
Literacy and Outreach	\$ 637,135	\$ 932,359	\$ 295,224	46%	
Facilities	\$ 1,947,191	\$ 2,720,911	\$ 773,720	40%	
IT	\$ 2,105,947	\$ 2,237,308	\$ 131,361	6%	
Programs and Events	\$ 1,156,493	\$ 1,707,592	\$ 551,099	48%	
Public Services	\$ 2,994,328	\$ 4,144,682	\$ 1,150,354	38%	
Substitutes and Interns	\$ 161,432	\$ 253,000	\$ 91,568	57%	
Employee Benefits	\$ 1,544,273	\$ 3,420,000	\$ 1,875,727	121%	
TOTAL OPERATIONS	\$ 15,393,208	\$ 20,681,316	\$ 5,288,108	34%	
CAPITAL & ONE-TIME EXPENSE	\$ 5,480,371	\$ 2,125,000	(\$3,355,371)	-61%	City expenses for completion of NoBo. District costs for IT infrastructure, Main space remodel, Maintenance backlog
TOTAL EXPENSE	\$ 20,873,579	22,806,316	\$ 1,932,737	9%	

NOTE: The Personnel and Non-Personnel costs associated with the District operating expenses in 2024 are approximations and do not represent the most refined model in the 2024 Budget Doc.

NOTE 2: In an attempt to compare City Costs and Library District Costs, ALL Internal Cost Allocation Funds were incorporated under Non-Personnel Expenses.

NOTE 3: The cost comparison for Operating Totals is the best comparison we have in terms of increased expenses.

NOTE 4: While some of the internal cost allocation certainly represents Personnel - it does NOT represent Personnel engaged in direct library service related work.

NOTE 5: One can compare "apples to apples" in some areas; for instance, Administration costs & IT costs. It would appear that the storyline of "efficiencies of scale" are NOT applicable.

*Revised approved budget as of 10/4/2023

APPENDIX C: CITY COST ALLOCATION 2023

Cost Allocation Area	Total City Cost Allocation
Building and Equipment Appreciation	\$ -
City Clerk	\$ 5,187
City Council	\$ 53,986
City Manager	\$ 122,613
Facilities	\$ 1,418,668
Communication and Engagement	\$ 250,105
General Government	\$ 33,524
City Attorney	\$ 96,725
Human Resources	\$ 214,515
Finance	\$ 133,665
Information Technology	\$ 747,872
Property and Casualty Insurance	\$ 58,383
City Facilities Trash	\$ 7,184
Fundwide/Citywide	\$ 40,167
Workers Compensation Insurance	\$ 1,708
Total Cost Allocation	\$ 3,184,302

**BOULDER PUBLIC LIBRARY DISTRICT
RECORD OF PROCEEDINGS**

STATE OF COLORADO
COUNTY OF BOULDER

The Board of Trustees of the Boulder Public Library District, Boulder County, Colorado held a special meeting at the Boulder Public Library, Canyon Meeting Room, 1001 Arapahoe Avenue, Boulder, Colorado, on Tuesday, October 24, 2023, at the hour of 6:00 p.m.

The following members of the Board of Trustees were present:

President: Katharine (Joni) Teter
Vice President: Benita Duran
Secretary/Treasurer: Sylvia Wirba
Trustee: Doug Hamilton
Trustee: Cara O'Brien
Trustee: Jennifer Yee
Trustee: Sam Fuqua

Also present: Kim J. Seter and Kelly Hansen, Seter & Vander Wall, P.C.; David Farnan, Library Director; Jennifer Phares, Deputy Director of the Boulder Public Library and Chris Barge, executive director of the Boulder Public Library Foundation and members of the public.

Counsel reported, that prior to the meeting, the Trustees were notified of the date, time and place of the meeting and the purpose for which it was called. He further reported that this meeting is a special meeting of the Board of Trustees of the District and that a Notice of Meeting has been posted and to the best of his knowledge, remains posted to the date of this meeting. A copy of the Notice of Special Meeting and a copy of the published Notice of Public Hearing as to Proposed 2024 Budget are incorporated into these proceedings.

NOTICE OF SPECIAL MEETING
AND
NOTICE OF PUBLIC HEARING AS TO PROPOSED 2024 BUDGET

DRAFT

NOTICE OF PUBLIC HEARING
AS TO PROPOSED 2024 BUDGET

NOTICE IS HEREBY GIVEN that a proposed 2024 budget will be submitted to the **BOULDER PUBLIC LIBRARY DISTRICT** for the fiscal year 2024. A copy of such proposed budget has been filed in the office of the District Director, located at 1001 Arapahoe Ave. in Boulder, Colorado, where same will be open for public inspection after October 10, 2023. Such proposed budget will be considered at special meetings of the Boulder Public Library District to be held at the Boulder Public Library, 1001 Arapahoe Avenue, Boulder, Colorado at 6:00 p.m. on Tuesday, October 10 and Tuesday, October 24, 2023. Any interested elector within the Boulder Public Library District may inspect the proposed budget and file or register any objections at any time prior to the final adoption of the proposed 2024 budget.

BY ORDER OF THE BOARD OF TRUSTEES:
BOULDER PUBLIC LIBRARY DISTRICT

By: /s/ SETER & VANDER WALL, P.C.
Attorneys for the District

Publish in: *The Daily Camera*
Publish on: Wednesday, September 27, 2023

Trustee _____ introduced and moved the adoption of the following Resolution:

**Boulder Public Library District
Board of Trustees Resolution 2023-10-02**

RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET, LEVYING PROPERTY TAXES TO HELP DEFRAY THE COSTS OF GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE BOULDER PUBLIC LIBRARY DISTRICT, BOULDER COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2024, AND ENDING ON THE LAST DAY OF DECEMBER, 2024.

WHEREAS, the Board of Trustees of the Boulder Public Library District has authorized its budget officer to prepare and submit a proposed budget at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board of Trustees of the District for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with law, the proposed budget was open for inspection by the public at a designated place, a public hearing was held on Tuesday, October 10, 2023 and Tuesday, October 24, 2023 and interested electors were given the opportunity to file or register any objections to the proposed budget; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available at this time to the Board regarding the effects of Article X, Section 20 of the Colorado Constitution and Proposition HH which is on the November 7, 2023 ballot; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BOULDER PUBLIC LIBRARY DISTRICT OF BOULDER COUNTY, COLORADO:

Section 1. Summary of 2024 Revenues and 2024 Expenditures. The estimated revenues and expenditures for each fund for fiscal year 2024, as more specifically set forth in the budget attached hereto are accepted and approved.

Section 2. Adoption of Budget. The budget as submitted, amended and attached hereto and incorporated herein is approved and adopted as the budget of the Boulder Public Library District for fiscal year 2024.

Section 3. Levy of General Property Taxes. The foregoing budget indicates the amount of money necessary to balance the budget for the General Fund for operating expenses from property tax revenue. For the purposes of meeting all general operating expenses of the District during the 2024 budget year, the voters have approved a tax levy of 3.500 mills upon each dollar of the total valuation for assessment within the District for the year 2024.

Section 4. Certification to County Commissioners. The Secretary of the District, or its designee, is hereby authorized and directed to certify to the County Commissioners of Boulder County the mill levy for the District hereinabove determined and set forth on the Certification of Tax Levies for Non-School Governments attached hereto.

Section 5. Appropriations. The amounts set forth as expenditures and balances remaining, as specifically allocated in the budget are hereby appropriated from the revenue to each fund for the purposes stated and no other.

Section 6. Budget Certification. The budget shall be certified by the Secretary of the District, and made a part of the public records of the Boulder Public Library District.

The foregoing Resolution was seconded by Trustee _____.

RESOLUTION APPROVED AND ADOPTED THIS 24TH DAY OF OCTOBER, 2023.

Boulder Public Library District
2024 Budget Resolution
Signature Page

BOULDER PUBLIC LIBRARY DISTRICT

By: _____
Katharine (Joni) Teter
President

ATTEST:

By: _____
Sylvia Wirba
Secretary/Treasurer

DRAFT

STATE OF COLORADO
COUNTY OF BOULDER
BOULDER PUBLIC LIBRARY DISTRICT

I, Sylvia Wirba, hereby certify that I am a Trustee and the duly elected and qualified Secretary of the Boulder Public Library District, and that the foregoing constitute a true and correct copy of the record of proceedings of the Board of Trustees of said District, adopted at a meeting of the Board of Trustees of the Boulder Public Library District held on October 24, 2023, at the Boulder Public Library, Canyon Meeting Room, 1001 Arapahoe Avenue, Boulder, Colorado, as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2024; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the District this 24th day of October, 2023.

Secretary

EXHIBIT A

**BUDGET DOCUMENT
AND
BUDGET MESSAGE**

DRAFT

Library District Transition Update

Prepared on October 19 for the October 24 Board Meeting

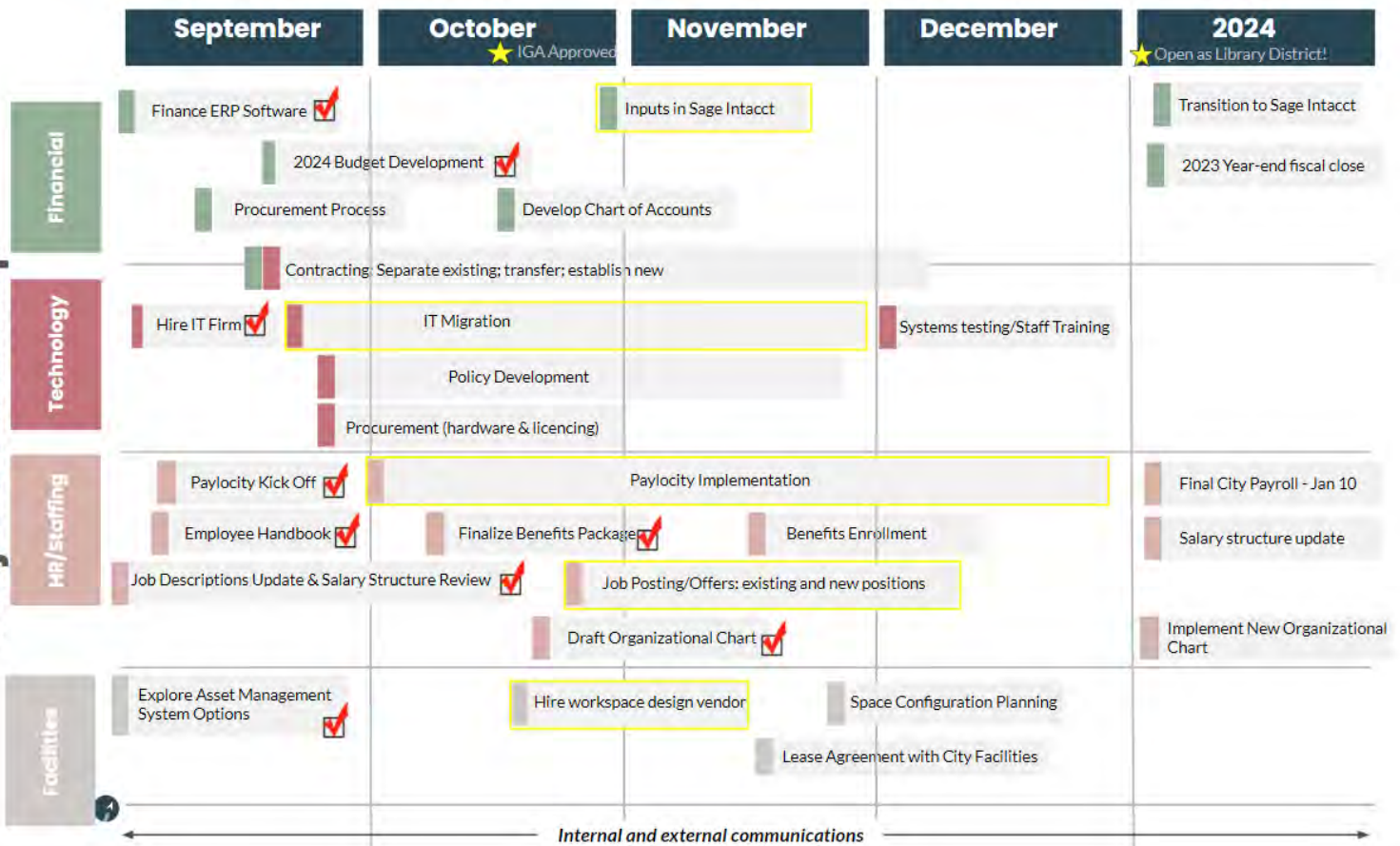
Overall Update:

All transition projects are moving forward on schedule and without any major issues.

Key Highlights and Upcoming Priorities:

- HR/Staffing:** The Library District hiring process began on 10/16 and will continue through 10/31. All staff have to apply, sign an offer letter, and complete onboarding tasks in Paylocity. The City of Boulder has shared off-boarding instructions for employees to terminate their current positions by 12/31/23. The next priority is the hiring process for 4 new District positions (to start Jan '24): (1) Human Resource Manager, (2) Communication Manager, (3) Facilities + Maintenance Manager, (4) Maker Space Manager
- IT Decoupling/Migration:** FocusConnect has been working closely and effectively with the City of Boulder IT to prepare for the decoupling process. The current priority is researching new internet options and completing the purchasing process for new equipment. The IT switch over date has been scheduled for December 19-21, during which the Library will be closed and employees will be offline. Internal and external communications are being planned.
- Open Enrollment for Employee Benefits:** Open enrollment is scheduled for November 14-28. Staff will receive the benefits package on Monday, Oct. 23.
- Facilities:** The RFP process is underway to secure a workspace design vendor.
- Communication:** Staff and public communications are drafted through November and will be updated/edited if necessary prior to distribution.

Project Roadmap



MEMORANDUM

TO: Boulder Public Library District

FROM: Seter & Vander Wall, P.C.; Kim J. Seter, Esq.

DATE: October 20, 2023

RE: Legal Status Report for October 24, 2023

This is our legal status report for the October 24, 2023 Board of Trustees meeting.

Minutes-Action Item

Task: Prepare meeting minutes.

Status: The October 17 minutes are ready for approval.

Action: Consider approval of the minutes presented in the packet.

Second Reading and Public Hearing 2024 Budget-Action Item

Task: Adoption of 2024 Budget.

Status: The 2024 Budget will be presented for your consideration.

The Chair should reopen the public hearing and take any comments.

Once the discussion is completed the attached Resolution to Adopt the Budget and address various other legal requirements may be approved.

Action: **Proposed Motion:**

I move the Board of Trustees adopt Resolution No. 2023-10-2, Summarizing Expenditures and Revenues, Adopting the Budget and Appropriating Funds for Calendar Year 2024.

{00694706}

Negotiation of Intergovernmental Agreements-Action Item

Task: Draft, negotiate and finalize Intergovernmental Agreement among the City, County and Library District required by § 24-90-107(2)(e), C.R.S.

Status: I had a very good meeting with the City Attorneys and Chris Meschuk on Thursday. As to the open items in the draft IGA you saw last week:

1. The list of the City's outside consultants and their estimated cost will be provided shortly. There is only one regarding IT and possibly another regarding card access systems.
2. The circumstances under which the District will be charged and not charged for use of the parking lot for events will be defined.
3. The City Attorney will determine if there is a way to collect a sum from event organizers for District overtime and cleanup after parking lot events. The fees collected may be set by ordinance which would make it difficult to add anything new.
4. The City will serve as the District ISP for as long as the District desires.
5. Fiber for the District will be limited to 2 strands as the system has already been designed that way.
6. Boulder Connect wifi will not be available in the Main Library Building.
7. My requested changes as shown on the previous draft have been made.
8. The attached insurance language came from the City's Risk Management department to be included in the leases. I will review and revise this as I think it is too extensive and may not consider that the district is a government entity like the city protected under the Colorado Gov. Immunity Act.
9. I will draft the proposed NOBO lease over the weekend since it will be different from the lease forms that you say attached to the last draft.
10. We are meeting again on Monday to continue the drafting session and further discussions. I will provide you with a final or near final copy sometime early Monday evening for review and consideration.

Action: Consider approval of IGA. Suggested Motion:

I move the board of trustees approve execution of the intergovernmental Agreement with the City substantially in the form presented but allowing any minor or non-substantive changes approved by the District Director, President of the Board and Legal Counsel.

Policies and Procedures-Report

Task: Work on Policies and Procedures.

Status: You asked me to provide lists of recommended policies and procedures. There is a very interesting and educational list of policies from all over the country sorted in various ways at the following website prepared by CLiC, Colorado Library Consortium.

[Public Library Policy Collection \(clicweb.org\)](http://www.clicweb.org/extras/innovations-initiatives/publiclibrarypolicycollection/)
www.clicweb.org/extras/innovations-initiatives/publiclibrarypolicycollection/

Action: No action required. This will be removed from the next status report.

Family And Medical Leave Insurance Program Opt Out-No Change

Task: Consider FAMILI participation.

Status: The Board approved the opt-out resolution. The District has registered the resolution with the FAMILI Agency advising of the opt-out and received confirmation of opt-out. This will have to be revisited in 8 years or the District will automatically be reinstated into the program.

Action: None Required.

2022 Audit Exemption Request-(Report/No Change)

Task: Address State Auditor's Notice of Failure to File a 2022 audit.

Status: Resolution 2023-09-01 was approved and forwarded to the State Auditor's office. We may or may not receive notice of the waiver; but, will follow up as necessary.

Action: None Required.

District Bank Account-(Report/New Change)

- Task:** Assist in opening District bank account.
- Status:** Checks have been received from the County Treasurer for deposit.
- Action:** **None required.**
-

Notice of Violation of 5.5 % Limitation-(Report/No Change)

- Task:** The Colorado Division of Local Governments in the Department of Local Affairs notified the County of its belief the District has violated the limitation of 5.5% property tax revenue increases and must refund its tax receipts.
- Status:** The Division often makes these errors. I do not believe the County did anything wrong in the election that approved the tax revenue in the first instance. We are addressing this matter with the Division.
- Action:** **None required.**
-

Additional Projects Underway-(Report)

- a. Draft BVSD IGA regarding Student 1 - Student ID for Library Access.
Completed
- b. Lyngsoe Contract Amendment and Assignment to District.
- c. Marmot Contract Amendment and Assignment to District.
- d. 3M System Procurement Agreement.

Additional Projects Outstanding

- a. Research City and District requirements regarding employment benefits.
Completed
- b. Resolution regarding state Family and Medical Leave Insurance Program opt-in or opt-out. **Completed**
- c. Insurance matters including director errors and omissions, public officials' liability coverage, trustee bonds, and workers compensation.
- d. Colorado Open Records Act Resolution (CORA).
- e. Colorado State Archives Records Retention Schedule and Resolution.
- f. Resolution regarding disposal of data containing personally identifying information.
- g. IGA Sub-Projects Underway

1. Obtain and review title work on all properties to be conveyed in fee. **Moot**
2. Review library property leases regarding assignability and allowed uses etc. **Completed**
3. Obtain list of operations contracts and copies for review for assignability and conditions.
4. Obtain list of BPL Library personnel positions. **Completed**
5. Follow up on NOBO subdivision. **Possibly moot**
6. Prepare analysis regarding transition of employee sick and vacation leave. **Completed**
7. Draft proposed Civic Center License Agreement. **1st Draft Completed**

10. Insurance.

- a. During the term of this Lease, Tenant, at its sole cost and expense, shall continuously maintain the following types of insurance coverages:
 - i. All Risk or Causes of Loss Special Form property insurance, including fire and extended coverage, sprinkler leakage, machinery and equipment breakdown (including but not limited to all mechanical, plumbing, heating, ventilation, air conditioning and electrical), vandalism, malicious mischief, wind and flood coverage, covering full replacement value of all buildings and all property comprising the Lease, all of Tenant's personal property, trade fixtures and improvements, betterments, tenant finishes and alterations in and to the Premises, with coverages that also include "Business Personal Property. "Such insurance shall include business income/extra expenses including rental value. Any coinsurance requirement in the policy shall be eliminated through the attachment of an agreed amount endorsement, or as is otherwise appropriate under the particular policy form. Landlord shall be listed as a loss payee to the extent of Landlord's financial interest;
 - ii. Both worker's compensation insurance to the applicable statutory limit, and employer's liability insurance limits of not less than One Million Dollars (\$1,000,000) bodily injury by accident, One Million Dollars (\$1,000,000) bodily injury by disease, and One Million Dollars (\$1,000,000) bodily injury by disease each employee. Coverage shall include a waiver of subrogation in favor of Landlord;
 - iii. Commercial general liability insurance (occurrence based) insuring Tenant against any liability arising out of its use, occupancy or maintenance of the Premises, or the business operated by Tenant pursuant to the Lease, and providing coverage for death, bodily injury and disease, property damage or destruction (including loss of use), products and completed operations liability, broad form property damage, personal injury, product liability, molestation, assault and battery, and if applicable, communicable diseases, contractual liability which includes all of Tenant's liability obligations under this Lease (and the certificate evidencing Tenant's insurance coverage shall state that the insurance includes the liability assumed by Tenant under this Lease and "damage to premises rented to you" coverage), fire legal liability and advertising injury liability damage with a combined single limit of no less than \$5,000,000 (or in the alternative a primary policy combined single limit of \$2,000,000 with an Excess Limits (Umbrella) Policy in the amount of no less than \$3,000,000). The Tenant's commercial general liability insurance shall name "**the City of Boulder, its elected and appointed officials, directors, officers, employees, agents and volunteers**" as additional insureds by endorsement reasonably satisfactory to Landlord. A

waiver of subrogation in favor of additional insured parties shall be included;

- iv. Automobile Liability coverage with a minimum of One Million Dollars (\$1,000,000) combined single limit for bodily injury and property damage. Defense costs shall apply in addition to the limit of liability. Coverage shall include contractual liability and shall apply to owned, leased, hired and non-owned autos. **“The City of Boulder, its elected and appointed officials, directors, officers, employees, agents and volunteers”** shall be included as additional insureds under the policy and the policy shall include a waiver of subrogation in favor of Landlord and (and its property manager and lender, if any and any other party as required by Landlord). Notwithstanding anything contained in this Lease to the contrary, in no event shall Landlord be liable for Tenant’s deductible or self-insured retention; and
 - v. Commercial Umbrella/Excess Liability Insurance for bodily injury and property damage liability must sit over Tenant’s primary Employer’s Liability, Commercial General Liability and Commercial Automobile Liability with limits of Five Million Dollars (\$5,000,000) each occurrence and aggregate. All coverages and terms required under the Commercial General Liability, Automobile Liability and Employer’s Liability must be included on the Excess/Umbrella Liability policy. Higher limits or lower limits may be required or accepted by Landlord. Tenant’s Excess/Umbrella Liability Policy shall provide liability coverage, subject to the terms and conditions of the policy, in excess of all available underlying coverage before any primary or excess coverage held by any Additional Insured.
 - vi. Cyber/ Network Security and Privacy Liability Insurance in an amount of not less than \$1,000,000 combined single limit to cover civil, regulatory and statutory damages, contractual damage, as well as data breach management exposure, and any loss of income or extra expense as a result of actual or alleged breach, violation or infringement of right to privacy, consumer data protection law, confidentiality or other legal protection for personal information, as well as confidential information of Tenant, Landlord or library users.
 - vii. Pollution liability insurance with limits not less than \$1,000,000 per occurrence and in the aggregate for bodily injury and property damage including any remediation/clean up costs. There shall be no exclusions for any Methamphetamine affected properties environmental cleanup.
- b. All insurance required to be carried by Tenant hereunder shall include the following provisions: (i) shall release Landlord (and any other party as required by Landlord) from any claims for damage to business or to any person or the Premises and to Tenant’s improvements and alterations in or on the Premises, caused by or resulting from risks insured against under

any insurance policy carried by Tenant in force at the time of such damage; (ii) shall be issued by insurance companies authorized to do business in the State of Colorado, with policyholder ratings not lower than "A-" and financial ratings not lower than "VII" in Best's Insurance Guide (latest edition in effect as of the date of this Lease and subsequently in effect as of the date of renewal of the required policies); and (iii) shall be issued as a primary and noncontributory policy as such policies apply to Landlord (except for workers compensation). Tenant or its insurance broker shall provide at least seven (7) days prior written notice of cancellation to Landlord, before cancellation or change in coverage, scope or amount of any policy. Tenant shall deliver certificates of such policies together with evidence of payment of all current premiums to Landlord within thirty (30) days of execution of this Lease; provided, if such certificates do not on their face evidence such terms, Tenant shall also provide full copies of such endorsements or policies as necessary to evidence that the coverage requirements of this section have been satisfied by Tenant. If certificates are supplied (rather than the policies), Tenant shall allow Landlord, at all reasonable times, to inspect the policies of insurance required herein. Tenant shall take all necessary steps to renew all insurance prior to such insurance expiration dates and shall provide Landlord a copy of the renewed certificate within ten (10) days of said policy's expiration date. Any certificate of insurance shall designate Tenant as the insured and specify the Premises location. If Tenant fails at any time to maintain the insurance required by this Lease, and fails to cure such default within five (5) business days of written notice from Landlord then, in addition to all other remedies available under this Lease and applicable law, Landlord may purchase such insurance on Tenant's behalf and the cost of such insurance shall be Additional Rent due within ten (10) days of written invoice from Landlord to Tenant.

- c. It is expressly understood and agreed that the coverages required by this section represent Landlord's minimum requirements and such are not to be construed to void or limit Tenant's obligations contained in this Lease. Neither shall (i) the insolvency, bankruptcy or failure of any insurance company carrying Tenant, (ii) the failure of any insurance company to pay claims occurring nor (iii) any exclusion from or insufficiency of coverage be held to affect, negate or waive any of Tenant's obligations under this Lease. Landlord reserves the right to require Tenant provide evidence of any additional insurance as it reasonably deems appropriate, as well as the right to require an increase in the amounts of insurance or the insurance coverages as Landlord may reasonably request from time to time, but not in excess of the requirements of prudent landlords or lenders for similar tenants occupying similar premises in the state of Colorado. Tenant's occupancy of the Premises without delivering the certificates of insurance shall not constitute a waiver of Tenant's obligations to provide the required coverages. If Tenant provides to Landlord a certificate that does not evidence the coverages required herein, or that is faulty in any respect, such shall not constitute a waiver of Tenant's obligations to provide the proper

insurance. Landlord shall be entitled to access to additional coverage limits held by such parties regardless of the minimum coverage limits required under these requirements.

- d. Such insurance requirements shall include whatever other special coverages and/or endorsements that Landlord, in Landlord's reasonable discretion, may from time to time consider appropriate in connection with Landlord's ownership of the Premises. Such insurance shall be maintained, including addition insured requirement below, for the statute of repose period allowed under Colorado law.
 - e. Unless otherwise agree in writing by Landlord, for all demolition, rebuilding, reconfiguration and/or remodeling of any interior spaces of the Premises or any exterior demolition, reconstruction or remodeling approved by Landlord, prior to the commencement of any such work, Tenant shall upon request deliver to Landlord such payment and performance bonds or other security as Landlord may require, and certificates issued by insurance companies qualified to do business in the State of Colorado, evidencing that Workmen's Compensation, commercial general liability insurance and property damage insurance, all in amounts, with companies and on forms set forth in **Exhibit D**, are in force and effect and maintained by all contractors and subcontractors engaged by Tenant to perform such work. All such policies shall name **"the City of Boulder, its elected and appointed officials, directors, officers, employees, agents and volunteers"** as additional insureds. Each such certificate shall provide that the insurance policy may not be canceled or modified without thirty (30) days' prior written notice to Landlord. Further, Tenant shall require such contractor to indemnify the City of Boulder as set forth in Exhibit D. Further, Tenant shall permit Landlord to post notices in the Premises in locations which will be visible by persons performing any work on the Premises stating that Landlord is not responsible for the payment for such work and setting forth such other information as Landlord may deem necessary. Any contractor performing work at the Premises shall pay sales and use tax to the City of Boulder as set forth in Exhibit D. All Tenant alterations, repair and maintenance work shall be performed in such a manner as not to interfere with, delay, or impose any additional expense upon Landlord.
11. Waiver of Subrogation. Landlord and Tenant each hereby waives and releases its rights of recovery against the other for : (i) any loss or damage to its property capable of being insured against by "all risk" or "multi-peril" insurance coverage whether carried or not; and (ii) all loss cost, damage or expense arising out of or due to any interruption of business and all increased or additional costs of business and other costs or expenses whether similar or dissimilar, regardless of the cause therefore, which are capable of being insured against under business interruption insurance whether or not carried. Each party shall apply to its insurers to obtain such waivers and obtain any special endorsements, if

required by its insurer, to evidence compliance with this provision at its own cost.

~~12. Casualty Damage. [The City is consulting its insurer about appropriate insurance provisions. We will send the language along to the District as soon as we have it]~~

EXHIBIT D
(Requirements for Contractors Performing Any Improvements
to the Premises)

I. INSURANCE POLICIES

Contractor shall procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Contractor pursuant to this Section A. Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Section I by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.

Contractor shall procure and maintain and, if applicable, shall cause any subcontractor of Contractor to procure and maintain the insurance coverage listed below. Such coverage shall be procured and maintained with forms and insurers acceptable to the City of Boulder, Colorado (“City”). All coverage shall be continuously maintained to cover all liability, claims, demands and other obligations assumed by Contractor pursuant to this Section I for the statutes of limitation and repose. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.

Contractor shall obtain and maintain the minimum insurance coverages set forth below. By requiring such minimum insurance, the City shall not be deemed or construed to have assessed the risk that may be applicable to Contractor. Contractor shall assess its own risks and if it deems appropriate and / or prudent, maintain higher limits and / or broader coverages.

A. Insurance Coverages

1. ***Commercial General Liability – ISO CG 00001 or equivalent.***

Coverage to include:

- Premises and Operations
- Explosions, Collapse and Underground Hazards
- Personal / Advertising Injury
- Products / Completed Operations
- Liability assumed under an Insured Contract (including defense costs assumed under contract)
- Broad Form Property Damage
- Independent Contractors
- Designated Construction Projects(s) General Aggregate Limit, ISO CG 2503 (1997 Edition)
- Additional Insured—Owners, Lessees or Contractors Endorsement, ISO Form 2010 (2004 Edition or equivalent)

- Additional Insured—Owners, Lessees or Contractors Endorsement, Completed Operations, ISO CG 2037 (7/2004 Edition or equivalent)

- The following exclusions are absolutely prohibited and shall not be included in Contractor’s policy if applicable to the work:

- No exclusion for “third-party action over suits” or any similar restriction of coverage applicable to claims brought against others by an employee of Contractor or its Subcontractors
- No damage to Work performed by Contractor exclusion (CG 22 94 or similar)
- No residential or habitational exclusion or coverage limitation
- No exclusion for EIFS (Exterior Insulation Finish System) or any similar exclusion applicable to the Work
- No exclusion for subsidence, which is specifically prohibited for any work involving excavation, soil stabilization, earth retention, concrete, structural steel, landscaping, waterproofing, fire protection and plumbing.
- No exclusion for low-level radioactive isotopes

2. ***Automobile Liability including all:***

- Owned Vehicles
- Non-Owned Vehicles
- Hired Vehicles

Automobile Liability Coverage endorsements CA9948 and MCS-90 are required if Contractor is transporting any type of hazardous materials.

3. ***Excess/Umbrella Liability***

- Excess of Commercial General Liability, Automobile Liability, and Employers' Liability.
- Coverages should be as broad as primary.
- The City reserves the right to require higher limits.

4. ***Workers’ Compensation***

- Statutory Benefits (Coverage A)
- Employers Liability (Coverage B)

5. ***Installation Floater***

- “All Risk”
- Faulty workmanship
- Labor costs to repair damaged work

6. ***Contractors Pollution Liability/Environmental Impairment Liability***

The City requires this coverage whenever work at issue under this contract involves potential pollution risk to the environment or losses caused by pollution conditions including but not limited to asbestos, building enclosure systems, plumbing, roofing, heating, ventilation, air

conditioning, drywall, insulation, building foundations, or any work which includes Microbial Matter, Mold, Fungi, or Bacteria and any work which will involve the use of hazardous materials that may arise from the operations of Contractor (and its subcontractors) described in Contractor's bid and specifications. Policy shall cover Contractor's completed operations. Such coverage shall be on an occurrence basis and include:

- Bodily Injury, sickness, disease, mental anguish or shock sustained by any person, including death.
- Property Damage including natural resource damages, physical injury to or destruction of tangible property including resulting loss of use, cleanup costs, and the loss of use of tangible property that has not been physically injured or destroyed.
- Defense, including costs, charges and expenses incurred in the investigation, adjustment or defense of claims for such compensatory damages.
- Cleanup costs, removal, storage, disposal, and or use of the pollutant; and defense, including costs and expenses incurred in the investigation, defense, or settlement of claims.
- Coverage shall apply to sudden and gradual pollution conditions resulting from the escape of release of smoke, vapors, fumes, acids, alkalis, toxic chemicals, liquids, or gases, natural gas, waste materials, or other irritants, contaminants, or pollutants (including asbestos).

7. ***(If applicable) Professional Liability Policy***

For Contractor and any subcontractor of any tier that is providing any professional services, including but not limited to: design, architecture, engineering, testing, surveying, or design/build services, temporary engineering, engineered excavations and shoring systems, post-tension supply, structured steel, specialized millwork that is performance specified, roofing or waterproofing systems, curtainwall, mechanical, fire protection systems, electrical, fire alarm systems.

Contractor and/or all subcontractors providing professional services shall provide and maintain Professional Liability Insurance coverage. Coverage shall include coverage for contractual liability. Contractor and subcontractors shall maintain for the statute of repose, following completion of the project. Any erosion of insurance limits required will be reinstated to the required amounts prior to commencing the contracted work and if during the contracted period claims are made against the design professional's policy the necessary reduction of available limits will be repurchased to the contractually required amounts.

B. **Limits Required**

Contractor shall carry the following limits of liability as required below:

1. Commercial General Liability		
General Aggregate		\$5,000,000
Products/Completed Operations Aggregate		\$5,000,000
Each Occurrence Limit		\$2,000,000
Personal/Advertising Injury		\$1,000,000
Fire Damage (Any One Fire)	\$	50,000
Medical Payments (Any One Person)	\$	5,000
2. Excess/Umbrella Liability (as needed)		
General Aggregate Limit		\$5,000,000
Products/Completed Operations Aggregate		\$5,000,000
3. Automobile Liability		
Bodily Injury/Property Damage (Each Accident)	\$3,000,000	
4. Workers' Compensation		
Coverage A (Workers' Compensation)	Statutory	
Coverage B (Employers Liability)		
Each Accident	\$ 2,000,000	
Disease Ea. Employee	\$ 2,000,000	
Disease-Policy Limit	\$ 2,000,000	

NOTE: Independent contractors that do not carry Workers' Compensation are required to complete an independent contractor's form provided by the City.

5. **Installation Floater/Builder's Risk**
 For materials and equipment to be installed:
 Shall be written for 100% of the completed value (replacement cost basis)
 Deductible maximum is \$10,000.00
 Waiver of Subrogation applies on Installation Floater/Builder's Risk

6. ***Contractors Pollution Liability/Environmental Impairment Liability (as needed)***

Per Loss \$1,000,000

Aggregate \$1,000,000

If Contractor's work includes remediation of asbestos or mold, then the minimum limits required shall be:

Each Occurrence \$ 5,000,000

Aggregate \$ 5,000,000

Maximum allowable deductible, to be paid by Contractor \$ 25,000

7. ***Professional Liability***

Each Claim \$ 1,000,000

Aggregate \$ 1,000,000

Maximum allowable deductible, to be paid by Contractor \$ 25,000

II. ADDITIONAL INSURANCE REQUIREMENTS

Failure of Contractor to fully comply with these requirements during the term of this Contract may be considered a material breach of contract and may be cause for immediate termination of this Contract at the option of the City.

A. All insurers must be licensed or approved to do business within the State of Colorado, and unless otherwise specified, all policies must be written on a per occurrence basis (excepting Professional Liability).

B. Contractor shall name **"The City of Boulder, its elected and appointed officials, directors, officers, employees, agents and volunteers"** as **additional insured** ("Additional Insured") where commercially available.

C. All policies of insurance shall be written on a primary basis, non-contributory with any other insurance coverages and/or self-insurance carried by the City.

D. A Separation of Insureds Clause must be included in general liability policies.

E. Contractor shall advise the City in the event any general aggregate or other aggregate limits are reduced below the required per occurrence

limit. At its own expense, Contractor will reinstate the aggregate limits to comply with the minimum requirements and shall furnish to the City a new certificate of insurance showing such coverage is in force.

F. Contractor's insurance carrier shall possess a minimum A.M. Best's Insurance Guide rating of A- VI.

G. Commercial General Liability Completed Operations policies must be kept in effect for the statute of repose.

H. Contractor's Pollution Liability policies must be kept in effect for the statute of repose.

I. Contractor, or Contractor's insurance broker, shall notify the City of any cancellation or reduction in coverage or limits of any insurance within seven (7) days of receipt of insurer's notification to that effect. Contractor shall forthwith obtain and submit proof of substitute insurance in the event of expiration or cancellation of coverage.

J. **The Certificate Holder shall be identified as: City of Boulder, P.O. Box 791, Boulder, CO 80306.**

K. Contractor is responsible for any damage or loss to its own vehicles or equipment.

L. The City and Contractor shall cooperate with each other in the collection of any insurance proceeds which may be payable in the event of any loss, including the execution and delivery of any proof of loss or other actions required to effect recovery.

M. Contractor and its insurers shall waive subrogation in favor of Additional Insured parties.

N. Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this contract by reason of its failure to procure or maintain insurance or by reason of its failure to procure or maintain insurance in sufficient amounts, durations or types.

C. INSURANCE TERM

All required insurance in this Exhibit D, except builder's risk, shall remain in effect for the statute of repose.

D. INDEMNIFICATION

Contractor shall defend, indemnify and hold harmless the City, its directors, officers, employees, elected and appointed officials and agents from and against all claims, damages, losses, obligations, demands, assessments, fines, penalties (whether civil or criminal), liabilities, costs, expenses, bodily and other personal injuries, damage to tangible property, of any kind or nature suffered or incurred by the City directly or indirectly arising from or related to: (i) any act or omission by contractor its employees, agents, subcontractors or its representatives or other parties for which contractor may be legally responsible in the performance of contractor's obligations under this contract, or

(ii) any material breach in a representation, warranty, covenant or obligation of contractor contained in this contract. . These shall include without limitation reasonable attorneys' fees and costs of defense. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Section D.

E. CITY SALES AND USE TAX

Contractor is deemed to be the consumer of the materials used in all construction projects in Boulder. Therefore, all tangible personal property used in the construction project is subject to the current City sales or use tax pursuant to Section 3-2-2, B.R.C. 1981. The City sales tax is imposed on all sales, rentals, leases and taxable services used in the construction project. The City's construction use tax is imposed upon tangible personal property and taxable services purchased for construction use in the City whether purchased inside or outside of the City. Both non-residents and residents of the City engaged in a construction project in the City are liable to pay the City construction use tax. No credit will be given for taxes paid to another municipality. The general contractor is liable for the payment of the City's sales and use tax for the total project including tax due by its subcontractors.

2023 revenues. Local property tax funding is anticipated to generate \$21,878,106. The remaining revenue is anticipated to be generated by “other” taxes, grants and revenue.

The defined goals of the library district in year one are:

1. Restore and expand hours, access, and service,
2. Take care of the library buildings,
3. Purchase more materials for reading and viewing,
4. Build out library administrative infrastructure,
5. Pay City of Boulder for 2023 library operating expenditures in full by 2nd quarter 2024.

Total capital, operating, and reserve expenditures budgeted for 2024 are \$21,996,337.

- Ongoing annual operating expenditures budgeted for 2024 are \$19,837,761. [90%]
- One-time capital expenditures budgeted for 2024 are \$1,315,000. [6%]
- A \$3,489,379 unencumbered carryover from 2023 + anticipated balance in 2024 of \$977,032 enable the district us to contribute to the General Reserve \$2M [10%] and \$2.5M in the Capital Fund for purchasing a facility for the Gunbarrel Branch Library.

IV. PERSONNEL

In 2024 personnel costs are projected at \$12,662,896. This is 58% of total budgeted expenditures. Personnel costs represent salaries and benefits including health, wellness and retirement contributions from the library. Approximately 20% of this \$12.6M total is health and wellness benefits. Approximately 14.78% of this total is the *required* Public Employer’s Retirement [PERA] pension contribution for employers.

There are currently 122.5 Full Time Equivalent [FTE] positions in the library. As of January 1, 2024 approximately 42 FTE for new positions will need to be hired. This is one of the most significant challenges and risks to meeting the district’s stated goals. In order to restore and expand services, open new buildings, and run the library, staff are critical. The library will not be able to hire all the new staff at once, but we are planning to aggressively pursue filling positions in the 1st and 2nd quarters of 2024. We anticipate being 90% staffed by July 2024.

- 10.5 FTE are for restoration of services cut in 2020 as a result of economic downturn brought on by the COVID-19 pandemic. BLDG 61, Collection Development, Resource Services, branch libraries and the Carnegie Library for Local History will restore staff and increase service levels.
- 14 FTE represent the build out of administrative infrastructure to facilitate hiring the human resource [3] facilities [6] and communications and engagement [4] staff necessary to accomplish district goals.
- 10 FTE are associated with the opening of the new NoBo library, including public service staff [7], IT [1], and programs [2] for the makerspace.
- 7.5 FTE represent a further expansion of services to support Literacy and Outreach, Youth Services and Programs and Events.

V. NON-PERSONNEL

2024 non-personnel costs are projected at \$7,174,865. This is roughly 33% of total budgeted expenditures. Non-personnel expenses include routine facilities maintenance, utilities, IT support and software, materials, communications, legal services, insurance, professional development, etc. Of this amount, \$2M [10%] is for routine maintenance of buildings and grounds and utility costs, and \$1.7M [8.5%] is for materials.

Materials expenditures increase by 61% to \$1.7M. People come to the library physically and virtually for books and media. So, even with the expansion of the population within the library boundaries from approximately 106,000 to 128,000 the library is able to increase the per capita expenditure of materials from \$9.86 to \$13.24 per person.

VI. CAPITAL

Known capital and one-time expenses represent 6% of anticipated expenditures in 2024. These funds are currently planned for space reconfiguration to accommodate new staff. BoulderReads staff will be moving to NoBo in May, and the space that staff currently occupies as well as some other spaces will be reconfigured to accommodate almost 30 new people at Main. In addition, \$750K in funds are allocated to directly address the facilities backlog.

VII. DEBT REPAYMENT

Repayment of debt to the City of Boulder in 2024 is projected at \$13,000,000.

APPENDIX A: Revised Boulder Public Library District 2024 Recommended Budget Highlights

APPENDIX B: 2023 – 2024 Budget Comparisons

APPENDIX C: 2023 City Cost Allocation for the Library