

Guidance & Resources for Library Boards & Directors

A response to the Novel Coronavirus, or COVID-19

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Purpose

The following document provides some guidance and resources for library boards and directors during the initial stages of the state of emergency and quarantine in New York State. These resources will be posted to the STLS website (www.stls.org) and updated regularly.

100% Workforce Reduction – Executive Order 202.6 (Effective March 22, 2020)

Governor Cuomo’s announcement on Friday, March 20 placed more restrictions on what businesses can remain open, and what workers can enter such places of business during the state quarantine.

Here you will find specific guidance from Empire State Development relative to [Executive Order 202.6](#). The document is generally clear in its interpretation...

<https://esd.ny.gov/guidance-executive-order-2026>

Libraries are not explicitly referenced in this executive order. However, it may be argued that municipal, school district or special legislative district libraries could be exempt as a local government. Association libraries, as private nonprofit “clubs”, would not be exempt.

Nevertheless, the executive order sets an expectation that, *“All businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Each employer shall reduce the in-person workforce at any work locations by 100% no later than March 22 at 8 p.m.”*

Library boards in consultation with their director should use their best judgment to adhere to the executive order. Original guidance from STLS (*see sections below on Library Director & Library Staff Schedules and Work Locations*) indicated library directors and staff could work in the library building during quarantine, but while observing measures of precaution.

Under the March 22 issued executive order, libraries should only allow “critical personnel” to enter the building, and on a limited basis to implement the absolute necessary functions of library operations. This is different than “essential personnel.” “Critical personnel” would most likely be the library director, bookkeeper, treasurer, administrative helper, cleaner, grounds keeper or technology specialist who are involved in the following critical tasks:

- Accounts Payable
- Accounts Receivable
- Payroll
- Records Retention & Disposition
- Shipping and Receiving of Packages
- Maintenance of Building or Technologies

There is an expectation that all other library work, unless it can be completed remotely, is nonessential during this quarantine. Any “critical personnel” who enter the library building during quarantine should stagger shifts to minimize the number of people in the building at one time. It depends on staff size and number of “critical personnel”, but keeping the number of staff below three is ideal. Observing social distancing is also important along with all other worker-specific precautions recommended by the [Center for Disease Control](#).

Lastly, it is important for libraries to recognize the businesses they can still work with during this quarantine. There are several service providers in your community that offer “essential services.” Please note what local or regional business are still able to operate during this time, and utilize them to implement any “essential services” at the library.

Board Meetings

During this time library directors, staff and community members are relying on trustees to make decisions about library operations. It is important for library boards to meet, but also be mindful of trustee health and safety.

Here you will find some guidance from WNYLRC’s *Ask the Lawyer* service on how library boards can meet remotely, make timely decisions and legally observe Open Meetings Law...

<https://www.wnylrc.org/ask-the-lawyer/raqs/120>

Some highlights from this guidance indicate boards can observe the following changes during New York State’s quarantine:

1. Board meetings do not need to take place in a physical space where trustees meet, and the general public has access to observe.
2. Board meetings can take place remotely (phone conference call or online meeting platform).
3. Board meetings shall be made available to the general public online in real time (live) through the library’s website or social media platform. Live proceedings shall be presented by means of audio or video recordings.
4. Recordings and minutes of proceedings shall be made available at a later date on the library’s website (These can be posted where the library posts all other previous meeting documents).
5. The library shall publically post when and where live online meetings will be made available (Postings can be on the library’s main entrance, book drop, website and via press release).

Resources for hosting live recorded online board meetings:

1. Zoom - <https://zoom.us/pricing>
2. Facebook Live – www.facebook.com
3. Twitch - <https://www.twitch.tv/>
4. YouTube Live - <https://support.google.com/youtube/answer/2474026?hl=en>
5. Dacast - <https://www.dacast.com/live-streaming-pricing-plans/>
6. Google Hangouts Meet - <https://gsuite.google.com/products/meet/>
7. Webex - <https://www.webex.com/pricing/index.html>

Several of the resources listed above are economical and easy to use if a director, staff or board are spend time investigating and setting-up.

Compensating Employees

Supporting library directors and staff is a primary responsibility of library boards. This is the case during normal library operations, and when the library experiences unusual circumstances outside of the library's control. All libraries should have an Emergency Preparedness Policy in place to identify how the board works with the director to take reactive measures, and support employees during crisis. Some libraries may have established policies such as *Emergency Closure*, *Quarantine Leave* or *Pandemic Response*.

Here you will find some guidance from WNYLRC's *Ask the Lawyer* service on how library boards can legally compensate employees during the New York State quarantine mandate...

<https://www.wnylrc.org/ask-the-lawyer/raqs/118>

The link above also includes recommended policy language and board resolutions that will allow a board to compensate all paid employees. It is good for library boards to meet, discuss these policies, draft what works for the local library and pass supporting resolutions. It is fine if these documents are drafted and approved post-quarantine mandate. Your actions will demonstrate the board is being good stewards of the library's greatest asset. These measures will also empower boards to justify their decision-making to community members and regulatory agencies.

Library Director Schedules & Work Locations (See Executive Order 202.6 for current guidance)

The current New York State quarantine is serious. There is an expectation that all New Yorkers, with the exception of "essential personnel", will remain home. Library directors are the CEO's of the organization, and thus considered "essential personnel". This gives you a good idea that library directors are (1) needed to work their regular hours to carryout essential business functions, and (2) can be allowed to work within the library building.

It is important to note, directors could do a bulk of their work from home, so long as the library provides the necessary resources. Boards should also be mindful of a library director's basic human

rights. Directors should minimize the amount of time they spend in the library, or near other staff who are also working in the library as “essential personnel”. Any director who could be most vulnerable to the coronavirus, or who just does not feel comfortable reporting to the library, should be granted reasonable accommodations to perform 100% of essential duties from home.

Library Staff Schedules and Work Locations (See Executive Order 202.6 for current guidance)

The governor’s executive order indicates only “essential personnel” should be working within the library, and libraries should limit their onsite workforce to a minimum of 50%. It is up to the library board in consultation with the director to determine who is “essential”. This can be challenging for most our libraries who have staff of 2-5 employees including the director, and where most staff job responsibilities carry equal weight.

Two suggested approaches to this dilemma include:

1. Designate who will be “essential personnel” based on the type of work that is required and the staff member’s job responsibilities. Let all “nonessential” staff work from home.
2. Designate all staff as “essential personnel”, and create a rotating schedule where staff are doing an equal amount of work from home and spending equal time working in the library.

Similar to library directors, it is important to note that any library staff who could be most vulnerable to the coronavirus, or who just does not feel comfortable reporting to the library, should be granted reasonable accommodations to perform 100% of essential duties from home.

Libraries that do have more than one staff member reporting to the library as “essential personnel” should stagger shifts to minimize the number of people in the building at one time. It depends on staff size and number of “essential personnel”, but keeping the number of staff below three is ideal. Observing social distancing is also important along with all other CDC recommendations.

This guidance may not apply to all libraries. Especially if the library falls under civil service, or if there is a collective bargaining agreement in place. Boards should contact STLS for specific guidance and we can help seek legal counsel if needed.

Other Considerations for Directors, Staff & Trustees

Clearly this is an uncharted time in our history. We are being asked to cease some of our basic services and limit how we serve our communities. These events come with emotional challenges. Both professional and personnel. Directors, staff and trustees are all navigating how they care for children at home while school is closed, look after parents who are sheltered-in, long for time with grandchildren, maintain healthy relations with spouses & partners, cope with uninterrupted roommate time and balance new work responsibilities. Now is the best time for library boards and directors to work together, and exercise their leadership to conduct business, care for staff and develop a seamless transition between pre-quarantine and post-quarantine times.