

By the Book:

Best Practices for a Successful Trustee/ Library Director Relationship

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Director as Employee

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Contract

- Term of Service
- Part Time/ Full Time
- Salaried Exempt/ Non-Exempt
- Rate of Pay
- Benefits

Director as Employee: RSAs

- RSA 202-A: 15

The librarian shall have education of sufficient breadth and depth to give leadership in the use of books and related materials. The librarian shall be appointed by the board of library trustees for a term of office agreed to at the time of employment and until a successor is appointed and qualified.

- RSA 202-A:16

In addition to any other duties which the librarian may be delegated from time to time, the public librarian shall:
I. Serve as the administrative officer of the public library;
II. Recommend to the board of library trustees the appointment of all employees.

- RSA 202-A: 17 Library employees are not At- Will

Board of Trustees as Employer

- RSA 202-A:6

The library trustees shall have the entire custody and management of the public library and of all the property of the town relating thereto, including appropriations held pursuant to RSA 202-A:11, III, but excepting trust funds held by the town.

- NH Supreme Court, Town of Littleton vs. Kathryn Taylor, 138 NH 419

Boards of Trustees set employment policies, NOT Boards of Selectmen.

- Payroll

Library employees may receive payroll from the town but they are not town employees.

- Board of Trustees may be described as Selectmen of the library.

Board Responsibilities

- Minimum 3 board members, always odd number
- Up to 3 Alternates permissible
- Responsibilities Unique to the board:
 - Adopt bylaws and policies
 - Grant non-resident privileges
 - Prepare budget and expend funds
 - Hire/Fire employees

Board Responsibilities, cont.

- Power resides in majority.
- One trustee has no standing to make demands of the director.
- Unique management circumstance: Trustees supervise work they likely have never done.
- Well-researched and frequently reviewed policies are essential.

Policies

- Serve as guidelines for director.
- Boards create policy with input from the director.
- Directors manage the library within boundaries set by policy.

Meetings

- Meeting procedure determined by Bylaws, which should be known by trustees and amended as necessary.
- RSA 91-A Right to Know

Meetings must be posted with 24 hours' notice.
 Minutes must be made available within 5 business days.
 Non-public sessions and minutes have special rules.
 Right-to-Know violations can mean costly court proceedings and organization can be fined for legal fees.

Budget Responsibilities

- Board of Trustees create and defend budget, in cooperation with director.
- Director operates library within the limits of the budget.
- Director okays invoices, Trustee signs checks.

Budget RSAs

- 202 A:4
Any city or town having a public library shall annually raise and appropriate a sum of money sufficient to provide and maintain adequate public library service therein or to supplement funds otherwise provided.
- 202 A:11
Any city or town having a public library shall annually raise and appropriate a sum of money sufficient to provide and maintain adequate public library service therein or to supplement funds otherwise provided.
- 202 A:11a
All money received from a library's income-generating equipment shall be retained by the library in a non-lapsing fund and used for general repairs and upgrading and for the purchase of books, supplies and income-generating equipment if approved by the town or city in which the library is located in accordance with RSA 202-A:11-b.

Other Town Relationships

- Town Administrator or Manager
- Board of Selectmen
- Budget Committee
- Other

Federal Employment Statutes

- Equal Pay
- Toxic Substances in the Workplace
- Whistleblower's Protection Act
- Rights and Remedies
- Rights and Remedies for Public Employees
- USERRA
