

Employment Decision-Making Protocol

I. Purpose

The purpose of this protocol is to outline the responsibilities of the Library Director for employment decision-making and to identify those circumstances warranting Board approval or notification.

II. Legal and Practical Bases

This protocol, which is consistent with current Library practices, is in compliance with the By-Laws of the Orange County Board of Trustees, Fla. Stat. §286.011 (the “Sunshine Law”) and Fla. Stat. §119.01 (the “Public Records Law”). It is also consistent with statutory requirements (such as the Americans with Disabilities Act) and equitable considerations affecting employee privacy and confidentiality.

The By-Laws delegate to the Library Director responsibility to employ, supervise, and terminate employees and to exercise supervisory charge, control, and management responsibility of the Library’s facilities and employees. By exercising this delegated authority, the Director -- with the advice of her management team and outside counsel -- can make sensitive personnel-related decisions in a confidential (as opposed to public) setting. Once an employment issue has become a matter of public record, Board notification and, in some circumstances, Board input and approval, is warranted.

III. Employment Decision Matrix

Nature of Decision/Event	Board Input/Approval	Board Notification
Day-to-day personnel decisions, with or without EEO considerations	No	No
Resolving attorney demand letters and threatened claims (under \$45,000)	No	No* [* The Director may, in her discretion, choose to notify the Board President orally]
Filing of and Library’s response to administrative charges (pre-resolution)	No	No
Resolution of administrative charges (under \$45,000)	No	No* [* The Director may, in her discretion, choose to notify the Board President orally]
Actual or imminent filing of state or federal lawsuits	N/A	Yes ¹
Resolving state or federal lawsuits (under \$45,000)	No	Yes ¹
Resolving state or federal lawsuits (over \$45,000)	Yes	N/A

¹ In these cases where Board notification (but not approval) of decisions is warranted, the Director retains the discretion to notify each Board member individually.