



# The Library Board's Guide to Working with Library Personnel

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## Introduction

In this information guide we will focus on roles of the board and director in personnel evaluation and performance management.

The board's authority to hire and supervise the library director is set in 22-1-310, Montana Code Annotated (MCA):

*Chief librarian -- personnel -- compensation. The board of trustees of each library shall appoint and set the compensation of the chief librarian who shall serve as the secretary of the board and shall serve at the pleasure of the board.*

Best practice is for the board to delegate personnel management of staff to the director.

*In situations where federal and state employment laws are applicable, please seek legal advice from your attorney.*

## Director Evaluation and Performance Management

### Setting Clear Expectations

Let's start by setting clear expectations for your director.

- Does your director have a work plan? If not, how does the board ensure that the director understands what the expectations of the job are?
- What measures do you use to objectively evaluate the director's job performance?
- Does the director's job description include tasks that can be evaluated in measurable terms?

A good evaluation process must be based on clear expectations. The board and director should agree on these expectations before the work to be evaluated begins. The beginning of the work plan year (whether calendar or fiscal year) is a good time to have this conversation.



## A Good Evaluation Process...

### *Is ongoing.*

The conversation about performance should be ongoing throughout the year. Nothing in the formal evaluation should come as a surprise if the board and director have been reviewing progress towards library and work plan goals on a regular basis.

### *Is based on known objectives.*

The director and board should agree upon a list of goals at the beginning of the year which will be used for evaluation at the end of the year. These goals should support the overall strategic plan for the library.

### *Is realistic.*

Sometimes a director may not be able to fulfill all of their goals due to circumstances beyond their control. This should be documented and taken into account during the evaluation.

### *Is legal.*

Any discussions about the director's job evaluation should be held in public meetings. The director reserves the right to determine whether or not the board holds the evaluation in a closed session (or "executive session"). For a review on how to conduct an executive session in compliance with the Open Meeting Law (2-3-203, MCA), please see the [Open Meeting Law and Public Comment Information Guide](#).

## Evaluation: Checking In

The board may conduct a formal annual evaluation of the director, but an effective evaluation process is ongoing and keeps the goals of the library and the director in the forefront.

The board and director may agree on an interval for a quick and informal work plan check-in. This could take place as a standing agenda item at each board meeting or on a quarterly basis.

An informal evaluation process is centered around a conversation about the director's progress and what they need from the board to be successful. Sometimes goals change or are necessarily sidelined throughout the year due to unforeseen circumstances. By regularly checking in throughout the year, the board can pave the way for a smoother and more predictable formal evaluation while also helping the director meet their work plan goals.



## Annual Evaluation

Your city or county may recommend or require a specific format for the annual evaluation. Check with your local Human Resources or personnel management person at your city or county if you're not sure. As with nearly everything related to personnel management, maintaining consistency with the process followed by other local government departments may help protect the library in the event of a conflict or legal challenge.

If your local government does not have guidelines or templates for an annual evaluation then the board will have to decide what format would be most effective. Ask the director if the library is currently using a particular format for staff evaluations. If so, this may be a good choice for the director's evaluation. If the library has not held formal evaluations, then again, the board will need to decide what they want to cover in the evaluation.

The overall questions that you want to answer in an evaluation process are:

- Is the director meeting the position's goals for this year?
- If not, are there specific reasons that should be documented? (ex. Unexpected and unusual personal circumstances, chronic health issues, budget cuts, unexpected staff changes, etc.; things that were not foreseen when the plan was created.)
- What resources does the director need in order to be successful in this work?
- What feedback does the director want to document as part of this evaluation?

### *Simple Annual Evaluation Conversation for Director*

- What went well last year?
- What did not go well? Why?
- What should the director work on next year? This should include specific tasks as well as any training that would assist the director.
- For the director – what do you need from the board to support you in your work?
- For the board – what do you need from the director to support you in your work as board members?

Remember to have the board chair and the director sign and date the evaluation form and then ask your Human Resources (HR) specialist to place it in the director's personnel file.



## Performance Improvement

A performance improvement plan, or PIP, may be necessary if the director is not fulfilling the goals of the position. The board can start out with a good-faith conversation with the director. Again, this conversation should probably be tentatively scheduled as an executive session since it is a matter of personal privacy for the director.

Criticism, even when it is constructive criticism, can sometimes create interpersonal tension. The board can help reduce tension by keeping two goals in mind for this process:

1. assume good intentions on behalf of your director, and
2. make sure your director understands that the board wants them to be successful in their work.

Assume that your director wants to get the work done but that there must be an obstacle preventing them from getting it done. For example: perhaps the board identifies that the director's chronic inability to submit monthly reports on time is a performance issue that needs to be addressed. This is not a goal that can be adjusted or removed because these reports are mandatory and essential tasks for the director.

Ask the director, is there anything specifically getting in the way of your ability to submit these reports on time? If there are barriers that the board can easily address, try that first before taking disciplinary action. Maybe the director needs to be able to schedule some off-desk time or time when the library is closed to catch up on that type of administrative work. This could be a fairly easy fix that doesn't require a performance improvement plan.

However, if the board has tried to support the director in meeting this goal and it is still not being accomplished, then it's time to write up a plan. *Be sure to involve your HR specialist if you have one from the very beginning of this process.* The Montana Association of Counties (MACo) or the Montana Municipal Interlocal Authority (MMIA) may also be able to share advice. In this example, the board identifies the report that is required every month and gives the director a verbal warning that they need to complete this report on time, or else a written warning will be placed in their file.

Hopefully the conversation will end here, and the director will do what is necessary to fulfill the expectations of the position. If the problem persists, then again, follow your local government's process for progressive discipline if available.



## Progressive Discipline

The steps in progressive discipline may vary according to your local personnel policy. The steps typically follow this progression:

- **Informal Discussion:** The board discusses the problem with the director in a conversation, trying to understand the problem and reach a mutually acceptable solution.
- **Verbal Warning:** The director is warned that their behavior is unacceptable, and that if improvements are not made other action will be taken.
- **Written Warning:** The board writes a formal reprimand, copies of which are sent to the director and the HR specialist. The reprimand describes the problem and consequences that might occur if the problem is not corrected. The reprimand is placed in their employee file.
- **Second Written Warning or Suspension:** The director might be sent home without pay for a specific period of time. The director should be given notice of the allegations and an opportunity to be heard prior to suspension without pay. A note explaining the action is placed in the employee file.
- **Termination:** The employee is given a termination letter and the process for unemployment paperwork and payout is started with HR. The reasons for termination are documented and placed in the file, along with a summary of the history of the progressive discipline process.

## Best Practices

At every step the board should emphasize that they want the director to succeed in improving their work. The library deserves a director who is capable of carrying out the work of the position and helping the library meet its strategic goals. Disciplinary action is not about punishing an individual but about ensuring that the community's needs for excellent library service will continue to be met.

*Documentation* - Do not assume that your director understands what the problem is or what remedies are expected. This is why signed documentation is very important at every step in this process. This documents that the conversation took place and that all parties understand and acknowledge the expectations and consequences.

*Focus on the Job* - Be very careful not to make any comments or set any requirements that could be construed as a personal attack on the director. This can be particularly tricky when the improvements in question involved "soft skills" such as customer service and communication skills.

*Give it Time* - Provide a reasonable amount of time for corrections to be made.



## Personnel Management Roles and Responsibilities

The respective roles of the board chair, board, director, and HR specialist are typically as follows:

### Board Chair

- Arrange for new director orientation and onboarding
- The board may delegate authority to the board chair to approve leave requests or settle other routine personnel requests for the director in between board meetings
- May serve as communication liaison between the board and the director

### Board

- Employ director and confirm staff appointments
- Take action on recommended salary or budget adjustments if applicable
- Develop or accept local government personnel policies and make sure working conditions are acceptable
- Set annual goals for and evaluate director

### Director

- Employ, supervise, and evaluate staff
- Recommend needed improvements and/or new policies
- Suggest personnel evaluation criteria and provide materials for board
- Work with local government and/or follow best practices for managing personnel records

### HR Specialist

- Advises on personnel policy and procedures
- Manages benefits on behalf of employees
- Advises on employment laws
- Fields staff concerns and facilitates grievance process when applicable

The best practice is for the board to delegate personnel management of staff to the director. Staff should not bring personnel issues to the board or to any individual board member. If a staff member comes to you as a board member with an issue, unless it sounds like something illegal or dangerous is happening, refer them back to the director.

Ask your HR specialist if there is a grievance process that city or county staff follow in the event of an irreconcilable conflict between the director and a staff member.





## Grievances

Library staff need to have a method of expressing concerns or differences when they can't resolve an issue with their direct supervisor. Sometimes an employee may try to go directly to the Library Board rather than the director and they should be redirected to their direct supervisor.

Your library may have to follow a labor union's grievance procedure, so find out if that pertains to your library staff if you're part of a union.

Grievances should be filed in writing. The first step in the grievance procedure usually is fact finding and mediation between the employee and supervisor. Fact-finding and mediation should be done by a superior who is not involved in the complaint, or if that is not possible, by a disinterested third party. In small libraries the Library Board usually mediates. If it is determined that the grievance was warranted, appropriate action should be taken in counsel with your HR.

If it is found that the grievance was not justified, the supervisor should be warned not to take retaliatory action against the employee who filed a grievance.

### *Sample Language for a Grievance Process*

If your local government and/or union (if applicable) does not have an established grievance process in its personnel policy, consult with HR or legal counsel to draft a process for the library to follow. Here is sample language from MMIA:

*The Library Director and all library personnel shall be employees of the City/Town, subject to all the City/Town's policies and procedures.*



## Grievance Steps

*Note: If your governance model is not a city/town, identify the equivalent parties for this process. For simplicity, this section of the guide uses City/Town as an example.*

Employees are allowed to use the grievance procedure without penalty or harassment for doing so. Employees should attempt to resolve all disputes prior to involving the Mayor/City Manager and/or the Library Board. Employees are encouraged to discuss disputes with their supervisors informally and in a timely fashion. The Clerk or HR Officer may attend meetings between the supervisor and employee.

### Step 1

In the event a dispute cannot be resolved informally, the employee should file a grievance, in writing, to the Mayor/City Manager within 10 working days of the occurrence of the disputed issue. The Mayor/City Manager may designate a person to respond to the grievance for the City/Town at the Mayor/City Manager's discretion. If the grievance is against the Mayor/City Manager, the employee will move to Step 2 of the Grievance procedure.

If the library director has a dispute against the Library Board, the director shall follow Step 1 of the grievance procedure and the City/Town's decision is final and concludes the final appeal process for the Librarian.

The written grievance must outline the disputed issue, relevant facts, and requested remedy. Upon receipt of the written grievance, the Mayor/City Manager and/or their designee will investigate the dispute and provide the City/Town's response to the grievance within 20 working days of receipt of the grievance.

### Step 2

If the response is not acceptable to the employee, the employee may forward the written grievance and the City/Town's response directly to the Library Board for review within 10 working days from the date of the City/Town's response. The Mayor/City Manager and/or their designee will be responsible for forwarding the City/Town's information to the Chair of the Library Board.

The Board may either accept all or part of the City/Town's recommendations or reject the recommendations and formulate their own resolution to the disputed issue within 20 working days of their receipt of the forwarded written grievance and City/Town's response. The Library Board will adhere to all employment laws and city/town policies when making their final decision. The Board's decision is final and concludes the final appeal process for the employee.



## Protect Confidentiality

Information concerning employee performance and grievances is confidential. Information is to be discussed only with individuals involved in an investigation or on a need-to-know basis. Decisions on grievances will not set precedent and are at the discretion of the City/Town and Library.

## Related Resources

[Library Director Handbook](#) – see pages 16-20

[Montana Association of Counties \(MACo\)](#)

[Montana Municipal Interlocal Authority \(MMIA\)](#)

[MSL Personnel Support Webpage](#)

[Open Meeting Law and Public Comment Information Guide](#) – see page 5

[Public Library Succession Planning Information Guide](#) – see page 12-13

[Trustee Handbook](#) – see pages 34-36