

Ask the Lawyer Zoom Session with Stephanie Cole Adams

NYALS directors – April 6, 2020 at 3:30 pm

Topic: Ask the Lawyer for System Directors: Stephanie Cole Adams

Time: Apr 6, 2020 03:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/221578749>

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Meeting ID: 221 578 749

Phone: 1 929 205 6099 US (New York)

Questions

1. Fair Use has language that refers to applying to "face to face" teaching only. Would this include synchronous online classes? Could it apply to asynchronous teaching- such as a recorded lecture or assignment that is being used.
2. I attended the FEMA informational session - and I wonder if libraries are considered private not for profits. Only PNP can apply for the funds.
3. Can a school district public library require that a library director spend 3-4 hours per day at a library if there aren't 3-4 hours of essential duties to perform?
4. Many of the small rural libraries do not provide benefits for part-time staff. Are these libraries able to file <https://paidfamilyleave.ny.gov/system/files/documents/2020/03/obtaining-order-of-quarantine.pdf> or <https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

OBTAINING AN ORDER

For Mandatory or Precautionary Quarantine Under Governor Cuomo's New COVID-19 Paid Sick Leave Law **OBTAINING AN ORDER** The law provides guaranteed job protection and paid leave for New York employees who are unable to work while

paidfamilyleave.ny.gov

5. Can the library layoff under these circumstances, ie: no financial stress, funding in place and budgeted? Ramifications after getting funds from taxing district? If staff is laid off would \$ have to be refunded to taxpayers?
6. Is there a federal government program in place to reimburse government and education employers for retaining staff?
7. What will the FEMA funding for libraries cover?
8. Since we pay into NYS government retirement system are we considered government employees?
9. The EO pertaining to Open Meetings Law....it is set to expire 4/11. Wondering if there has been any discussion regarding an extension that anyone has heard?

10. My treasurer is asking if we should pursue the Paycheck Protection Program. We are paying our staff their full wages. Are we eligible, since we are tax-supported?
11. If a teacher gets a PDF of a book that is still in copyright (like The Outsiders) from the web for "free" and posts it for his students in a closed forum is that OK? I said no.
12. Can municipal libraries apply for the CARES Act PPP funding?