

# **HANDBOOK OF POLICIES AND PROCEDURES FOR CLASSIFIED PART-TIME**

February 1, 2009



The Office of Human Resources  
New York City  
College of Technology

**CITY TECH IS **

## **MISSION STATEMENT**

New York City College of Technology is the designated college of technology of The City University of New York, currently offering both baccalaureate and associate degrees, as well as specialized certificates. New York City College of Technology serves the city and the state by providing proficient graduates in the technologies of the arts, business, communications, health and engineering; human services and law-related professions; technical and occupational education; and liberal arts and sciences. The College provides access to higher education for New York City's diverse population and assures high quality in its programs by a commitment to outcomes assessment. The College also serves the region by developing partnerships with government agencies, business, industry and the professions and by providing technical and other services.

Education at New York City College of Technology provides students with both a command of skills necessary in their respective career areas, and the educational foundation for lifelong learning. All degree programs are built upon a liberal arts and science core curriculum designed to foster intellectual curiosity, an appreciation for the aesthetic dimension of life and work and a respect for cultural diversity. Students obtain practical experience in their chosen fields in a variety of settings. The College further encourages student growth and development through academic and student support services and a wide array of student activities.

## **EDUCATION GOALS**

### **Career Goals**

A City Tech graduate will

- possess the ability to transfer knowledge and skills
- function well in a variety of work environments
- communicate clearly in written and oral presentation
- apply problem-solving techniques to the workplace
- work effectively as a member of a project team

### **Life Goals**

A City Tech graduate will

- understand the scientific and technical framework within which modern society functions
- achieve a high degree of information literacy, using information technology to seek, obtain and utilize information resources for self-learning, problem-solving and personal growth
- understand the aesthetic dimension of life
- understand the economic, societal and cultural aspects of the environment
- understand the ethical responsibilities and implications of one's work and personal actions

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# Greetings

Many things have changed since this college was founded in 1946 - the New York Times no longer costs 3 cents and it takes more than a nickel to ride the subway. And, many of our students today prepare to enter professions that either did not exist or have changed dramatically since the founding of the college.

The College's mission, however, has not changed; it is still critical, and it is still focused on preparing a technically proficient workforce and well-educated citizens. The College's offerings encompass the pre-professional, professional and technical programs that respond to regional economic needs and provide access to higher education for all who seek fulfillment of career and economic goals through education. The 57 registered programs offered allow graduates to pursue careers in the architectural and engineering technologies, the computer, entertainment, and health professions, human services, advertising and publishing, hospitality, business, and law-related professions, as well as programs in career and technical teacher education.

As a member of the City Tech community you are part of a highly skilled and diverse group of committed individuals that allows this college to fulfill its mission. Whether you teach classes or advise a student or colleague, how well you perform your task contributes to the effectiveness of the college, and the success of our students. A study by the U.S. Commerce Department illustrates the importance of our actions: researchers found that a satisfied customer would tell on average three to five friends about his or her good experience while a dissatisfied customer would tell an average of twelve people about a negative experience. We create successful students when we reach out a hand to help; when we shuffle a problem sideways, we become part of the problem.

I know that I can count on you to do everything you can do to help our students succeed and to leave your mark on this institution as others have before you. I look forward to working with you to provide meaningful opportunities for our students, and to improve this important institution.



President Russell K. Hotzler

# Welcome

The business of New York City College of Technology is education. Our clients are our students. For the college to continue to fulfill its mission, it is necessary to have a competent classified staff. This handbook is produced to aid you in the performance of your duties and to acquaint you with some of the rules and regulations that govern your employment. This part-time staff handbook was made to serve as a guide and to provide information for our part-time staff members. It is not meant to supersede CUNY's rules & regulations or any of the collective bargaining agreements with CUNY and the blue & white collar contracts.

Welcome to our staff. Please feel free to call upon your co-workers and supervisors to help you to adjust to your new position. Our mission in the Human Resources Department is to provide superior service to all City Tech employees in the areas of human resources administration and pension, health, savings, insurance, Workers' Compensation and unemployment insurance management. In the area of development, we strive to provide outstanding training, guidance and other supportive services to the College community on a broad range of employment-related matters. Department staff members possess the latest knowledge and first-rate skills required to provide excellent customer service to all constituents, and remain committed to continuing to improve the quality of services that each and every City Tech employee deserves. You will always find the doors of the Human Resources Department open and can expect to experience complete satisfaction with our services and those of the City University of New York.



Marie Tinsley  
Executive Assistant to the V.P. of Administration & Finance  
Director of Human Resources

# History

New York City College of Technology has been a pioneer in technology-based education since its founding in 1946 as the New York State Institute of Applied Arts and Sciences. The institute was established in response to the emerging needs of business, industry and the professions for highly trained technicians and other specialists in a post-war economy fueled by new inventions, industrial processes and technologies. In 1953, oversight was transferred from the state to the city of New York and the institute was renamed New York City Community College, becoming a part of The City University of New York eleven years later. The ninety-year-old Voorhees Technical Institute was incorporated into the college in 1971. The school was designated the University's senior-level college of technology in 1980 and renamed New York City Technical College.

In June, 2002 the college was renamed New York City College of Technology (City Tech), to recognize the unique role it plays in preparing the high-tech workforce that is key to the prosperity of New York City and, indeed, the nation. It is the sole college of technology of The City University of New York and the largest public senior college of technology in the Northeast.

City Tech is a national model for urban technological education and an innovative force in the application of technology to the teaching/learning process. A fully accredited member of the Middle States Association of Colleges and Schools, New York City College of Technology offers nine specialized certificate programs and is authorized by the New York State Board of Regents to offer its graduates twenty-eight Associate in Arts, Associate in Sciences, and Associate in Applied Science degrees. It also offers the Bachelor of Technology in Architectural Technology, Communication Design, Computer Systems, Computer Engineering Technology, Facilities Management, Graphic Arts Production Management, Health Systems Administration, Hospitality Management, Entertainment Technology and Telecommunications Technology; the Bachelor of Science in Applied Mathematics, Human Services, Legal Assistant Studies and Nursing; and The Bachelor of Science in Education in Career and Technical Teacher Education, and Technology Teacher Education. City Tech's courses of instruction are registered by the New York State Education Department, and many of its academic programs are accredited by professional accreditation boards in corresponding field. All current accreditation reports are available for review in the College library.

An integral component of the College's offerings are its degree program in the liberal arts and sciences which awards both the A.A. and A.S. degrees and is fully transferable to other units of the university.

The academic offerings of the college are grouped under the following three schools:

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The academic offerings of the College are grouped under the following three schools:

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**SCHOOL OF ARTS AND SCIENCES**

Applied Mathematics  
Chemical Technology  
Computer Science  
Liberal Arts & Sciences (AA & AS)

**SCHOOL OF PROFESSIONAL STUDIES**

Accounting  
Alcohol & Substance Abuse (certificate)  
Dental Hygiene  
Dental Laboratory Technology  
Fashion Marketing  
Health Services Administration  
Hospitality Management  
Human Services  
Law and Paralegal Studies  
Marketing Management & Sales  
Nursing  
Radiologic Technology & Medical Imaging  
Vision Care Technology  
Youth Studies

**SCHOOL OF TECHNOLOGY AND DESIGN**

Art & Advertising Design  
Architectural Technology (AAS and B.Tech.)  
Building Superintendent (certificate)  
Civil Engineering Technology  
Communication Design  
Computer Aided Drafting and Design Technology  
Computer Aided Advertising and Publishing (Certificate)  
Computer Engineering Technology  
Computer Systems (B.Tech.)  
Computer Systems Technology (AAS)  
Construction Management  
Electrical Engineering Technology  
Entertainment Technology  
Environmental Control Technology  
Facilities Management  
Graphic Arts Production Management (B tech)  
Graphic Arts Advertising Production Management (AAS)  
Interactive Media Production  
Lighting Systems Technology  
Mechanical Engineering Technology  
Microcomputer Business Systems  
Scenic Construction  
Show Control  
Sound Systems Technology  
Sustainability Technology  
Telecommunications Technology



# **Time and Leave Policies and Procedures**

- **Attendance**
- **Hours of Work**
- **Leaves**

# Time and Leave Policies and Procedures

## ATTENDANCE

### Attendance Records

In order to certify employment for payroll purposes, it is necessary for us to keep daily attendance records for each employee. All members of the staff who fall into the classified category are required to sign in and out daily by using a time card or a swipe card. In addition, there is a required form for employee absences. This form is available from your supervisor or a representative of the Human Resources Department. New staff members should acquaint themselves with this document. Its proper use will ensure the correct recording of time worked and time off.

### Time Cards

Time cards are maintained on a daily basis and submitted to a representative of the Payroll Department, on a bi-weekly basis, after the time period is completed. Late time cards or incomplete time cards can cause a delay in your paycheck. Any falsification of time cards can lead to termination of employment.

### Shift Differential

Part-time employees are entitled to a shift differential for scheduled hours worked between 6 p.m. and 8 a.m. when more than one hour of work occurs between 6 p.m. and 8 a.m. The shift differential equals your hourly rate plus 10% of your hourly rate.

### Lateness and Absences

If you are faced with an emergency absence, illness or lateness, a telephone call to your immediate supervisor is required. Upon your return, you must immediately file a pink leave card (PN 15) with your supervisor. (You will be paid only if an annual and/or sick leave balance is present.)

Anticipated delay in arrival or early departure should be discussed and approved by your supervisor in advance and a pink leave card (PN 15) submitted in advance.

(You will be paid only if an annual and/or sick leave balance is present.)

Lateness Penalty: The City University of New York mandates that any lateness be deducted from your annual leave balance with penalty. If there is no annual leave available, deductions must be made from your salary.

The penalty schedule is as follows:

For lateness of:	The penalty is:
7-10 minutes	15 minutes
11-20 minutes	30 minutes
21-35 minutes	45 minutes
36-50 minutes	1 hour
51-1 hour 6 minutes	1 hour 15 minutes
thereafter	like multiples added to 1 hour plus 15 minutes

Excessive lateness and excessive use of absences (sick leave) can result in termination.

### Transit System Delay

The College cannot grant excused lateness for normal transit delays; it can only advise employees to allow for such delays in leaving for work.

## HOURS OF WORK

### Schedule

Staff are expected to arrive before and depart after their scheduled hours of work. Children are not allowed in the workplace because of liability issues.

### 1040 Hour Limit

The maximum number of hours which a college assistant, college assistant tutor, campus security assistant (H), custodial assistant (H) and information technology support assistant (H) may work in a fiscal year (July 1 to June 30) shall be 1040.

## **New York State Labor Law Compliance**

As for all employees, the New York State Labor law prevails: an employee may not work more than five (5) hours without taking a meal period. The meal period, which must be a minimum of 30 minutes, is unpaid.

## **LEAVES**

### **Holidays**

Part-time employees are hourly employees and are paid only for hours worked. However, they may charge their annual leave accruals, if available, on holidays when the college is closed. If no annual leave is available, part-time employees will not be paid. In this case, part-time employees may then work additional hours to make up the time, if the supervisor has deemed this to be necessary for the benefit of the department.

### **Annual Leave**

#### **College Assistants, College Assistant Tutors, CUNY CAPs and Sign Language Interpreters**

College assistants, college assistant tutors, CUNY CAPs and sign language interpreters are entitled to receive annual leave if they work 500 or more hours in a fiscal year (July 1 - June 30). After completing three (3) years of employment working 500 hours in each of those years, college assistants, college assistant tutors, CUNY CAPs and sign language interpreters may simply use leave as it is accrued. College assistants, college assistant tutors, CUNY CAPs and sign language interpreters will be credited with one (1) hour of annual leave for every 15 hours worked during the first four (4) years of employment and one (1) hour of annual leave for every 11 hours worked thereafter. Your supervisor's approval is required in advance of taking time off.

#### **Campus Security Assistants (H), Custodial Assistants (H) and Information Technology Support Assistants (H)**

Campus security assistants (H), custodial assistants (H) and IT support assistants (H) are entitled to receive annual leave if they work 500 or more hours in a fiscal year (July 1 - June 30). After completing one (1) year of employment and working 500 hours in the previous fiscal year, campus security assistants (H), custodial assistants (H) and IT support assistants

(H) may simply use leave as it is accrued. Campus security assistants (H), custodial assistants (H) and IT support assistants (H) will be credited with one (1) hour of annual leave for every 15 hours worked during the first four (4) years of employment and one (1) hour for every 11 hours worked thereafter. Your supervisor's approval is required in advance of taking time off.

### **Religious Days**

If your religious faith requires observance of certain days, please notify your supervisor of your anticipated absence. Your annual leave may be used if an annual leave balance is present. If no annual leave is available, part-time employees will not be paid. In this case, part-time employees may then work additional hours to make up the time, if the supervisor has deemed this to be necessary for the benefit of the department.

### **Sick Leave**

#### **College assistants, college assistant tutors, CUNY CAPs and sign language interpreters**

College assistants, college assistant tutors, CUNY CAPs and sign language interpreters are entitled to receive sick leave for a day they are scheduled to work if they work 500 or more hours in a fiscal year (July 1 - June 30). After completing three (3) years of employment and working 500 hours in each of those years, college assistants, college assistant tutors, CUNY CAPs and sign language interpreters may simply use their leave as it is accrued. College assistants, college assistant tutors, CUNY CAPs and sign language interpreters will be credited with one (1) hour of sick leave for every 20 hours worked. Sick leave may be used only for personal illness. A physician's certificate is required for illness extending for three (3) or more consecutive working days, and for each month in the case of prolonged illness.

College assistants, college assistant tutors, CUNY CAPs and sign language interpreters who have completed three (3) years of 500 assigned work hours may be permitted to take three (3) days sick leave to care for an ill family member. Medical documentation must be provided. Any additional time used must be taken from annual time.

**Campus Security Assistants (H), Custodial Assistants (H) and Information Technology Support Assistants (H)**  
 Campus security assistants (H), custodial assistants (H) and IT support assistants (H) are entitled to receive sick leave for a day they are scheduled to work if they work 500 or more hours in a fiscal year (July 1 - June 30). After completing one (1) year of employment and working 500 hours in the previous fiscal year, campus security assistants (H), custodial assistants (H) and IT support assistants (H) may simply use their leave as it is accrued. Campus security assistants (H), custodial assistants (H) and IT support assistants (H) will be credited with one (1) hour of

sick leave for every 20 hours worked. Sick leave may be used only for personal illness. A physician's certificate is required for illness extending for three (3) or more consecutive working days, and for each month in the case of prolonged illness.

Campus security assistants (H), custodial assistants (H) and IT support assistants (H) who have completed 500 assigned work hours may be permitted to take three (3) days sick leave to care for an ill family member. Medical documentation must be provided. Any additional time used must be taken from annual time.

**ANNUAL AND SICK LEAVE ACCRUAL CHART**

All part-time employees are entitled to receive annual and sick leave if they work 500 or more hours in a fiscal year (July 1 – June 30) as listed below:

**ANNUAL LEAVE**

	Hours Worked	Annual Leave
1 – 4 years in service	15 hours	1 hour
5 years in service	11 hours	1 hour

**SICK LEAVE**

Hours Worked	Sick Leave
20 hours worked	1 hour

After completing three (3) years of employment and working 500 hours in each of those years, college assistants, college assistant tutors, CUNY CAPs and sign language interpreters may use their leave as accrued in the fourth (4th) year.

After completing one (1) year of employment and working 500 hours in the previous fiscal year, custodial assistants (H), campus security assistants (H) and IT support assistants (H) may use their leave as accrued in the second (2nd) year.

If part-time employees work less than 500 hours, they do not earn sick or annual leave.

**Leave Requests/PN-15**

For absences from work, Leave Requests/PN-15 (pink card) must be submitted for use of annual or sick time. Leave request cards must be approved in advance by your supervisor. For partial and/or entire days, pink cards must be turned in upon return to work after an absence. (Part-time employees will be paid only if an annual and/or sick leave balance is present.)

**Jury Duty**

Part-time employees who receive a notice to serve on jury duty should present a copy of their call notice to a representative of the Human Resources Department. A copy of the receipt for serving as a juror must be submitted to a representative of the Human Resources Department upon return from jury duty service in order to be processed for payment.

Part-time employees serving on juries are eligible to be paid the juror fee for the first three (3) days of service by the College. The current juror's fee is \$40 per day. Part-time employees are eligible to be paid only if they are scheduled to work on the day(s) they serve. If a part-time employee is not scheduled to work, she or he will not be paid. Annual leave may be charged if there is an annual leave balance.

their union contract does not provide for jury duty leave. If you receive a jury duty payment other than transportation, you must remit your personal check

or money order, made payable to New York City College of Technology, minus your carfare, to the Timekeeper in the Human Resources Department.

#### **Bereavement**

Part-time employees are not entitled to bereavement time. They may use their annual leave if there is an annual leave balance. If no annual leave is available, part-time employees will not be paid. In this case, part-time employees may then work additional hours to make up the time, if the supervisor has deemed this to be necessary for the benefit of the department.

# **Benefits**

- **Health Insurance**
- **Welfare Fund**
- **Retirement Benefits**
- **Federal and State Mandated Benefits**
- **Important Telephone Numbers and Website Addresses**

# Benefits

## HEALTH INSURANCE

### Eligibility

To be eligible for participation in the City Health Benefits Program, employees must meet the following criteria:

- you work at least 20 hours per week on a regular schedule—; and
- your appointment is expected to last more than six months.

Dependents are eligible if their relationship to the eligible participant is one of the following:

- legally married husband or wife, but never an ex-spouse;
- domestic partner\*;
- unmarried children under the age of 19;
- unmarried children between 19 and 23 who are full-time students in an accredited educational institution; or
- unmarried children who cannot support themselves due to disability that occurred while the City covered the dependent.

Domestic Partner who is:

- at least 18 years of age;
- living together with the participant in a current continuous and committed relationship; and
- not related by blood to the participant in a manner that would bar marriage in New York State.

### Basic Health Plans

- As an eligible participant of the New York City Health Benefits Program (NYCHBP), you may choose from several health plans.
- These plans provide basic coverage, which may or may not require additional premiums from you.
- You may obtain additional benefits by paying an additional premium through payroll deductions on a pre-tax basis.

### Types of Health Plans

**Health Maintenance Organization (HMO)** – provides managed care, pre-paid hospital and medical services, and primary care physician referrals.

**Exclusive Provider Organization (EPO)** – provides a greater level of choice and flexibility than other managed care plans. Members can see any provider in the network, which contains family and general practitioners, as well as specialists in all areas of medicine.

**Point of Service (POS)** – Freedom to use either a network provider or an out-of-network provider for medical and hospital care.

**Participating Provider Organization (PPO)** – Indemnity plans contract with health care providers who agree to accept a negotiated lower payment from health plan, with co-payments from subscribers.

### Health Plans

\*Below is a list of health plans which are presently available to you:

HIP-HMO	HIP-Prime POS
Empire EPO	Med Team (DC-37 members)
GHI-CBP/Empire BC/BS	Empire HMO NY
GHI HMO	HEALTHNET
Aetna QPOS	Cigna Healthcare
Aetna HMO	Vytra

You may select one of the above plans, which may change periodically. A representative of the Human Resources Department will be glad to discuss these plans with you.

*\*The health plans and rates are subject to change without notification.*

### Special Leave of Absence Coverage (SLOAC)

Part-timers who are members of one of the City health insurance plans and who are temporarily disabled or ill are eligible for Special Leave of Absence Coverage (SLOAC), which continues health coverage for a limited time.

### PICA Program

The PICA Program is a prescription drug benefit that covers medications in two specific drug categories. PICA coverage is available with all plans offered by the City.

- **Injectable:** Most injectable medications not requiring administration by a health care professional.
- **Chemotherapy:** Medications used to treat cancer; medication used to treat side effects of chemotherapy.

You are eligible to participate in the PICA Program if you are eligible for health coverage under the NYCHBP. To obtain further information on these benefits, participating doctors, office locations and costs, please refer to the NYCHBP Summary Program Description (SPD) or visit their website [www.nyc.gov/html/olr](http://www.nyc.gov/html/olr)

### **Flexible Spending Accounts (FSA) Program**

The FSA Program is permissible under the Internal Revenue Code (IRC) Section 125 and consists of several programs: the Health Care Flexible Spending Account Program (HCFSA), the Dependent Care Assistant (DeCAP), the Medical Spending Conversion (MSC) Premium Conversion Program and the Medical Spending Conversion (MCS) Health Benefits Buy-Out Waiver Program.

If you are eligible, you may choose to participate in all of the programs. Participation in these programs, except the MSC Premium Conversion Program, is on a voluntary basis.

### **Waiver Programs**

The Buy-Out Waiver entitles all eligible employees to receive a cash incentive payment for waiving their City health benefits if non-City group health coverage is available to them (e.g., a spouse's or domestic partner's plan, coverage from another employer or Medicare Part A and Part B). Annual payments, which are taxable income, are \$500 for those waiving individual coverage and \$1,000 for those waiving family coverage. This amount is prorated for any period less than six (6) months by the number of days the employee is participating in the Medical Spending Conversion Health Buy-Out Waiver Program.

### **Transfer Period**

The transfer period allows you to make changes to your health plan without having a qualifying event. The New York City Health Benefits Program (NYCHBP)

determines the exact dates which is usually during the fall. All changes become effective the first day of the first full pay period in January of the next year.

### **Consolidated Omnibus Budget Reconciliation Act-COBRA**

Federal law requires that the City offer employees, retirees and their families the opportunity to continue group health and/or welfare fund coverage in certain instances where the coverage would otherwise terminate.

## **WELFARE FUND**

### **Benefits**

In addition to the health benefits provided by the New York City Health Benefits Program (NYCHBP), employees and eligible dependents may also be eligible for Welfare Fund benefits depending on their union affiliation. In general, Welfare Fund benefits are designed to provide a supplement to the NYCHBP. These may include benefits such as:

- dental plan;
- optical coverage;
- prescription drug plan;
- disability insurance;
- hearing aid;
- group life insurance; and
- accidental death & dismemberment insurance.

College assistants, college assistant tutors, CUNY CAPs, sign language interpreters and IT support assistants (H) who work 17 1/2 hours per week or more may be eligible to receive union benefits immediately. Contact District Council 37 directly by phone (212.815.1234); web site ([www.dc37.net](http://www.dc37.net)) or mail (125 Barclay Street, New York, N.Y. 10007).

Campus security assistants (H) who work 20 hours per week may be eligible to receive union benefits immediately. Please contact the International Brotherhood of Teamsters directly by phone (212.924.2000; web site ([www.local237.org](http://www.local237.org)) or mail (216 West 14th Street, New York, N.Y. 10011).



Custodial assistants (H) who work 20 hours per week may be eligible to receive union benefits immediately. Contact District Council 37 directly by phone (212.815.1234); web site ([www.dc37.net](http://www.dc37.net)) or mail (125 Barclay Street, New York, N.Y. 10007).

### **Union Dues Refund**

College assistants, college assistant tutors, CUNY CAPs and sign language interpreters who regularly work less than 17 1/2 hours a week may apply for a refund of their union dues by completing District Council 37's Union Dues Refund Request form. This form is available in the Human Resources Department.

### **Retirement Benefits**

The New York City  
Employees' Retirement System (NYCERS)

All employees in a classified title appointed by the University are free to join the New York City Employees' Retirement System (NYCERS). Such employees can file for membership at any time after they start employment with New York City or any of NYCERS' participating employers.

For more information about joining the New York City Employees' Retirement System (NYCERS), please contact a representative of the Human Resources Department.

### **Tax Deferred Savings Plans:**

Employees have the option of participating in voluntary tax-deferred annuity plans. The tax-deferred annuity plans allow employees to set aside pre-tax dollars subject to IRS limits. As a result, the employee may reduce their taxable income.

For more information on tax deferred annuity programs, contact a representative of the Human Resources Department.

## **FEDERAL AND STATE MANDATED BENEFITS**

### **Family Medical Leave Act (FMLA)**

In order to be eligible for FMLA, an employee must have been employed by the University for at least 12 months cumulatively, and must have worked at least 1,250 hours during the 12-month period

preceding the requested commencement of the leave.

Part-time employees, who are confined to the 1040 fiscal year hourly limit, are not eligible for FMLA.

### **Disability Benefits**

Disability benefits are temporary cash benefits payable to an eligible wage earner when she or he is disabled by an off-the-job injury or illness. Most employees in titles represented by unions have some form of disability coverage. If you become disabled as a result of a non-work related injury or illness, you should file the proper claim form which can be obtained from your union or welfare fund. This form must be filed within 15 days of the disability.

### **Workers' Compensation**

If you should suffer an injury while you are working, you should report the accident immediately to your supervisor and to an officer in the Department of Public Safety, extension 5550. It is essential that all injuries on the job be reported promptly and that our official accident report forms are filled out as soon as possible. Under certain circumstances you may be entitled to Workers' Compensation payments. Appropriate accident report forms may be obtained from an officer in the Department of Public Safety.

Workers' Compensation is the payment of weekly cash benefits and the reimbursement for necessary medical care to a covered worker who is disabled as a result of accidental injury or occupational disease incurred in the course of employment, and in the case of death, resulting from such injury or disease. In order to administer the provisions of the regulations, it is imperative that any injury sustained by employees be reported immediately. Unless there is an official record of an injury or an accident, the claim may be contested by the City of New York.

### **Unemployment Insurance**

Unemployment insurance benefits are a form of temporary income for eligible workers who become unemployed through no fault of their own and who are ready willing and able to work. Employees do not contribute to unemployment insurance in

New York State. The City University of New York (CUNY) pays unemployment insurance benefits for their employees. CUNY is billed for every dollar the Department of Labor pays each claimant.

New York State. The City University of New York (CUNY) pays unemployment insurance benefits for their employees. CUNY is billed for every dollar the Department of Labor pays each claimant.

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## **IMPORTANT TELEPHONE NUMBERS AND WEBSITE ADDRESSES**

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### **DC37**

125 Barclay Street  
New York, NY 10007

212.815.1234  
[www.dc37.net](http://www.dc37.net)

### **International Brotherhood of Teamsters**

216 W. 14th Street  
New York, NY 10011

212.924.2000  
[www.local237.org](http://www.local237.org)

### **Innoviant**

(Pharmacy Benefits Administrator)

800.207.1561  
[www.innoviant.com](http://www.innoviant.com)

### **PICA Program**

#### **New York City Office of Labor Relations**

Refill by Mail  
Internet

800. 628.0717  
[www.express-scripts.com](http://www.express-scripts.com)

### **New York City Employee Benefits Program For Retirees Only:**

40 Rector Street, 3rd Floor  
New York, NY 10006

212. 513.0470  
[www.nyc.gov/olr](http://www.nyc.gov/olr)

### **NYC Employees' Retirement System Mail Only:**

335 Adams Street  
Brooklyn, NY 11201

347.643.3000  
[www.nycers.org](http://www.nycers.org)

### **Member Services:**

340 Jay Street  
Brooklyn, NY 11201

# Other Benefits

- **Accident Medical Expense Insurance**
- **Transit Benefit Transportation Spending Account**
- **Library**
- **CUNY Work/Life Program**

# Other Benefits

## **Accident Medical Expense Insurance**

Accident medical expense insurance, which may supplement your basic coverage under a City health plan, is issued at the beginning of each semester to each employee at a low cost. This provides for medical expenses for injuries incurred as the result of an accident:

- a. while traveling directly to and from the college to your home;
- b. during extra-curricular activities at the college; and/or
- c. for death and dismemberment, limited benefits.

You must apply to the Bursar's Office within the first four weeks of each semester to subscribe to this plan. (The enrollment form is e-mailed and sent by inter-office mail at the beginning of every semester.)

Should an injury occur, please contact a representative of Affiliated Enterprises at 718.473.8934.

## **Transit Benefit Transportation Spending Account**

The transit benefit offers employees the opportunity to purchase New York City Transit

Metrocards at a pre-tax savings. The cards are purchased through Metrocard vending machines, using a special debit card. Enrolled employees may use their Metrocards for transportation on the New York City Transit System (subway and/or NYC local and express buses that accept Metrocards). Savings will vary based on the deduction amount selected. For your convenience, there are four deduction plans from which to choose based on your transportation needs. For additional information, you may call and speak to a representative of the Human Resources Department or visit CUNY's website: [www.cuny.edu/transitbenefit](http://www.cuny.edu/transitbenefit)

## **Library**

All classified employees may borrow books from the Library by showing their college ID. All reading materials should be returned by the date specified so that others may take advantage of this service.

## **CUNY Work/Life Program**

The CUNY Work/Life Program is a voluntary, confidential and free program offering a wide range of information and support to employees and their families. It includes traditional counseling for stress, family problems and substance abuse; as well as financial and legal services. These free services, which are described in more detail at [www.cuny.edu/worklife](http://www.cuny.edu/worklife), are available by simply calling 800/833-8707 for a consultation.

# **Administrative Policies & Procedures**

- **Classification**
- **Fingerprinting**
- **Performance Appraisals**
- **Wage & Salary Information**
- **Dress Code/Uniforms/  
Identification/Keys**
- **Personnel Record Changes**
- **Separation of Employment**
- **Emergency Closing &  
Evacuation Procedures**
- **General Policies & Procedures**

# Administrative Policies & Procedures

## CLASSIFICATION

### White Collar Unit

College assistant, college assistant tutor, CUNY CAP, sign language interpreter and IT support assistant (H) titles are included in the White Collar Unit for employees of the classified services of the City University of New York. Please see Appendix A for the list of titles.

### Blue Collar Unit

Custodial assistant (H) and campus security assistant (H) titles are included in the Blue Collar Unit for employees of the classified services of the City of New York. Please see Appendix A for the list of titles.

### Fingerprinting

As an employee in the classified service, part-time employees are fingerprinted the first time they are placed on a CUNY payroll, except for full-time CUNY students. In order for the fingerprinting fee to be waived, full-time CUNY students must bring in a current transcript as proof of their full-time status.

## PERFORMANCE APPRAISALS

### Evaluation Report

All part-time employees will receive a yearly evaluation report completed by their supervisors. These reports require the signature of the employee and the supervisor before submission to a representative of the Human Resources Department.

These reports are intended to be constructive. It is hoped that the employee will take any recommendations constructively and adjust or correct his or her working habits to conform with these recommendations when and where required.

### Supervisor

Your supervisor is the person who directs and instructs you in your work on a day-to-day basis.

He or she is qualified to assist you in the performance of your duties and responsibilities. He or she provides the leadership and guidance necessary for the smooth and efficient operation of the office. In the evaluation of your performance, he or she will point out your particular strengths, as well as those areas of your total performance which need improvement.

Any issues or concerns should first be brought to the attention of your immediate supervisor. The department chair or department manager should be the next person in the hierarchy order to address these concerns. The dean or vice president of a specific area should be given an opportunity to resolve an issue before it is brought to the attention of a representative of the Human Resources Department.

Notwithstanding the above, the Human Resources Department has an open door policy which allows all employees to freely visit with a representative of this department to discuss any issues or concerns.

### Advancement

The Civil Service examination system is an avenue for advancement. The CUNY website provides a list of exams that can lead to full-time positions in certain titles.

*NOTE: Please visit the CUNY website: [www.cuny.edu](http://www.cuny.edu), for an updated list of upcoming civil service exams. In addition, exam announcements may be posted in the Human Resources department, and can be found in public publications such as *The Chief*, the civil service weekly newspaper.*

### Management Rights

Management of New York City College of Technology - CUNY rights include, but are not limited to:

- The right to change or introduce new and improved operations, methods, means or facilities.
- The right to determine the standards to be met by employees.
- The right to hire, establish work shifts, establish job classifications, promote, demote, transfer and lay off employees.

- The right to determine the qualifications of employees and to discipline employees for cause and otherwise to maintain an orderly, effective and efficient operation.

## **WAGE AND SALARY INFORMATION**

### **Pay Rates**

Pay rate information can be obtained from a representative of the Human Resources Department.

### **Pay Checks**

Employees are paid by check or direct deposit on alternate Thursdays. If you are paid by check, the check will be available for pick up in the Bursar's Office after 3 p.m. on the day before payday. In cases where a payday falls on a holiday, checks will be available for pick up after 3 p.m. on the day prior to the holiday.

All part-time employees will receive their first two-week paycheck in about five (5) to six (6) weeks from their start date, and then every two (2) weeks thereafter.

There are no procedures for advance payment of salary.

Checks will only be issued to staff members, not their representatives, unless written authorization is received by a representative of the Payroll department from the staff member. Salary deductions are recorded on your check stub; retain your stub for your personal records.

Direct deposit is available. Please contact a representative of the Payroll department for more information.

### **Mailing Of Checks/Direct Deposit Advices (Pay Stubs)**

For vacation and other approved occasions, you can have your check and/or direct deposit advice (pay stub) mailed to you. Authorization and a self-addressed stamped envelope should be left with a representative of the Bursar's Office for each check and/or direct deposit advice you would like mailed.

### **Lost Pay Checks**

Lost paychecks should be reported as soon as possible to a representative of the Payroll Office so that payment can be stopped. It will take time to replace the lost check.

### **Final Paycheck**

Any adjustments and/or modifications of the final paycheck will be processed through the Payroll Office.

## **DRESS CODE/UNIFORMS/IDENTIFICATION/KEYS**

### **Dress And Uniform**

Uniforms may be supplied for some designated employees. It is requested that these uniforms be left on the premises.

All other members of the staff are required to dress in a manner appropriate to their working conditions. A well-groomed person leaves a good impression.

### **Staff ID Cards**

Staff photo-identification cards are issued by an officer in the Public Safety Department. During orientation, all new employees will receive the appropriate form from a representative of the Human Resources Department to obtain the initial photo-identification card.

Identification cards must be worn or available at all times.

To obtain a replacement card, employees must go to the Public Safety Department. A fee may be charged for replacement of ID cards.

### **Keys**

In certain assignments you may be entrusted with office or equipment keys. These keys are always the property of the College and are to be used only under guidelines established by your supervisor. You must have these keys available to return to your supervisor when requested. Upon reassignment or termination of employment, keys and any other equipment must be returned to the college.

### **Lockers**

If your position requires you to have a locker, check for availability with your supervisor. City Tech is not responsible for contents of lockers.

## PERSONNEL RECORD CHANGES

### Change of Name

If you change your name through marriage, divorce, court order, etc., you must report the change promptly to a representative of the Human Resources Department so that payroll and human resource documents can be updated.

Examples of acceptable documentation are: Social Security cards, marriage certificates, court orders, divorce certificates or any legally valid documents.

### Change of Address/Telephone Number

You are responsible for notifying a representative of the Human Resources Department whenever you change your address and/or telephone number.

These changes may be submitted:

- via e-mail to a representative of the Human Resources Department.
- By completing a change of address card
- through submission of written notification of the new address and/or telephone number.

### Change In Dependent Status

It is your responsibility to inform a representative of the Human Resources Department of change of dependent status, and any change that can affect your health benefits, welfare fund and pension status. Examples of acceptable documentation are: birth certificates, adoption papers, etc.

## SEPARATION OF EMPLOYMENT

### Resignation

The Human Resources Department will require at least a two-week notice for resignation. This notice should be given in writing to your supervisor with a copy to the director of Human Resources and appropriate vice president of the area. Be sure to contact a representative of the Human Resources department regarding any questions you may have.

## EMERGENCY CLOSING AND EVACUATION PROCEDURES

### Emergency Closings

A memo will be issued at the beginning of each school year listing the radio stations that will announce closings in the event of a storm or other emergencies. The following radio stations will broadcast or web-post a message regarding the status of the college:

WADO	1280AM	
WBLS	107.5 FM	
WCBS	880 AM	<a href="http://www.wcbs880.com">www.wcbs880.com</a>
WFAS	1230 AM	
	103.9 FM	
	106.3 FM	<a href="http://www.wfasam.com">www.wfasam.com</a> and <a href="http://www.wfasfm.com">www.wfasfm.com</a>
WINS	1010 AM	
WLIB	1190 AM	
WOR		<a href="http://www.wor710.com">www.wor710.com</a>

PLEASE DO NOT CALL THE COLLEGE.

### Building Evacuation Procedures (Fire Drills)

In a drill or emergency situation, the fire/evacuation alarm will sound and designated floor coordinators will move immediately to their posts. Once in place, the floor coordinator will assess the situation, determining if the emergency situation is in his/her area. After determining if help is needed for people with injuries or disabilities, the coordinator will begin the evacuation.

During an emergency evacuation, no one should use an elevator except under the direction of a firefighter. It is the responsibility of the floor coordinator(s) to direct floor occupants to a safe exit.

As each area is vacated, the coordinator will check all rooms to ensure that no one has been left behind. The floor coordinator will follow the last occupant from the area out of the building, closing doors en route. Public Safety personnel will then make a final sweep through all facilities to ensure that everyone has been safely evacuated.



## **EMERGENCY ACTION PLAN**

When the building evacuation alarm sounds, or if you are notified to evacuate a building by Public Safety personnel, a floor coordinator or other responsible party, you should:

1. alert others around you.
2. shut down any operations (e.g., computers, copiers, etc), which may create additional hazards if left unattended, **ONLY** if you can do so without endangering yourself.
3. take your coat or jacket and keys with you.
4. help those who need assistance, if possible.
5. close your doors as you exit. This will help prevent the spread of smoke and fire.
6. proceed to the nearest exit, as directed by your floor coordinator.
7. **DO NOT USE ELEVATORS!** If the stairwell is involved with fire or smoke or otherwise obstructed, use an alternate escape route. You should be familiar with at least two distinct exit routes from your work place.
8. once outside, move away from the building and to the primary assembly area as designated by Public Safety personnel or other responsible party. Please report:
  - i. any observations about the emergency condition on your way out of the building, e.g., visible flames, smoke, odors, spills, structural collapse, etc.
  - ii. any conditions left upon your evacuation from your work area worth mentioning.
  - iii. the name (if available) and location of persons you know who are still in the building, emergency responders and/or other personnel.
9. remain at the assembly area until given further directions.

Do not re-enter the building for any reason, even if the alarm silences, until the Building Evacuation supervisor, Public Safety personnel, a floor coordinator, or other responsible party gives an all clear directive.

## **GENERAL COLLEGE POLICIES AND PROCEDURES**

### **Peddling And Loitering**

**Peddler/Peddling:** one who offers merchandise for sale along the street or from door to door.

**Loiter/Loitering:** to remain in an area for no obvious reason.

Peddlers and loiterers are not permitted on the campus, and staff members are not allowed to peddle or loiter. Any staff members attempting to peddle to employees should be reported immediately to an officer of the Public Safety Department.

### **Security Of Personal Property**

The College will not assume responsibility for the loss or damage of personal property. Therefore, employees are urged to lock desks and lockers overnight. When leaving the office, secure all personal items. In the event theft occurs at the college, please report it immediately to an officer of the Public Safety Department.

### **Telephone Calls**

Incoming personal calls are for emergencies only.

Public telephones are provided in the halls for the convenience of both students and staff to be used during non-working hours or during working hours with prior approval from immediate supervisor.

The College's switchboard has been adjusted to reject all long distance calls and calls for information. If for business reasons it is necessary to make such a call, you must dial the operator who in turn will place the call. The operator will not place a long distance call unless it has been authorized by your immediate supervisor.

There are a number of restricted phones where outside calls cannot be made without dialing the operator.

### **Electronic Devices**

The use of electronic devices, such as but not limited, to mobile phones, mp3 players and walkmans is prohibited during working hours.

# Classification of Titles

## **Clerical, Administrative and Professional – White Collar**

- Assistant Chief Architect
- Assistant Chief Engineer
- Assistant Media Services Technician
- Assistant Purchasing Agent
- College Accountant
- College Accounting Assistant
- College Assistant
- College Computer/Photo Typesetter
- College Graphics Designer
- College Interior Designer
- College Print Shop Assistant
- College Print Shop Associate
- College Print Shop Coordinator
- Construction Manager
- CUNY Office Assistant
- CUNY Secretarial Assistant
- Disability Accommodations Specialist
- IT Support Assistant
- Information Systems Assistant
- Information Systems Associate
- Information Systems Specialist
- Laboratory Helper
- Mail/Message Services Worker
- Media Services Technician
- Multi-Color Press/Camera Operator
- Office Aide
- Office Associate
- Project Manager
- Purchasing Agent
- Radio and TV Operator
- Sign Language Interpreter
- Staff Nurse
- Superintendent of Construction

- Telecommunications Associate
- Telecommunications Specialist
- University Architect
- University Architectural Intern
- University Assistant Architect
- University Assistant Engineer
- University Engineer
- University Engineering Intern
- University Engineering Technician
- University Engineering Technician Trainee

## **Custodial, Stores-Stock and Security – Blue Collar**

- Assistant Principal Custodial Supervisor
- Campus Peace Officer
- Campus Public Safety Sergeant
- Campus Security Assistant
- Campus Security Officer
- City Custodial Assistant
- College Security Specialist
- CUNY Custodial Assistant
- Custodial Assistant
- Custodial Supervisor
- Elevator Operator
- Elevator Starter
- Exterminator
- Gardener
- Motor Vehicle Operator
- Principal Custodial Supervisor
- Principal Park Supervisor
- Senior Custodial Supervisor
- Stock Worker
- Supervisor
- Supervisor of Stock Workers

## Appendix B

# Statement of Affirmative Action and Equal Employment Opportunity

New York City College of Technology takes great pride in the diversity reflected in our student body, faculty and staff, and is committed to equal education and employment opportunities for all, especially for women and members of groups that have been historically under represented in higher education.

The College attempts to go beyond what is mandated by law as affirmative action to promote an atmosphere conducive to mutual respect in a harmonious learning and working environment. The goals of our efforts include:

- creating a hospitable and respectful campus environment that embraces the diversity and multicultural heritage of those who comprise the student body, faculty and staff.
- ensuring that services on campus are student focused and assist all students to be successful both academically and socially.
- extending courtesy and assistance to everyone who visits or calls the campus.
- assisting students regardless of age, color, disability, familial, marital or partnership status, genetic predisposition or carrier status, military status, national or ethnic origin, race, religion, sex, sexual orientation, transgender, alienage or citizenship.
- providing support programs that serve multiple ethnicities including American Indian/Alaskan Native, Asian/Pacific Islander, Black, Hispanic, and Italian-American students, faculty and staff.
- making the surrounding community aware of the College's diversity, and making it possible for the College to serve diverse community groups.
- forging relations with high schools, community groups, and religious organizations and developing alliances that foster respect for the College and promote cultural sensitivity.
- promoting programs that increase multicultural awareness and providing courses and educational events containing positive multicultural themes.

The College is pursuing these goals through coordinated efforts involving curriculum, student support services, staff development and multicultural training, high school and community outreach, and institutional and academic research.

To ensure that we achieve these goals, it is important to understand that there are certain behaviors that have no place on this campus, such as racial, ethnic, sexual orientation or religious intolerance; harassment and abuse; insensitive treatment of members of the community; assumptions about academic competence or interests of students based on race, ethnicity, religious identity or disability; lack of effort in helping students because of non-English accents; inappropriate address to female members of the community; and campus publications that do not reflect the spirit of tolerance and respect to which the College is committed.

The College denounces all manifestations of racism and will not tolerate racist language or behavior, or racist harassment of any kind, whether verbal, physical, or written. At the same time, the College also realizes that while some examples of racial harassment such as physical and verbal assaults are easily identified, more frequent instances such as blatant and sometimes subtle graffiti and insensitive use of language which often go unacknowledged can be equally damaging and are considered by the College offensive and unacceptable forms of behavior.

Please know that in responding to incidents of harassment among students, staff and faculty, the College will use all appropriate mechanisms available to it, including, if necessary, disciplinary procedures. The College also encourages members of the campus community who are aware of cases of harassment or insensitivity to come forward in an atmosphere of candor and confidentiality to report such incidents.

As an Equal Opportunity and Affirmative Action Institution, the College does not discriminate on the basis of age, color, disability, familial, marital or partnership status, genetic predisposition or carrier status, military status, national or ethnic origin, race, religion, sex, sexual orientation, transgender, alienage or citizenship in its student admissions, employment, access to programs, and administration of educational policies. I note also that pursuant to the Chancellor's mandate of 1976, Italian-Americans are designated as an affirmative action category in addition to those so categorized under existing Federal statutes and regulations.

Gilen Chan, College Counsel, serves as the College's Affirmative Action Officer, Coordinator for Title IX (which prohibits sex discrimination in federally assisted education programs), Coordinator for the Age Discrimination Act (which prohibits age discrimination in federally assisted education programs) and College Coordinator for the Americans with Disabilities Act and Section 504 (which prohibit discrimination on the basis of disability). Her office is located in Namm Hall, room 325, and her telephone number is (718) 260-4981. Under the direction of the President, she is responsible for monitoring these programs and/or regulations and for the College's compliance with all such statutes.

To ensure that the College continues to support the spirit and goals of Affirmative Action and Equal Opportunity, I urge you to persist in the active recruitment, retention, and development of a diverse workforce, and assure you that I am committed to supporting these efforts. To truly achieve an environment that shows consideration for all individuals, and sensitivity to our cultural diversity, we each need to act thoughtfully and responsibly. I ask that you join me in this endeavor, as it is only through our combined efforts that we can ensure the hospitable and respectful campus environment that we all desire, and that is so important to our success as an educational institution.

Sincerely



Russell K. Hotzler, President

# THE CITY UNIVERSITY OF NEW YORK

## Policy Against Sexual Harassment

### **Sexual harassment is illegal.**

As Chancellor, I take this opportunity to reaffirm the University's commitment to maintaining an employment and academic environment free from all forms of exploitation, intimidation, or harassment, including sexual harassment. The City University of New York does not tolerate sexual harassment. It is demeaning, offensive, illegal, and prohibited by University policy.

Every student, faculty member, staff member, and administrator is encouraged to become aware of and to support the University's Policy Against Sexual Harassment. To this end, we provide this interactive computer program to inform all members of the University community about sexual harassment – what it is and how to prevent it in academic and workplace settings. A copy of the University's Policy Against Sexual Harassment is available for printing during the program. Revised and adopted by the Board of Trustees in 2004, the policy defines sexual harassment, provides examples of prohibited conduct, discusses penalties for offenders, and establishes procedures for handling complaints.

The University strives to foster a harassment-free environment – one in which all its members can work, study, and learn in an atmosphere of courtesy and mutual respect. As a supervisor or administrator/faculty member/member of the University community, you have a role to play in the attainment of this goal. I thank you for devoting further attention to this serious issue.

**Matthew Goldstein**  
Chancellor

# Appendix C

## POLICY STATEMENT

It is the policy of The City University of New York to promote a cooperative work and academic environment in which there exists mutual respect for all University students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the University's non-discrimination policy. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated within the University.

The University, through its colleges, will disseminate this policy and take other steps to educate the University community about sexual harassment. The University will establish procedures to ensure that investigations of allegations of sexual harassment are conducted in a manner that is prompt, fair, thorough, and as confidential as possible under the circumstances, and that appropriate corrective and/or disciplinary action is taken as warranted by the circumstances when sexual harassment is determined to have occurred. Members of the University community who believe themselves to be aggrieved under this policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the College to investigate the allegations.

### A. Prohibited Conduct

It is a violation of University policy for any member of the University community to engage in sexual harassment or to retaliate against any member of the University community for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

### B. Definition of Sexual Harassment

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other oral or written communications or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing;

2. submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or abusive work or academic environment.

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individuals of unequal power (such as between a faculty member and student, supervisor and employee, or tenured and untenured faculty members), it may also occur between individuals of equal power (such as between fellow students or co-workers), or in some circumstances even where it appears that the harasser has less power than the individual harassed (for example, a student sexually harassing a faculty member). A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

### C. Examples of Sexual Harassment

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment include, but are not limited to, the following:

- requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations);
- submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the target does find, and a reasonable person would find, that an intimidating, hostile or abusive work or academic environment has been created. Examples of this kind of sexual harassment include, but are not limited to, the following:

- sexual comments, teasing, or jokes;
- sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;
- graphic or sexually suggestive comments about an individual's attire or body;
- inquiries or discussions about sexual activities;
- pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- sexually suggestive letters or other written materials;
- sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling;
- coerced sexual intercourse or sexual assault.

#### **D. Consensual Relationships**

Amorous, dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, supervisor, or other member of the University community and any person for whom he or she has a professional responsibility. These dangers can include: that a student or employee may feel coerced into an unwanted relationship because he or she fears that refusal to enter into the relationship will adversely affect his or her education or employment; that conflicts of interest may arise when a faculty member, supervisor, or other member of the University community is required to evaluate the work or make personnel or academic decisions with respect to an individual with whom he or she is having a romantic relationship; that students or employees may perceive that a fellow student or co-worker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty members, supervisors, and other members of the University community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to

charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

For purposes of this section, an individual has "professional responsibility" for another individual at the University if he or she performs functions including, but not limited to, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits such as promotions, financial aid awards or other remuneration, or that may impact upon other academic or employment opportunities.

#### **E. Academic Freedom**

This policy shall not be interpreted so as to constitute interference with academic freedom.

#### **F. False and Malicious Accusations**

Members of the University community who make false and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

#### **G. Procedures**

The University has developed procedures to implement this policy. The President of each constituent college of the University, the Senior Vice Chancellor at the Central Office, and the Dean of the Law School shall have ultimate responsibility for overseeing compliance with this policy at his or her respective unit of the University. In addition, each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility shall be required to report any complaint of sexual harassment to the individual or individuals designated in the procedures. All members of the University community are required to cooperate in any investigation of a sexual harassment complaint.

#### **H. Enforcement**

There is a range of corrective actions and penalties available to the University for violations of this policy. Students, faculty, or staff who are found, following applicable disciplinary proceedings, to have violated this Policy are subject to various penalties, including termination of employment and/or student expulsion from the University.

# Some FAQs (Frequently Asked Questions) About Sexual Harassment

### **Q. How are sexual harassment complaints handled?**

**A.** At each college, the Sexual Harassment Coordinator, a Deputy Coordinator or any member of the Awareness and Intake Committee are available to receive complaints of sexual harassment from members of the College community, explain the University complaint procedures, and refer individuals to appropriate resources. The names, titles, telephone numbers, and office locations of the Sexual Harassment Coordinator, Deputy Coordinator(s) or members of the Awareness and Intake Committee may be obtained in the College's Affirmative Action/Compliance and Diversity Office. Employees who are covered by collective bargaining agreements may use their contractual grievance procedures, within the time limits provided in those agreements, to report allegations of sexual harassment.

### **Q. Who may make a complaint of sexual harassment?**

**A.** Any member of the College community may report complaints of sexual harassment to the Sexual Harassment Coordinator, a Deputy Coordinator or any member of the Awareness and Intake Committee.

### **Q. Must sexual harassment complaints be made in writing?**

**A.** No. Sexual harassment complaints may be made by speaking to the Sexual Harassment Coordinator, a Deputy Coordinator, or any member of the Awareness and Intake Committee. The Coordinator or Deputy Coordinator, may, however, request an individual to prepare a written statement setting forth the particulars of the complaint.

### **Q. Are sexual harassment complaints kept confidential?**

**A.** It is not possible to guarantee absolute confidentiality. The privacy of persons who make complaints of sexual harassment will be respected. Information obtained in connection with bringing, investigating, or resolving complaints will be handled as confidentially as possible.

### **Q. Are there time limits for reporting sexual harassment complaints?**

**A.** There are no time limits for reporting sexual harassment. However, allegations of sexual harassment should be reported as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the College to investigate the allegations.

### **Q. What should be done upon learning of an incident of sexual harassment involving another person?**

**A.** A member of the University community with supervisory responsibility must report to the Sexual Harassment Coordinator any incidents of sexual harassment of which he or she becomes aware or reasonably believes to exist. Other members of the University community who become aware of allegations of sexual harassment should encourage the aggrieved individual to report the alleged sexual harassment to the Sexual Harassment Coordinator, a Deputy Coordinator or any member of the Awareness and Intake Committee.

### **Q. Where can more information about the Sexual Harassment Policy and Procedures be obtained?**

**A.** More information about sexual harassment can be obtained in the Affirmative Action/Compliance and Diversity Office at each college.

Last Updated: 2/22/05

# Addressing Issues of Sexual Harassment at New York City College of Technology

City Tech's Sexual Harassment Panel is appointed by the College President and is available to receive complaints, to explain University procedures, and to refer individuals to appropriate resources. All members have an obligation to maintain confidentiality to the fullest extent possible. The panel has the ultimate responsibility for investigating these matters.

The panel consists of a coordinator, deputy coordinators and 13 members. The names, address information and telephone numbers of the panel are provided below.

If you believe that you have been the victim of sexual harassment, **you are encouraged to contact any of the panel members, listed below.**

NAME	DEPARTMENT	PHONE/OFFICE/EMAIL
Helen Frank, Coordinator	Counseling	718.260.5030, N-108 hfrank@citytech.cuny.edu
Vincent De Fazio Deputy Coordinator	Office of the Provost	718.260.5560, N-320 vdefazio@citytech.cuny.edu
H. Rena Dabydeen Deputy Coordinator	Biology	718.260.5390, N-426 rdabydeen@citytech.cuny.edu
Gwen Cohen-Brown	Dental Hygiene	718.260.5070, P-201 gcohen-brown@citytech.cuny.edu
Marta Effinger-Crichlow	African American Studies	718.260.5254, A-643 meffinger@citytech.cuny.edu
Laina Karthikeyan	Biology	718.260.5276, N-811 lkarthikeyan@citytech.cuny.edu
Neil Katz	Mathematics	718.260.5782, N-726 nkatz@citytech.cuny.edu
Mohammed Kouar	Electrical Eng. Tech.	718.260.5300, V-733 mkouar@citytech.cuny.edu
Ron Leone	Computer Info Services	718.260.5610, N-901 rleone@citytech.cuny.edu
Catherine McManus	Nursing	718.260.5660, P-505 cmcmanus@citytech.cuny.edu
Keisha Nettles	Student Representative	718.260.5030, N-108
Mark Noonan	English	718.260.5392, N-512 mnoonan@citytech.cuny.edu
Leonard Petrillo	Advertising Design	718.260.5175, N-1113 lpetrillo@citytech.cuny.edu
Debbie Waksbaum	Counseling	718.260.5030, N-108 dwaksbaum@citytech.cuny.edu
Xin-Zhou Wei	Computer Eng. Tech.	718.260.5885, V-633 xwei@citytech.cuny.edu
Gail Williams	Law and Paralegal Studies	718.260.5124, N-622 gwilliams@citytech.cuny.edu



## Appendix D

# THE CITY UNIVERSITY OF NEW YORK Policy on Acceptable Use of Computer Resources

### INTRODUCTION

CUNY's computer resources are dedicated to the support of the university's mission of education, research and public service. In furtherance of this mission, CUNY respects, upholds and endeavors to safeguard the principles of academic freedom, freedom of expression and freedom of inquiry.

CUNY recognizes that there is a concern among the university community that because information created, used, transmitted or stored in electronic form is by its nature susceptible to disclosure, invasion, loss, and similar risks, electronic communications and transactions will be particularly vulnerable to infringements of academic freedom. CUNY's commitment to the principles of academic freedom and freedom of expression includes electronic information. Therefore, whenever possible, CUNY will resolve doubts about the need to access CUNY computer resources in favor of a user's privacy interest.

However, the use of CUNY computer resources, including for electronic transactions and communications, like the use of other university-provided resources and activities, is subject to the requirements of legal and ethical behavior. This policy is intended to support the free exchange of ideas among members of the CUNY community and between the CUNY community and other communities, while recognizing the responsibilities and limitations associated with such exchange.

### APPLICABILITY

This policy applies to all users of CUNY computer resources, whether affiliated with CUNY or not, and whether accessing those resources on a CUNY campus or remotely.

This policy supersedes the CUNY policy titled "CUNY

Computer User Responsibilities" and any college policies that are inconsistent with this policy.

### DEFINITIONS

"CUNY Computer resources" refers to all computer and information technology hardware, software, data, access and other resources owned, operated, or contracted by CUNY. This includes, but is not limited to, personal computers, handheld devices, workstations, mainframes, minicomputers, servers, network facilities, databases, memory, and associated peripherals and software, and the applications they support, such as e-mail and access to the internet.

"E-mail" includes point-to-point messages, postings to newsgroups and listservs, and other electronic messages involving computers and computer networks.

### RULES FOR USE OF CUNY COMPUTER RESOURCES

- 1. Authorization.** Users may not access a CUNY computer resource without authorization or use it for purposes beyond the scope of authorization. This includes attempting to circumvent CUNY computer resource system protection facilities by hacking, cracking or similar activities, accessing or using another person's computer account, and allowing another person to access or use the user's account. This provision shall not prevent a user from authorizing a colleague or clerical assistant to access information under the user's account on the user's behalf while away from a CUNY campus or because of a disability. CUNY computer resources may not be used to gain unauthorized access to another computer system within or outside of CUNY. Users are responsible for all actions performed from their computer account that they permitted or failed to prevent by taking ordinary security precautions.
- 2. Purpose.** Use of CUNY computer resources is limited to activities relating to the performance by CUNY employees of their duties and responsibilities. For example, use of CUNY computer resources for private commercial or not-for-profit business purposes, for private advertising of products or services, or for any activity meant solely to foster personal gain, is prohibited. Similarly, use of CUNY computer resources for partisan political activity is also prohibited. Except with respect to CUNY

employees other than faculty, where a supervisor has prohibited it in writing, incidental personal use of computer resources is permitted so long as such use does not interfere with CUNY operations, does not compromise the functioning of CUNY computer resources, does not interfere with the user's employment or other obligations to CUNY, and is otherwise in compliance with this policy.

- 3. Compliance with Law.** CUNY computer resources may not be used for any purpose or in any manner that violates CUNY rules, regulations or policies, or federal, state or local law. Users who engage in electronic communications with persons in other states or countries or on other systems or networks may also be subject to the laws of those other states and countries, and the rules and policies of those other systems and networks. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular use.

Examples of applicable federal and state laws include the laws of libel, obscenity and child pornography, as well as the following:

- Family Educational Rights and Privacy Act
- Electronic Communications Privacy Act
- Computer Fraud and Abuse Act
- New York State Freedom of Information Law
- New York State Law with respect to the confidentiality of library records

Examples of applicable CUNY rules and policies include the following:

- Sexual Harassment Policy
- Policy on Maintenance of Public Order
- Web Site Privacy Policy
- Gramm-Leach-Bliley Information Security Program
- University Policy on Academic Integrity
- Information Security policies

- 4. Licenses and Intellectual Property.** Users of CUNY computer resources may use only legally obtained, licensed data or software and must comply with applicable licenses or other contracts, as well as copyright, trademark and other intellectual property laws. Much of what appears on the internet and/or is distributed via electronic communication is protected by copyright law, regardless of whether the copyright is expressly

noted. Users of CUNY computer resources should generally assume that material is copyrighted unless they know otherwise, and not copy, download or distribute copyrighted material without permission unless the use does not exceed fair use as defined by the federal Copyright Act of 1976. Protected material may include, among other things, text, photographs, audio, video, graphic illustrations, and computer software.

- 5. False Identity and Harassment.** Users of CUNY computer resources may not employ a false identity, mask the identity of an account or computer, or use computer resources to engage in abuse of others, such as sending harassing, obscene, threatening, abusive, deceptive, or anonymous messages within or outside CUNY.
- 6. Confidentiality.** Users of CUNY computer resources may not invade the privacy of others by, among other things, viewing, copying, modifying or destroying data or programs belonging to or containing personal or confidential information about others, without explicit permission to do so. CUNY employees must take precautions to protect the confidentiality of personal or confidential information encountered in the performance of their duties or otherwise.
- 7. Integrity of Computer Resources.** Users may not install, use or develop programs intended to infiltrate or damage a computer resource, or which could reasonably be expected to cause, directly or indirectly, excessive strain on any computing facility. This includes, but is not limited to, programs known as computer viruses, Trojan horses, and worms. Users should consult with the IT director at their college before installing any programs that they are not sure are safe.
- 8. Disruptive Activities.** CUNY computer resources must not be used in a manner that could reasonably be expected to cause or does cause, directly or indirectly, unwarranted or unsolicited interference with the activity of other users. This provision explicitly prohibits chain letters, virus hoaxes or other intentional e-mail transmissions that disrupt normal e-mail service. Also prohibited are spamming, junk mail or other unsolicited mail that is not related to CUNY business and is sent without a reasonable expectation that the recipient would welcome receiving it, as well as the inclusion on e-mail lists of individuals who

## Appendix D

have not requested membership on the lists, other than the inclusion of members of the CUNY community on lists related to CUNY business. CUNY has the right to require users of CUNY computer resources to limit or refrain from other specific uses if, in the opinion of the IT director at the user's college, such use interferes with efficient operations of the system, subject to appeal to the President or, in the case of central office staff, to the Chancellor.

9. **CUNY Names and Trademarks.** CUNY names, trademarks and logos belong to the University and are protected by law. Users of CUNY computer resources may not state or imply that they speak on behalf of CUNY or use a CUNY name, trademark or logo without authorization to do so. Affiliation with CUNY does not, by itself, imply authorization to speak on behalf of CUNY.
10. **Security.** CUNY employs various measures to protect the security of its computer resources and of users' accounts. However, CUNY cannot guarantee such security. Users are responsible for engaging in safe computing practices such as guarding and not sharing their passwords, changing passwords regularly, logging out of systems at the end of use, and protecting private information, as well as for following CUNY's Information Security policies and procedures. Users must report incidents of Information Security policy non-compliance or other security incidents to CUNY's Chief Information Officer and Chief Information Security Officer, and the IT director at the affected user's college.
11. **Filtering.** CUNY reserves the right to install spam, virus and spyware filters and similar devices if necessary in the judgment of CUNY's Office of Information Technology or a college IT director to protect the security and integrity of CUNY computer resources. Notwithstanding the foregoing, CUNY will not install filters that restrict access to e-mail, instant messaging, chat rooms or websites based solely on content.
12. **Confidential Research Information.** Principal investigators and others who use CUNY computer resources to store or transmit research information that is required by law or regulation to be held confidential or for which a promise of confidentiality has been given, are responsible for taking steps to protect confidential research

information from unauthorized access or modification. In general, this means storing the information on a computer that provides strong access controls (passwords) and encrypting files, documents, and messages for protection against inadvertent or unauthorized disclosure while in storage or in transit over data networks. Robust encryption is strongly recommended for information stored electronically on all computers, especially portable devices such as notebook computers, Personal Digital Assistants (PDAs), and portable data storage (e.g., memory sticks) that are vulnerable to theft or loss, as well as for information transmitted over public networks. Software and protocols used should be reviewed and approved by CUNY's Office of Information Technology.

13. **CUNY Access to Computer Resources.** CUNY does not routinely monitor, inspect, or disclose individual usage of its computer resources without the user's consent. In most instances, if the University needs information located in a CUNY computer resource, it will simply request it from the author or custodian. However, CUNY IT professionals and staff do regularly monitor general usage patterns as part of normal system operations and maintenance and might, in connection with these duties, observe the contents of web sites, e-mail or other electronic communications. Except as provided in this policy or by law, these individuals are not permitted to seek out contents or transactional information, or disclose or otherwise use what they have observed. Nevertheless, because of the inherent vulnerability of computer technology to unauthorized intrusions, users have no guarantee of privacy during any use of CUNY computer resources or in any data in them, whether or not a password or other entry identification or encryption is used.

Users may expect that the privacy of their electronic communications and of any materials contained in computer storage in any CUNY electronic device dedicated to their use will not be intruded upon by CUNY except as outlined in this policy.

CUNY may specifically monitor or inspect the activity and accounts of individual users of CUNY computer resources, including individual login sessions, e-mail and other communications, without notice, in the following circumstances:

- a) when the user has voluntarily made them accessible to the public, as by posting to Usenet or a web page;
- b) when it is reasonably necessary to do so to protect the integrity, security, or functionality of CUNY or other computer resources, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
- c) when it is reasonably necessary to diagnose and resolve technical problems involving system hardware, software, or communications, as determined by the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee;
- d) when it is reasonably necessary to protect CUNY from liability, or when failure to act might result in significant bodily harm, significant property loss or damage, or loss of significant evidence, as determined by the college president or a vice president designated by the president, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;
- e) when there is a reasonable basis to believe that CUNY policy or federal, state or local law has been or is being violated, as determined by the college president or a vice president designated by the president, after consultation with the Office of General Counsel and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable;
- f) when an account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns, as determined by the college president or a vice president designated by the president and the college chief information officer or his or her designee, after consultation with CUNY's chief information officer or his or her designee, the

Office of General Counsel, and the Chair of the University Faculty Senate (if a CUNY faculty member's account or activity is involved) or Vice Chair if the Chair is unavailable; or

g) as otherwise required by law.

In those situations in which the Chair of the University Faculty Senate is to be consulted prior to monitoring or inspecting an account or activity, the following procedures shall apply: (i) the college president shall report the completion of the monitoring or inspection to the Chair and the CUNY employee affected, who shall also be told the reason for the monitoring or inspection, except where specifically forbidden by law; and (ii) if the monitoring or inspection of an account or activity requires physical entry into a faculty member's office, the faculty member shall be advised prior thereto and shall be permitted to be present to observe, except where specifically forbidden by law.

A CUNY employee may apply to the General Counsel for an exemption from some or all of the circumstances under which CUNY may inspect and monitor computer resource activity and accounts, pursuant to subparagraphs (a)-(f) above, with respect to a CUNY computer resource used solely for the collection, examination, analysis, transmission or storage of confidential research data. In considering such application, the General Counsel shall have the right to require the employee to affirm in writing that the computer resource will be used solely for the confidential research. Any application for exemption should be made prior to using the computer resource for the confidential research.

CUNY, in its discretion, may disclose the results of any general or individual monitoring or inspection to appropriate CUNY personnel or agents, or law enforcement or other agencies. The results may be used in college disciplinary proceedings, discovery proceedings in legal actions, or otherwise as is necessary to protect the interests of the University.

In addition, users should be aware that CUNY may be required to disclose to the public under the New York State Freedom of Information Law

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communications made by means of CUNY computer resources in conjunction with University business.

Any disclosures of activity of accounts of individual users to persons or entities outside of CUNY, whether discretionary or required by law, shall be approved by the General Counsel and shall be conducted in accordance with any applicable law. Except where specifically forbidden by law, CUNY employees subject to such disclosures shall be informed promptly after the disclosure of the actions taken and the reasons for them.

The Office of General Counsel shall issue an annual statement of the instances of account monitoring or inspection that fall within categories (d) through (g) above. The statement shall indicate the number of such instances and the cause and result of each. No personally identifiable data shall be included in this statement.

See CUNY's Web Site Privacy Policy for additional information regarding data collected by CUNY from visitors to the CUNY website at [www.cuny.edu](http://www.cuny.edu).

- 14. Enforcement.** Violation of this policy may result in suspension or termination of an individual's right of access to CUNY computer resources, disciplinary action by appropriate CUNY authorities, referral to law enforcement authorities for criminal prosecution, or other legal action, including action to recover civil damages and penalties.

Violations will normally be handled through the university disciplinary procedures applicable to the relevant user. For example, alleged violations by students will normally be investigated, and any penalties or other discipline will normally be imposed, by the Office of Student Affairs.

CUNY has the right to temporarily suspend computer use privileges and to remove from CUNY computer resources material it believes violates this policy, pending the outcome of an investigation of misuse or finding of violation. This power may be exercised only by the President of each college or the Chancellor.

- 15. Additional Rules.** Additional rules, policies, guidelines and/or restrictions may be in effect for specific computers, systems, or networks, or at specific computer facilities at the discretion of the directors of those facilities. Any such rules which potentially limit the privacy or confidentiality of electronic communications or information contained in or delivered by or over CUNY computer resources will be subject to the substantive and procedural safeguards provided by this policy.

- 16. Disclaimer.** CUNY shall not be responsible for any damages, costs or other liabilities of any nature whatsoever with regard to the use of CUNY computer resources. This includes, but is not limited to, damages caused by unauthorized access to CUNY computer resources, data loss, or other damages resulting from delays, non-deliveries, or service interruptions, whether or not resulting from circumstances under the CUNY's control.

Users receive and use information obtained through CUNY computer resources at their own risk. CUNY makes no warranties (expressed or implied) with respect to the use of CUNY computer resources. CUNY accepts no responsibility for the content of web pages or graphics that are linked from CUNY web pages, for any advice or information received by a user through use of CUNY computer resources, or for any costs or charges incurred by a user as a result of seeking or accepting such advice or information.

CUNY reserves the right to change this policy and other related policies at any time. CUNY reserves any rights and remedies that it may have under any applicable law, rule or regulation. Nothing contained in this policy will in any way act as a waiver of such rights and remedies.

Adopted by The Board of Trustees of The City University of New York on January 29, 2007

# THE CITY UNIVERSITY OF NEW YORK

## Smoke-Free Workplace Policy

Issued: 3/04

### **POLICY AND PROCEDURES**

A smoke-free policy has been developed to comply with the New York City Smoke-Free Air Act (Title 17, Chapter 5 of the Administrative Code of the City of New York) and New York State Clean Indoor Air Act (Article 13-E of the New York State Public Health Law), and to protect all employees and visitors from secondhand smoke, an established cause of cancer and respiratory disease. New York City College of Technology is a smoke-free work environment. Smoking is prohibited in all enclosed facilities; in consideration of others, it is requested that smoking not take place within ten feet of any entrance doors.

### **ASSISTANCE TO SMOKERS**

#### **A. Recognition**

The College recognizes the addictive nature of smoking and that breaking the smoking habit is extremely difficult for many people. It is also recognized that many individuals have elected to continue to smoke despite the health risks to themselves and others.

#### **B. Smoking Cessation Programs**

The College shall continue to make every effort to assist those employees who elect to stop smoking. Smoking Cessation Programs will continue to be offered and alternative programs will be reviewed and offered if possible. Smoking cessation information is available from the New York Smokers' Quit Line at 1.866 NY QUIT (1.866.697.8487).

### **COMPLIANCE**

#### **A. Responsibility**

This policy relies on the thoughtfulness, consideration, and cooperation of smokers and non-smokers for its success. It is the responsibility of all members in the College community to observe this smoking policy.

#### **B. Complaints**

Complaints or concerns regarding this policy or disputes regarding its implementation should be referred to the immediate supervisor for resolution. If a resolution cannot be reached, the supervisor to the appropriate department/division head or vice president for mediation will refer the matter.

#### **C. Visitors to Campus**

Visitors at campus events who smoke will be requested to extinguish the cigarette, cigar, etc., and will be informed of the campus policy. Refusal to do so will result in removal or denial of re-admittance to the event.

#### **D. Review and Revision**

The provisions of this policy shall be subject to future review and revision to ensure that its objective is obtained and the College is in compliance with federal and state law.

## Appendix F

# THE CITY UNIVERSITY OF NEW YORK Workplace Violence Policy and Procedures

The City University of New York has a long-standing commitment to promoting a safe and secure academic and work environment that promotes the achievement of its mission of teaching, research, scholarship and service. All members of the University community—students, faculty and staff—are expected to maintain a working and learning environment free from violence, threats of harassment, violence, intimidation or coercion. While these behaviors are not prevalent at the University, no organization is immune.

The purpose of this policy is to address the issue of potential workplace violence in our community, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

### POLICY

The City University of New York prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from University property and are subject to disciplinary and/or personnel action up to and including termination, consistent with University policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the University's Policy Against Sexual Harassment.

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies in cases where the employee or student suspects that an act of violence will result from an encounter with said individual(s).

### SCOPE

All faculty, staff, students, vendors, contractors, consultants, and others who do business with the University, whether in a University facility or off-campus location where University business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the University, such as former employees, former students, and visitors. When students have complaints about other students, they should contact the Office of Student Affairs at their campus.

### DEFINITIONS

1. **Workplace violence** is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the academic environment, or the University's ability to provide services to the public. Examples of workplace violence include, but are not limited to:
2. **Disruptive behavior** intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
3. **Intentional physical contact** for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
4. **Menacing or threatening behavior** (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
5. **Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials.** No one within the University community, shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to University property without specific written authorization from the Chancellor or the College President regardless of whether the individual possesses a valid permit to carry the firearm or weapon.

## REPORTING OF INCIDENTS

### 1. General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the University community. Workplace violence should promptly be reported to the appropriate University official (see below). Additionally, faculty, staff and students are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all members of the University community take this responsibility seriously to effectively maintain a safe working and learning environment.

### 2. Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the Campus Public Safety Office immediately, or call 911.

### 3. Acts of Violence Not Involving Weapons or Injuries to Persons

Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his or her supervisor, or in lieu thereof, to their respective Campus Public Safety Office. Students should report such incidents to the Office of Student Affairs at their campus or in lieu thereof, their campus Public Safety Office. The Campus Public Safety Office will work with the Office of Human Resources and the supervisor or the Office of Student Affairs on an appropriate response.

### 4. Commission of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

### 5. False Reports

Members of the University community who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

## 6. Incident Reports

The University will report incidents of workplace violence consistent with the College Policies for Incident Reporting Under the Campus Security Policy and Statistical Act (Cleary Act).

## RESPONSIBILITIES

### 1. Presidents

The President of each constituent college of The City University of New York, the Chief Operating Officer at the Central Office, and the Deans of the Law School and the Sophie Davis School of Biomedical Education shall be responsible for the implementation of this policy on his or her respective campus. The responsibility includes dissemination of this policy to all members of the College community, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, constituting a Workplace Violence Advisory Team (See #7. below), and ensuring that all administrators, managers, and supervisors are aware of their responsibilities under this policy through internal communications and training.

### 2. Campus Public Safety Office

The Campus Public Safety Office is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Campus Public Safety Office will immediately log all incidents of workplace violence and will notify the respective supervisor of an incident with his/her employee, or notify the appropriate campus official of an incident with a student. All officers should be knowledgeable of when law enforcement action may be appropriate. Public Safety will maintain an internal tracking system of all threats and incidents of violence. Annual reports will be submitted to the President (at the same time as the report noted below) detailing the number and description of workplace violence incidents, the disposition of the incidents, and recommend policy, training issues, or security procedures that were or should be implemented to maintain a safe working and learning environment.

These incidents will be reported in the Annual Report of the College Advisory Committee on Campus Security consistent with the reporting requirements of Article 129A Subsection 6450 of the NYS Education Law (Regulation by Colleges of Conduct on Campuses and Other College Property for Educational Purposes).



## Appendix F

Officers will be trained in workplace violence awareness and prevention, non-violent crises intervention, conflict management, and dispute resolution.

Officers will work closely with Human Resources when the possibility of workplace violence is heightened, as well as on the appropriate response to workplace violence incidents consistent with CUNY policies, rules, procedures and applicable labor agreements, including appropriate disciplinary action up to and including termination.

When informed, Public Safety will maintain a record of any Orders of Protection for faculty, staff, and students. Public Safety will provide escort service to members of the College community within its geographical confines, when sufficient personnel are available. Such services are to be extended at the discretion of the Campus Public Safety Director or designee. Only the President, or designee, in his/her absence, can authorize escort service outside of the geographical confines of the College.

### 3. Supervisors

Each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report to their respective Campus Public Safety Office any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the Campus Public Safety Director and immediate supervisor, the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

Supervisors are required to contact the Campus Public Safety Office immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

### 4. Faculty and Staff

Faculty and staff must report workplace violence, as defined above, to their supervisor. Faculty and staff who are advised by a student that a workplace violence incident has occurred or has been observed must report this to the Campus Public Safety Director immediately. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee's supervisor should be brought to the attention of the Campus Public Safety Director.

Employees who have obtained Orders of Protection are expected to notify their supervisors and the Campus Public Safety Office of any orders that list CUNY locations as protected areas.

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the Campus Public Safety Office. Confidentiality will be maintained to the extent possible.

Upon hiring, and annually thereafter, faculty and staff will receive copies of this policy. Additionally, the policy will be posted throughout the campus and be placed on the CUNY website and on the College's website, as appropriate.

### 5. Office of Human Resources

The Office of Human Resources at each campus is responsible for assisting the Campus Public Safety Director and supervisors in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; notifying the Campus Public Safety Office of workplace violence incidents reported to that office; and consulting with, as necessary, counseling services to secure professional intervention.

The Office of Human Resources is responsible for providing new employees or employees transferred to the campus with a copy of the Workplace Violence Policy and Procedures and insuring that faculty and staff receive appropriate training. The Office of Human Resources will also be responsible for annually disseminating this policy to all faculty and staff at their campus, as well as posting the policy throughout the campus and on the College's website, as appropriate.

## 6. Students

Students who witness violence, learn of threats, or are victims of violence by employees, students or others should report the incident immediately to the Campus Public Safety Office. If there is no imminent danger, students should report threatening incidents by employees, students or others as soon as possible to the Campus Public Safety Office or Office of Student Affairs. Students will be provided with workplace violence awareness information (including information regarding available counseling services) upon registration each year.

## 7. Workplace Violence Advisory Team

A college President shall establish a Workplace Violence Advisory Team at his/her college. This Team, working with the College Advisory Committee on Campus Security, will assist the President in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the College's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This Team will also develop workplace violence prevention tools (such as pamphlets, guidelines and handbooks) to further assist in recognizing and preventing workplace violence on campus. It is recommended that this Team include representatives from Campus Public Safety, Human Resources, Labor Relations, Counseling Services, Occupational Health and Safety, Legal, and other, including faculty, staff and students, as deemed appropriate by the President

In lieu of establishing the Workplace Violence Advisory Team, a President may opt to expand the College Advisory Committee on Campus Security with representatives from the areas recommended above to address workplace violence issues at the campus and perform the functions outlined above.

## 8. University Communications

All communications to the University community and outside entities regarding incidents of workplace violence will be made through the University Office of University Relations after consultation with the respective President or his/her designee.

## 9. Education

Colleges are responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence. The Office of Faculty and Staff Relations will provide assistance to the campuses in identifying available training opportunities, as well as other resources and tools, (such as reference materials detailing workplace violence warning signs) that can be incorporated into campus prevention materials for dissemination to the College community. Additionally, the Office of Faculty and Staff Relations will offer periodic training opportunities to supplement the College's training programs.

## 10. Confidentiality

The University shall maintain the confidentiality of investigations of workplace violence to the extent possible. The University will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and well being of members of the University community would be served by such action.

## 11. Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

Approved by the Board of Trustees  
June 28, 2004

Last Updated: 7/13/04

## Appendix G

# THE CITY UNIVERSITY OF NEW YORK Right of Nursing Mothers to Express Breast Milk at Work

On August 28, 2007, Governor Eliot Spitzer signed into law legislation requiring employers to permit nursing mothers to express breast milk at work for a period of up to three years following child-birth. Governor Spitzer stated that "Employers know the merit of retaining valuable employees, and this modest accommodation allows mothers who choose to breast feed to continue their invaluable contribution to the economy without fearing for their job." The legislation, which is an amendment to the New York State Labor Law and is effective immediately, provides as follows:

An employer shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace.

The Colleges, accordingly, must permit a woman who chooses to provide breast milk for her child to

either utilize her lunch period and/or other paid break periods, if any, to express milk or take an unpaid break for such purpose. Although not expressly mentioned in the statute, if an employee does not have paid break periods, another alternative would be to permit such employee to make up the time she may reasonably need to express breast milk by extending her work day.

The Colleges are also required to make reasonable efforts to make a room or other space available, near the work area, where an employee can express milk in privacy. The Colleges may, at their discretion, choose to make dedicated space(s) available for this purpose.

Please make certain that your Department Chairs and other supervisory personnel are made aware of the requirements of this legislation, so that appropriate accommodations may be made on a case-by-case basis, as needed. You should advise such personnel to consult with the office of the Labor Designee or Director of Human Resources should any difficulties arise in complying with the mandates of this law. The legislation explicitly prohibits discrimination against an employee who chooses to express breast milk in the work place.

If you have any questions regarding the implementation of this workplace legislation, please feel free to call Laura Blank, Esq., of the Office of Faculty and Staff Relations, at (212) 794-5347, or Kathy Raymond, Esq., of the Office of Legal Affairs, at (212) 794-5759.

# THE CITY UNIVERSITY OF NEW YORK DOMESTIC VIOLENCE AND THE WORKPLACE POLICY & PROCEDURES

## POLICY STATEMENT

The City University of New York (“CUNY”) disapproves of violence against women, men, or children in any form, whether as an act of workplace violence or in any employee’s personal life. Domestic violence can spill over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover. CUNY is committed to full compliance of all applicable laws governing domestic violence in the workplace, to promoting the health and safety of its employees, and to making a significant and continual difference in the fight to end domestic violence. CUNY will review this policy annually and will notify all employees and the New York State Office for the Prevention of Domestic Violence (“OPDV”) of any revisions.

## DEFINITIONS

For purposes of this policy, the following terms will be defined as follows.

**Domestic Violence:** A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

**Intimate Partner:** Includes persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time; couples who live together or have lived together; or persons who are dating or who have dated in the past, including same sex couples.

**Abuser:** A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

**Victim:** The person against whom an abuser directs coercive and/or violent acts.

## POLICY

### I. EMPLOYEE AWARENESS

A. CUNY will provide its Domestic Violence and the Workplace Policy to all employees.

B. CUNY employees will review and follow this policy and procedures.

C. CUNY will provide to all employees, and post in locations of high visibility, such as bulletin boards and break rooms, health/first aid offices, university phone directories, and on-line information data bases, a list of resources for survivors and perpetrators of domestic violence, the phone numbers and descriptions of national and local domestic violence resources batterers’ intervention programs as well as the information for the New York State Office for the Prevention of Domestic Violence. Also posted prominently will be the names and contact information of CUNY personnel who are trained and available to serve as confidential sources of information, support, and referral.

D. Included in the documentation provided to all employees will be information informing employees that New York State law prohibits insurance companies and health maintenance organizations from discriminating against domestic violence victims. The law prohibits designation of domestic violence as a pre-existing condition. An insurance company cannot deny or cancel an insurance policy or require a higher premium or payment because the insured is or has been a domestic violence victim. [§2612 of the Insurance Law.]

E. CUNY will integrate information on domestic violence into existing materials and literature, policies, protocols, and procedures, including its Workplace Violence Prevention Policy & Procedures and existing health and wellness programs, as appropriate. CUNY will take all reasonable actions to educate employees regarding the effects of domestic violence, ways to prevent and curtail violence, and methods to report such violence to authorities.

## **II. NON-DISCRIMINATORY AND RESPONSIVE PERSONNEL POLICIES FOR VICTIMIZED EMPLOYEES**

A. CUNY will not discriminate against victims of domestic violence or persons perceived as domestic violence victims in employment determinations and will be responsive to the needs of victims of domestic violence.

B. CUNY will not make inquiries about a job applicant's current or past domestic violence victimization and employment decisions will not be based on any assumptions about or knowledge of such exposure.

C. CUNY will abide by all relevant New York State laws making it a crime for employers to penalize an employee who, as a victim or witness of a criminal offense, is appearing as a witness, consulting with a district attorney, or exercising his/her rights. CUNY, with at least one prior day notification, will allow time off for victims or subpoenaed witnesses to exercise their rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law [Penal Law §215.14]. If there are any questions or concerns regarding the leave that must be granted to victims or subpoenaed witnesses, employees should contact their human resources director for assistance and clarification.

D. CUNY, upon request of the employee, will assist the employee in determining the best use of his/her attendance and leave benefits when an employee needs to be absent as a result of being a victim of domestic violence. If an employee requests time off to care for and/or assist a family member who has been a victim of domestic violence, CUNY will evaluate the employee's request for leave for

eligibility under existing law and collective bargaining agreements applicable to the employee.

E. In instances when an employee victim of domestic violence has difficulty producing the documentation necessary to justify absences due to his/her status as such victim, CUNY will make all reasonable efforts, in consultation with employee victims of domestic violence, to identify the documentation necessary to justify absences from work and assist the employee with his/her safety-related needs to satisfactorily meet the identified documentation requirement without compromising the employee's safety.

F. When appropriate, available and permissible, employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), will be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract and policy.

G. CUNY encourages victims of domestic violence who are subject to discipline due to job performance or conduct problems, to notify appropriate supervisory, managerial or human resources staff of their situation. Said employees will be afforded all of the proactive measures outlined in this policy, and will be provided clear information about performance expectations, priorities, and performance evaluation. If a disciplinary process is initiated, special care will be taken to consider all aspects of the victimized employee's situation, and all available options in trying to resolve the performance problems will be exhausted, including making a referral to any Employee Assistance Program, consistent with existing collective bargaining agreements, statutes, regulations and policy.

H. CUNY encourages any employee who is terminated or voluntarily separates from employment due to domestic violence-related performance problems to notify appropriate human resources staff in order to investigate the employee's potential eligibility for unemployment insurance. CUNY will respond quickly to any requests for information that may be needed in the

claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits. [§593 of NYS Labor Law.]

### **III. WORKPLACE SAFETY PLANS**

Each campus within the CUNY system has prepared a domestic violence workplace safety response plan and each campus and worksite is prepared to provide reasonable means and personnel to assist victimized employees in developing and implementing individualized domestic violence workplace safety plans, consistent with existing collective bargaining agreements, statutes and regulations. Said workplace safety response plans are on file on each campus and worksite with the relevant security personnel and with the University-level liaison to OPDV.

A. CUNY has designated a University liaison to OPDV to ensure University- wide implementation of the domestic violence and the workplace policy, and to serve as the primary liaison with OPDV regarding the domestic violence and the workplace policy. Said liaison's name and contact information will be provided with copies of this policy to employees and will be listed on all additional literature and postings.

B. CUNY has designated campus-level liaisons on each campus to further ensure campus-level implementation of the domestic violence and the workplace policy, to serve as the campus-level liaison within CUNY regarding the domestic violence and the workplace policy, and to be available to employees in need of support.

C. Each campus-level liaison will be identified in University and college-level materials and his/her name, phone number and office location will be clearly posted.

D. Any employee who obtains a temporary or permanent order of protection is encouraged to provide the relevant security personnel and supervisory personnel with a copy of the petition and court order. Additionally, the employee is encouraged to provide the relevant security

personnel and supervisory personnel with the following information on the abuser: a photograph or physical description, description of the abuser's automobile and license plate number, and any other information CUNY needs for the security of the workplace. CUNY is committed to compliance and assistance with enforcement of all known court orders of protection, particularly orders in which abusers have been ordered to stay away from the work site of the victim. If requested by the victim of domestic violence or law enforcement, CUNY will cooperate in situations concerning an alleged violation of an order of protection.

E. In the event that a person is observed engaging in threatening behavior, each CUNY campus public safety department will implement its emergency security response plan, including procedures for contacting the appropriate law enforcement agency, and will provide employees with clear instructions about what to do and whom to contact.

F. Upon notice from a victimized employee, each campus public safety department, working with the employee, the campus-level liaison and the employee's supervisor will develop and implement individualized workplace safety plans, which may include, when appropriate, advising co-workers and, upon request, the employee's bargaining representative, of the situation; setting up procedures for alerting security and/or the police; temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site; change of work schedule; reassignment of parking space; escort for entry to and exit from the building; responding to telephone, fax, e-mail or mail harassment; and keeping a photograph of the abuser and/or a copy of any existing court orders of protection in a confidential on-site location and providing copies to security personnel. Plans must address additional concerns if the victim and the offender are both employed by CUNY.

### **IV. ACCOUNTABILITY FOR EMPLOYEES WHO ARE OFFENDERS**

CUNY will not tolerate nor excuse conduct that constitutes workplace domestic violence. CUNY will hold accountable any and all employees who engage in the following behavior: (1) using CUNY

resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official CUNY business; or (3) using their job-related authority and/or CUNY resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

A. In cases in which CUNY has found that an employee has threatened, harassed, or abused an intimate partner at the workplace using CUNY resources such as work time, workplace telephones, FAX machines, mail, e-mail or other means, said employee will be subject to corrective or disciplinary action in accordance with existing collective bargaining agreements, statutes and regulations. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

B. In cases in which CUNY has verification that an employee is responsible for a domestic violence-related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior, CUNY will determine if corrective action is warranted, in accordance with existing collective bargaining agreements, statutes and regulations.

C. In cases in which any employee intentionally uses his/her job-related authority and/or intentionally uses state resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his behavior, said employee will be subject to corrective or disciplinary action, in accordance with existing collective bargaining agreements, statutes and regulations. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

## **V. FIREARMS**

Pursuant to New York State and federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

A. In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify CUNY if they are arrested on a domestic violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the issuing agency or to the appropriate police agency.

B. Should an employee fail to comply with the requirements set forth above, said employee will be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statutes or regulations. In addition, the appropriate law enforcement agency will be notified for possible criminal action.

## **VI. TRAINING**

CUNY will train management and supervisory personnel on this policy and will provide continuing educational opportunities for employees using materials provided by or approved by OPDV.

A. All persons designated as liaisons, whether the University-level liaison or college-level liaison, and all liaison-identified support personnel will complete OPDV's one-day training on Domestic Violence and the Workplace as soon as practicable after the appointment is made. Training will prepare support personnel to identify possible signs and indicators of victimization, make appropriate referrals to domestic violence service providers, work with professionals to assist identified victims with safety planning, and develop individualized responses. Training will also include information on the physical, social and cultural realities that may affect victims of domestic violence, the ways in which domestic violence impacts the workplace,

including the potential impact on worker productivity and the safety risks to on-site personnel and visitors.

B. Campus-level liaisons will designate, as appropriate, managers, supervisors, employee assistance professionals, human resources personnel, union and labor representatives or security staff for additional training on domestic violence issues which may include the one-day OPDV training. C. CUNY will also make training in the prevention and awareness of domestic violence and its impact on the workplace available for all staff. Training will include information on the physical, social and cultural realities that may affect victims of domestic violence, the ways in which domestic violence impacts the workplace, including the potential impact on worker productivity and safety risks.

## **VII. REPORTING REQUIREMENTS**

As directed by OPDV, CUNY is obligated to document all incidents of domestic violence that happen in the workplace, including the number of employees who report domestic violence, the number of employees who request information/services, and the number of referrals made to domestic violence service providers. The information gathered will not contain any identifying personal information. Said information will be forwarded by each college to the University liaison to OPDV for further reporting to OPDV at the time and in a manner determined by OPDV. Such documents will be kept confidential to the extent permitted by law and policy and the provisions of section (VIII) detailed below.

## **VIII. CONFIDENTIALITY**

Information related to an employee being a victim of domestic violence will be kept confidential, to the extent permitted by law and policy, and will not be divulged without the consent of the victimized employee, unless CUNY determines that maintaining said confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection. The limitations on confidentiality will be discussed with each victim who seeks assistance from supervisory or security staff. In such

circumstances where a determination has been made that maintaining confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection, only those individuals (employees and/or safety and security personnel and/or rescue and first aid personnel) as deemed necessary by CUNY to protect the safety of the victim and/or other employees or to enforce an order of protection will be given information concerning incidents of domestic violence.

CUNY will disclose only the minimum amount of information necessary to protect the safety of the victim and/or other employees or to enforce an order of protection. Where possible, CUNY will provide to the victim of domestic violence notice of the intent to provide information to other employees and/or safety personnel. Nothing herein will prevent CUNY from investigating an act or acts of domestic violence that happen within the workplace. Examples of situations where confidentiality cannot be maintained include the following:

A. Supervisors/managers may be informed about a domestic violence incident that happens in the workplace, or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.

B. First aid and safety personnel may be informed about a domestic violence incident that happens in the workplace or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.

C. Government officials investigating a domestic violence incident that happens in the workplace, or a report of domestic violence, will be provided relevant information on request.

## **IX LAW ENFORCEMENT AND LEGISLATION**

CUNY will cooperate to the fullest extent legally possible with law enforcement and other

appropriate government agencies. In addition, this policy will be interpreted and applied in accordance with all applicable local, state and federal laws as well as all existing collective bargaining agreements, policies and regulations.