

## **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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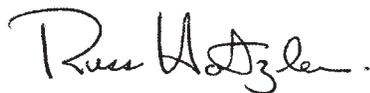
# Greetings

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, or serve the College and its students in other ways, 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 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 staff handbook was made to serve as a guide and to provide information for our classified staff members. It is not meant to supersede the CUNY Rules and Regulations or any of the Collective Bargaining Agreements with CUNY and the Blue and White Collar Contracts. Employees are encouraged to familiarize themselves with the contents and provisions in the Blue and 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. They are 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 and 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 specialist 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 College of Technology.

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 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 services administration, hospitality management (including an option in travel and tourism), entertainment technology and telecommunications technology; the bachelor of science in applied mathematics, human services and legal assistant studies; and the bachelor of science in education in career and technical teacher education and in 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 fields. 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 AA and AS degrees and is fully transferable to other units of the university.

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

**SCHOOL OF ARTS AND SCIENCES**

Applied Mathematics (BS)  
Chemical Technology (AAS)  
Computer Science (AS)  
Liberal Arts and Sciences (AA and AS)

**SCHOOL OF PROFESSIONAL STUDIES**

Accounting (AAS)  
Alcohol and Substance Abuse (Certificate)  
Career and Technical Teacher Education (BS in Ed)  
Dental Hygiene (AAS)  
Dental Laboratory Technology (AAS)  
Fashion Marketing (AAS)  
Health Services Administration (BTech)  
Hospitality Management (AAS and BTech)  
Hospitality Management/Travel and Tourism (BTech)  
Human Services (AAS and BS)  
Legal Assistant Studies (AAS and BS)  
Marketing Management and Sales (AAS)  
Nursing (AAS and BS)  
Ophthalmic Dispensing (AAS)  
Radiologic Technology and Medical Imaging (AAS)  
Technology Teacher Education (BS in Ed)  
Youth Studies (Certificate)

**SCHOOL OF TECHNOLOGY AND DESIGN**

Art and Advertising Design (AAS)  
Air Conditioning Equipment Technician (Certificate)  
Architectural Technology (AAS and BTech)  
Building/Housing Superintendent Technology (Certificate)  
Civil Engineering Technology (AAS)  
Communication Design (BTech)  
Computer Aided Advertising and Publishing (Certificate)  
Computer Engineering Technology (BTech)  
Computer Systems (BTech)  
Computer Information Systems (AAS)  
Construction Management (Certificate)  
Construction Management Technology (AAS)  
Desktop Publishing (Certificate)  
Electrical Engineering Technology (AAS)  
Electromechanical Engineering Technology (AAS)  
Entertainment Technology (BTech)  
Environmental Control Technology (AAS)  
Facilities Management (Certificate and BTech)  
Graphic Arts Production Management (BTech)  
Graphic Arts Advertising Production Management (AAS)  
Industrial Design Technology (AAS)  
Lighting Systems Technology (Certificate)  
Mechanical Engineering Technology (AAS)  
Microcomputer Business Systems (AAS)  
Scenic Construction (Certificate)  
Show Control (Certificate)  
Sound Systems Technology (Certificate)  
Telecommunications Engineering Technology (AAS and BTech)

# **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 that fall into the civil service category are required to sign in and out daily by using a time card, a swipe card, or a palm reader. In addition, there are required forms for employee absences, approved overtime and various leaves. These forms are available from your supervisor or a representative of the Human Resources department. New staff members should acquaint themselves with these documents during their first week of appointment. Their proper use will ensure the correct recording of time worked and time off.

### Time Cards

The recording of time can be in the form of swipe cards, palm readers or white time cards (College form PN-7). Time cards are maintained on a daily basis and submitted with supporting documentation to a representative of the Human Resources department after the time period is completed on a bi-weekly basis. Late time cards or incomplete time cards can cause a delay in your paycheck. Any falsification of time cards is cause for disciplinary action, which can lead to termination of employment.

### Lateness and Absences

If you are faced with an emergency absence, illness or lateness, a telephone call to your immediate supervisor is required. In the event that you cannot reach your supervisor, call a representative of the Human Resources department (718.473.8701) and ask that your message be relayed to the appropriate person. Upon your return, you must immediately file a pink leave card (PN-15) with your supervisor.

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

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 salary. The penalty schedule is as follows:

<b>For lateness of:</b>	<b>The penalty is:</b>
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 time) can result in disciplinary action.

### 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. Lateness caused by a verified major failure of public transportation, such as a widespread or total power failure of significant duration or other catastrophe of similar severity may be excused.

## 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.

Our administrative workweek is a five-day, 35-hour week. Lunch period is normally one hour, scheduled by your supervisor. According to union contracts, lunch hours are designated to begin no earlier than 11:45 AM and end no later than 2:15 PM. Staff may not report after their scheduled starting time and work later to make up this time.

According to union contracts, employees in the Gittleson group are entitled to a rest period of 15

minutes per day. If the employee does not take advantage of the rest period, or on occasions, the department is not able to accommodate the rest period, the employee will not be able to arrive late, leave early or add the rest period to his/her annual leave.

Our custodial staff workweek is a five-day, 40-hour week. All shifts have a 30-minute lunch period.

Deviation from the normal work schedule requires the advance approval of the Director of Human Resources, not your immediate supervisor (with the exception of blue-collar titles).

A four-day workweek may be scheduled for certain staff during the summer, at the discretion of the College president. At other times of the year, such a schedule may be introduced in certain departments by mutual consent of the employees and College administration.

A summer schedule of one hour less per day applies to those staff members who work in areas that do not have air-conditioning equipment.\* This is considered early release time. If you leave before your scheduled time, you will be charged annual leave to the end of the normal workday.

*\*An engineer from Buildings and Grounds must declare the office as a non-air conditioned office.*

### **Overtime**

- A. Overtime (voluntary or involuntary) worked between the thirty-fifth (35th) hour and the fortieth (40) hour in any payroll week shall be compensated in cash at straight time.\*
- B. Overtime (voluntary or involuntary) in excess of forty hours in any payroll week shall be compensated in cash at time-and-a-half (1-1/2X).\*
- C. For employees granted shortened work days under Section 16 of Article IX in the Blue and White Collar Contracts, compensatory time for work performed between thirty (30) and thirty-five (35) hours a week when such shortened schedule is in effect shall be granted at the rate of straight time (1X time). Such work shall not be considered overtime until an individual has worked 40 hours in any payroll week.\*

- D. Upon the mutual agreement of the employee and the designee of the College President, for any particular work week, the overtime compensation provided in subsections (A) and (B) above shall be granted in compensatory time off in lieu of cash at the rate of straight time for overtime under subsection (A), and at the rate of time-and-a-half (overtime) under subsection (B).\*

*\* Overtime information taken directly from the Blue and White Collar Agreements.*

### **Compensatory Time**

Compensatory time (also known as “comp” time) is given in lieu of cash payment for employees not eligible for cash overtime. It is given in the form of time that is credited to your leave bank.

Compensatory time must be used within a three-month period or it will be converted to your sick leave balance.

## **LEAVES**

### **Holidays**

You will be entitled to paid holidays and unscheduled holidays as listed on the approved City University of New York Holiday Schedule applicable to your title. The holiday schedule is normally distributed to the College community during the Spring Semester of each year.

### **Annual Leave**

Annual leave is used for vacation, personal business and religious observance. Full-time employees (excluding skilled trade employees whose annual leave time is determined as per separate directives) who have served at least four months will be granted an annual leave allowance accrued at the rate of 15 days per year for the first 4 years; 20 days per year for the 5th through 7th year. At the beginning of the 8th full year of paid service, annual leave will be accrued at the rate of 25 working days; starting with the 15th year of full paid service, annual leave will be accrued at the rate of 27 working days. You shall be credited with annual leave as you earn it. You may not use annual leave until you have been with the College for a minimum of four months.

Your supervisor must approve any departure from your assigned work tour outside of your regularly scheduled work assignment. An employee who wishes to be on leave must request approval at least seven (7) days in advance from his/her supervisor. A pink leave card (PN-15) must be submitted in advance with documentation if applicable.

Annual leave is to be taken at the discretion of the College, where staffing levels will be reviewed in making a determination, and may be denied if, in the judgment of the supervisor or the Director of Human Resources, the staff member cannot be released.

If on the day before and/or after a holiday you use annual leave which has not been approved in advance, you may not be paid for the holiday nor for the day you took off.

Annual leave will be charged in 1-hour segments.

### Religious Days

If your religious faith requires observance of certain days, please notify your supervisor of your anticipated absence. Your unscheduled (Floating Holiday) or annual leave time may be used.

Unscheduled/Floating Holidays - There are two types of unscheduled holidays:

1. Established unscheduled holidays are a part of the holiday schedule each and every year (subject to contractual changes). For White Collar titles, except Staff Nurse, there are four (4) established unscheduled holidays. For Staff Nurses, there are three (3) established unscheduled holidays. For Blue Collar titles, there is one established unscheduled holiday.
2. Additional unscheduled holidays occur when scheduled holidays fall on Saturday or Sunday and are not to be observed on the preceding Friday or succeeding Monday. Additional unscheduled holidays will be indicated in the Employee Holiday Schedules promulgated in the spring of each year.

### ANNUAL LEAVE ACCRUAL CHART

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
15 DAYS Year 1-4	1	1	1	2	1	1	1	2	1	1	1	2
20 DAYS Year 5-7	1	2	2	1	2	2	1	2	2	1	2	2
25 DAYS Year 8-14	2	2	2	2	2	3	2	2	2	2	2	2
27 DAYS Year 15	2	2	2	3	2	2	2	3	2	2	2	3

*During the 1st – 4th years of service, employees follow the “15 days” accrual schedule.*

*During the 5th – 7th years of service, employees follow the “20 days” accrual schedule.*

*During the 8th – 14th years of service, employees follow the “25 days” accrual schedule. Starting at the 15th year of service, employees follow the “27 days” accrual schedule.*

**Sick Leave**

If you become ill and are unable to report for work, sick leave absences will be charged against your sick leave balance, which accrues at the rate of one day per month. Sickness during scheduled annual leave is generally charged as annual leave, but may be converted to sick leave with submission of proper medical documentation and approval of the Director of Human Resources. Absences immediately prior to or after a holiday require a doctor's note upon return. If a doctor's note cannot be secured, the employee may not be paid for the sick day or for the holiday. If you do not call your department supervisor, a representative of the Human Resources department (718.473.8701), or Buildings and Grounds (718.260.5337), whichever is applicable, you will not be paid for the absence even if you have accrued sick leave and accrued annual leave balances.

Sick leave will be charged in 1-hour segments.

Any employee who anticipates a series of three (3) or more medical appointments, which will require repeated use of sick leave in units of one day or less must submit medical documentation indicating the nature of the condition and the anticipated schedule of treatment.

Between September 1 and August 31, one (1) of your sick days can be used to care for an ill family member who is covered under CUNY's FMLA policy. Medical documentation must be provided. Any additional time used must be taken from your annual time.

**Jeopardy/Penalty List**

Excess undocumented sick leave will place you on the jeopardy/penalty list, requiring you to bring a medical note for any additional sick time taken.

Medical documentation for absences of three (3) days or less remains at the discretion of the Director of Human Resources.

Medical documentation for absences longer than three (3) days is mandatory. However, if you are on the jeopardy/penalty list and sick time is taken, you must submit a medical note. If you do not fulfill this obligation, you will not be paid for the absences. Such documentation must be submitted on the day

of return to work, unless requested prior to that date by the Director of Human Resources.

**Terminal leave**

Upon retirement, after 10 years of service, one-half of unused sick leave up to 120 days can be used as terminal 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 your return to work after an absence.

**Child Care Leave**

A request for child care leave must be submitted to the Director of Human Resources for approval prior to being granted. Employee must meet the 1,250 hours of service requirement. Child care leave commences at the end of all paid leave. Child care leave up to 48 months is granted to an employee who is a parent of an infant child up to four years of age. The use of this maximum allowance will be limited to one instance only. All other child care leave shall be limited to a maximum of 36 months. In addition, there are other restrictions, which can be discussed with a representative of the Human Resources department. Please note that this leave is without pay and without health benefits.

**Jury Duty**

Jury Duty leave shall be granted to the employee if the request is made in advance. In order not to be charged for the time, an employee must bring the jury duty receipt to a representative of the Human Resources department. The employee must declare to be a public employee and should only receive payment for transportation. The employee will receive a normal paycheck from the College, unless 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**

Death in the immediate family includes the following persons: spouse, domestic partner, natural, foster or step parent, child, grandchild, brother or sister, father-in-law, mother-in-law, or any relative residing in the employee's immediate household. Proof of death is required. Proof of residency is required for relative living in household. You are granted four days for bereavement.

**Civil Service Exams**

Civil Service Examination (for CUNY job titles only) – Employees are excused when taking a CUNY civil service examination. A pink card (PN-15) along with documentation must be submitted.

**Military Leave**

A person on active duty (Reserve or National Guard) must give a representative of the Human Resources department a copy of the military orders in advance. An employee is allowed twenty-two (22) workdays or 30 calendar days (whichever is greater) per year with full pay. During a military conflict, the University will advise us if advancement of military leave days is given.

**Personal Leave**

There are no provisions for personal leave as such. With advance approval from your supervisor, you may use your annual leave for this purpose.

**Leave Without Pay**

Leave without pay is rare, but may be granted as long as it is within the guidelines and the policies of the College, The City University of New York, and the Civil Service Commission. Such a request should be discussed with both your supervisor and the Director of Human Resources.

# **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 on a regular schedule of at least 20 hours per week; and
- Your appointment is expected to last more than six months.
- For Provisional, Temporary and those Non-Competitive classified employees for whom there is no civil service exam, coverage begins on the first day of the pay period following the completion of 90 days of continuous employment, provided that an application has been submitted within that period.
- For employees appointed from Civil Service - eligible lists, coverage begins on your appointment date, provided the Human Resources Benefits Office has received your application form within 31 days of the appointment.

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

- A legally married husband or wife, but never an ex-spouse
- Unmarried children under the age of 19
- Unmarried children between 19 and 23 who are full-time students in an accredited educational institution
- Unmarried children who cannot support themselves due to disability that occurred while the City Health Benefits Program 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
- 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 in 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 that you pay additional premiums. Some plans have optional benefits for an additional pre-tax premium.

### 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):** plans offer the freedom to use either a network provider or an out-of-network provider. If the subscriber uses a network provider, health care delivery resembles that of a traditional HMO. When the subscriber uses an out-of-network provider, health care delivery resembles that of an indemnity insurance product, with less comprehensive coverage and subject to deductibles and/or coinsurance.

**Participating Provider Organization (PPO):** indemnity plans offer the freedom to use either a network provider or an out-of-network provider for medical and hospital care. They contract with health care providers who agree to accept a negotiated lower payment from the health plan, with copayments from the subscribers, as payment in full for medical services. When the subscriber uses a non-participating provider, the subscriber is subject to deductibles and/or coinsurance.

### Health Plans

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

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

### **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. Categories covered:

- **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 visit the 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 Assistance (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**

**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 months by the number of days the employee is participating in the Medical Spending Conversion Health Buy-Out Waiver Program.

**Waiver of Health Benefits:** Every employee or retiree eligible for City Health Benefits must either enroll for coverage or waive membership by completing the appropriate sections of the Health Benefits Application. Double City Coverage is not permitted.

### **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; usually it is 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
- Prescription Drug Plan
- Disability Insurance
- Hearing Aid
- Group Life Insurance

- Accidental Death and Dismemberment Insurance

For more information on benefits offered by your respective Union Welfare Fund, you should contact the Welfare Fund which represents your specific title.

## RETIREMENT BENEFITS

### The New York City Employees' Retirement System- NYCERS

#### Retirement Systems

**Voluntary Membership:** All employees in a classified title appointed by the University who are not appointed from an open-competitive list and are not employed in a labor class position are considered Provisional and 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.

**Mandatory Membership:** Current tier membership is mandatory for all employees who are appointed from a civil service list and have completed six (6) months of service in a permanent position.

Permanent employees may voluntarily join NYCERS at any time during the first six (6) months of covered employment. Salary deductions will be effective on the date the certificate is issued by the New York City Employees' Retirement System.

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

#### Tax Deferred Annuity Program:

##### Metropolitan Life Insurance Company

Employees have the option of participating in a voluntary tax-deferred annuity (403 (b)). The tax-deferred annuity allows 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 the Tax Deferred Annuity Program, contact a representative of the Human Resources Department.

## FEDERAL AND STATE MANDATED BENEFITS

### Family Medical Leave Act (FMLA)

All full-time salaried employees and full-time faculty in institutions of higher education may be entitled to Family Medical Leave (FML).

Effective February 5, 1994, as an employee of The City University of New York covered by a collective bargaining agreement, if you have worked for the employer for at least twelve (12) months, and have met the 1,250 hours of service requirement, you are eligible for leave under the Family Medical Leave Act.

Permissible Reasons For Taking Family Medical Leave:

1. For birth of a son or daughter, and to care for the newborn child.
2. For placement with the employee of a son or daughter for adoption or foster care.
3. To care for the employee's spouse, domestic partner, son, daughter, or parent with a serious health condition.
4. Because of a serious health condition that makes the employee unable to perform the essential functions of his/her job.

If an employee becomes ill for more than (5) days, they are covered under FMLA for a total of 12 weeks. FML can also be taken intermittently/ sporadically. The FML year is from September 1 through August 31. If the leave is for your own illness, your sick leave is used first to cover this absence. After your sick leave is exhausted, your annual leave is used to maintain pay status. If you do not have enough sick and annual leave, the FML will be without pay.

If you are taking FML for a covered family member, only your annual leave can be used to maintain pay status. Once all annual leave has been exhausted, the FML will be without pay.

The employee must complete the employee's portion of the FMLA form. The attending physician should complete the medical certification form. A representative of the Human Resources Department will provide counseling for FMLA.

**Disability Benefits**

Disability benefits are temporary cash benefits payable to an eligible wage earner when she/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 an injury or illness that is not incurred in the course of employment, you should file the proper claim form which can be obtained from your union or welfare fund. This form must be filed within 20 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, phone 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 because 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 is 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.

**IMPORTANT TELEPHONE NUMBERS  
AND WEBSITE ADDRESSES**

**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  
[home2.nyc.gov/html/olr/html/health/health\\_benefits\\_prog.shtml](http://home2.nyc.gov/html/olr/html/health/health_benefits_prog.shtml)

**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

- **Tuition Waiver**
- **Accident Medical Expense Insurance**
- **Transit Benefit Transportation Spending Account**
- **Library**
- **Faculty and Staff Lounge**

# Other Benefits

## **Tuition Waiver**

Tuition waivers are available for undergraduate/graduate credit courses at any college in The City University of New York. Full time classified staff members (including managerial titles) are eligible. Gittleson titles require six months of service to qualify for a tuition waiver, while white collar, blue collar and managerial titles require one year of service to qualify.

Please contact a representative of the Human Resources Department to request a tuition waiver.

## **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 at a low cost per employee. 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
- 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. Metrocards can be used for transportation on the New York City Transit System (subway and/or NYC local and express buses that accept Metrocards). For more information, please contact a representative of the Human Resources Department or visit the CUNY website.

Savings will vary based on the deduction amount selected. For your convenience, there are four deduction plans to choose from 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 full-time 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 can take advantage of this service.

## **Faculty and Staff Lounge**

A faculty and staff lounge is located in A-632, on the 6th floor of the Atrium building, and is available for staff members who choose to bring their lunch. A buffet lunch is also available for a fee.

College policy does not permit staff members to eat at their desks.

# **Administrative Policies and Procedures**

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

# Administrative Policies and Procedures

## CLASSIFICATION

### White Collar Unit

Titles in the white-collar unit include clerical, administrative and professional employees of the classified services of The City University of New York. Please see Appendix A for list of titles.

### Blue Collar Unit

Titles in the blue-collar unit include custodial, stores-stock and security employees of the classified services of The City University of New York. Please see Appendix A for list of titles.

## FREQUENTLY USED CLASSIFICATIONS AT CITY TECH

### Probable Permanent Status

An employee is appointed as a probable permanent employee, when they are selected from a certified civil service list. This employee has taken a civil service exam for his/her position. In order for a probable permanent employee to become a permanent employee, he/she must complete a 12-month probationary period with a satisfactory evaluation. Upon completion of the probationary period, the employee becomes permanent.

### Permanent

An employee has permanent status once they have been appointed from a certified civil service list and have satisfactorily completed the required probationary period.

### Provisional Status

An employee is in provisional status if he/she did not take a civil service exam for their position. This employee will obtain disciplinary rights after two (2) years of service in the same provisional title. The employee's status will remain provisional until The City University of New York administers a civil service exam for the provisional position. In order to gain

permanent status, an employee must take and pass the exam in his/her title, be eligible and reachable for appointment from the certified list of eligible candidates and successfully complete a probationary period of (1) year in probable permanent status.

### Non-Competitive Status

An employee is in a non-competitive status if The City University of New York has declared the position to be non-competitive (no test is administered for the position). Disciplinary rights will be obtained after two years of employment in the same non-competitive position.

### Temporary Status

An employee will serve in a temporary capacity on an emergency basis only. The temporary appointment cannot exceed 12 months of service.

## PERFORMANCE APPRAISALS

### Probable Permanent Employment

Initial appointments from a certified civil service list to classified staff positions are made on a probationary basis. The probationary period will be one year. The purpose of this period is to secure reference reports from former employers, and to permit your supervisor to evaluate your work performance. An employee who successfully completes the probationary period, with satisfactory evaluations, becomes "permanent." If the probationary period is not satisfactory the employee's services may be discontinued at the College.

### Evaluation Report

During the one-year probationary period, all employees will generally receive quarterly evaluation reports completed by their immediate supervisors. These reports require the signature of the employee and the supervisor before submission to a representative of the Human Resources department.

After the probationary period, each employee is evaluated yearly unless special circumstances indicate more frequent evaluation will be helpful.

These reports are intended to be constructive. It is hoped that the employee will take any recommendations constructively and adjust or

correct 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/she is qualified to assist you in the performance of your duties and responsibilities, and provides the leadership and guidance necessary for the smooth and efficient operation of the office. In the evaluation of your performance, the supervisor 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 any issues before they are 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**

College policy is to advance employees who prove their ability to accept responsibility and grow in their job. If you have excellent skills and evaluations, and meet the qualifications for advancement, you have the opportunity to grow at New York City College of Technology.

Department chairs and/or department managers must complete the proper promotion/advancement paperwork. Please see the Director of Human Resources for additional information.

The Civil Service examination system is another avenue for advancement. The CUNY website provides a list of exams that can lead to promotions 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 Civil Service Weekly Newspaper*.*

### **Management Rights**

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

- Right to change or introduce new and improved operations, methods, means or facilities
- Right to determine the standards to be met by employees
- Right to hire, establish work shifts, establish job classifications, promote, demote, transfer and lay off employees
- 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/Salary Levels**

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

Information on salary levels can be obtained from respective unions, a representative of the Human Resources department and/or by logging onto CUNY's website, [www.cuny.edu](http://www.cuny.edu).

### **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 3:00 PM on the day before payday. In cases where a payday falls on a holiday, checks will be available for pick up after 3:00 PM on the day prior to the holiday. Your salary is computed on the basis of your daily salary over a 10-day period.

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 payroll 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 the Payroll Office 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 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 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 a 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 Department of Public Safety. 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. The College 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 personnel documents can be updated. Examples of acceptable documentation of such changes are: social security card, marriage certificate, court order, divorce certificate or any legally valid document.

### **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 can be submitted:

- Via e-mail to a representative of the Human Resources department
- By completing a change of address card
- By 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 any change of dependent status, and any change that can affect your health benefits, welfare fund and pension status. Examples of acceptable documentation of such changes are: birth certificates, adoption papers, divorce decrees.

## **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 the appropriate vice president of the area. Be sure to contact a representative of the Human Resources department regarding the exit interview process, your records, release for final paycheck and transitional benefits.

### **Exit Interview**

Prior to separation from employment (resignations, terminations, layoffs, etc.) employees must contact a representative of the Human Resources department to schedule an exit interview.

During the exit interview the following items will be discussed:

- COBRA benefits
- Unemployment benefits, if applicable
- Unused annual and sick leave
- Clearance for final paycheck (all college property must be returned prior to the release of the final paycheck).

Please note there may be a delay in the release of your final paycheck if an exit interview is not completed in a timely manner.

## **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	710 AM	<a href="http://www.wor710.com">www.wor710.com</a>

Unless otherwise notified,  
PLEASE DO NOT CALL THE COLLEGE.

Classified staff employees may be excused for absences during such an emergency closing.

Buildings and Grounds and Public Safety employees are required to report for work because they are considered emergency/essential personnel of The City University of New York. This is part of the job requirement. Those who do not report for work will have deductions made from either their salary or time.

### **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.

ELEVATORS ARE NOT TO BE USED during an emergency evacuation.

### **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. Do this 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.
  - ii. Any conditions, left upon your evacuation, from your work area that might endanger
  - iii. The name (if available) and location of persons you know are still in the building, emergency responders 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.**

## **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 such 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.

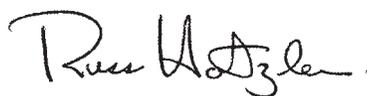
Please know that in responding to incidents of harassment among students, staff and faculty, the College will use all appropriate mechanisms available to it, including, if necessary, disciplinary procedures. The College also encourages members of the campus community who are aware of cases of harassment 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 Time Off for Religious Observance

### **POLICY**

Reasonable accommodations are to be made for the religious needs of employees requesting time off for religious observance. Because The City University of New York staff encompasses a diverse multi-cultural community, it is likely that some religious observances may be less well known and requests will present opportunities to learn about the religious celebrations of many different cultures. Since a complete knowledge and potential listing of religious observances for all staff is beyond the capability of the personnel offices, it is incumbent on the employee, when requested, to provide written documentation to the College Personnel Director. The documentation from the religious group should indicate the nature, extent and duration of the religious observance which will require the employee's absence from work.

granted in whole days. However, at the discretion of the College Personnel Director upon the request of an employee, the employee may be granted approval to have his/her work hours on the day(s) temporarily rescheduled. This will be considered only in instances where the employee's request is for time off of less than a full day on either a one time basis or regular basis.

Last Updated: 11/25/02

### **PROCEDURE**

Leave for religious observance may be charged against annual leave, unscheduled holiday balances, or compensatory leave balances.

Employees with no balances in the previously listed leave accrual categories may, at the discretion of the College Personnel Director, be advanced leave time to be charged against future annual leave accruals to a maximum of 3 days per year.

Requests for time off should because of business necessity be made in sufficient time prior to the observance to permit the affected department to make appropriate schedule changes. In general, approval will not be considered unless requested at least 10 working days prior to the day of religious observance.

Colleges must schedule adequate support staff to insure that the operations of all departments and services to the public are not adversely affected. In general, time off for religious observances will be

# THE CITY UNIVERSITY OF NEW YORK

## Time Allowed Employees to Vote

### BACKGROUND

Title I, Section 3-110 of the current New York State Election Law sets forth the conditions under which employees who are registered voters may take time off from their jobs to vote. The provisions of this section are summarized below.

### POLICY

1. Unless an employee has an unusual work schedule, the employee should not require any extra time off to vote.
2. If an employee has four consecutive hours either before work or after work during the time the polls are open, the employee shall be deemed to have sufficient time to vote. If the employee has less than four consecutive hours, the employee may take as much time as is necessary to vote, but only two hours of this time shall be excused time.
3. If an employee who is a registered voter does not have sufficient time outside of working hours to vote, the employee may take up to two hours without charge to leave balances to vote.
4. Time off for voting shall be allowed only at the beginning or end of the work shift, as the College Personnel Officer may designate, unless otherwise mutually agreed upon.

### PROCEDURE

1. An employee requiring time off to vote shall notify the College Personnel Officer in writing, not more than ten nor less than two working days before the day of the election.
2. Every college shall post a notice setting forth the provisions of Section 3-110 of the current New York State Election Law at least ten working days before every election.

Last Updated: 9/9/02