

**THE NEW YORK INSTITUTE  
FOR SPECIAL EDUCATION**

**EMPLOYEE MANUAL**



Founded in 1831 as  
The New York Institute  
For the Education of the Blind

**999 PELHAM PARKWAY • BRONX, NEW YORK 10469**

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# THE NEW YORK INSTITUTE FOR SPECIAL EDUCATION

## EMPLOYEE MANUAL

**999 Pelham Parkway  
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The Employee Manual is intended as an introduction for new employees as well as a reference to the general operating procedures for all staff members. For each employee, the Institute offers opportunities for work, which contributes to the betterment of our students. Your position and the work you do directly aid the students in their growth.

The Institute employs professionals, paraprofessionals and support staff in many job categories. There are two groups of regular staff:

- ★ 10-month employees include teachers, teacher assistants, childcare workers, houseparents, food service workers and specialists in many supportive categories.
- ★ 12-month employees include administrative, clerical, business office and plant operations staff.

Throughout this Manual you will see references to these two categories of staff. It is important that this Manual be read carefully to see which areas apply to all employees and which apply only to either 10 or 12-month staff.

This Manual is not a contract. The Institute may change the policies and procedures described in this Manual anytime if the Institute should determine the need to make such change. Complete Policy Statements are available for review on the Institute's website.

## **MISSION STATEMENT**

The New York Institute for the Education of the Blind was founded in 1831 in order to provide quality education, care, training, rehabilitation, and other related services to blind and visually impaired children. In July 1986, the New York Institute for the Education of the Blind changed its name to The New York Institute for Special Education. This reflects both a change in the Institute's charter, as well as an expansion of services to children with other handicapping conditions. With this change, the Institute became a multi-school facility for children, ages 3 to 21 years old, whose handicapping conditions include: blindness and visual impairment, emotional disturbance and learning disabilities, and developmental delays.

The New York Institute for Special Education's mission is:

1. To provide quality education, training, and related services for all students at the Institute.
2. To provide academic excellence and social interaction for children with handicapping conditions, as defined above, in order that they may become productive members of society.
3. To remain a viable educational option within the New York State continuum of special education programs and services.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The New York Institute for Special Education is committed to a policy of non-discrimination and equal opportunity for all employees and qualified applicants without regard to race, color, religion, sex, age, national origin, status as a veteran, and disability. The Institute's Equal Employment Opportunity policy is implemented to assure nondiscriminatory practices in recruiting, hiring, training, promotion, transfer, compensation, benefits and all Institute-sponsored activities.

The Institute will display equal opportunity notices in places available to all employees and applicants. All employment applications are in compliance with applicable federal laws. Any employee or applicant who feels that he or she has not been accorded fair and impartial treatment regarding employment should bring the matter to the attention of the Executive Director.

## **SEXUAL HARASSMENT**

The New York Institute for Special Education believes that every employee has the right to perform his or her duties free from sexual harassment. Such harassment can come from supervisors, fellow employees, parents and vendors. The Institute cannot stress enough that it will not tolerate any form of sexual harassment of its employees. The Institute will not tolerate any type of retaliation directed at an employee for filing a complaint of sexual harassment. Unwelcome sexual advances, requests for sexual favors and other verbal, pictorial or physical conduct of a sexual nature constitutes sexual harassment when:

- ★ Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment.
- ★ Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting individuals.
- ★ Such conduct has the purpose or effect of unreasonable interference with an individual's work performance.
- ★ Such conduct creates an intimidating, hostile or offensive working environment.

If a staff member feels he or she has been a victim of sexual harassment, they must immediately report the incident to the immediate Supervisor, Personnel Manager and/or Assistant Executive Director. The Institute will then conduct an investigation of the incident in which all appropriate parties will be interviewed.

If the incident is determined to be sexual harassment, the responsible employee(s) will face disciplinary action, which may range from a warning, to a suspension, to a termination of employment, depending on the seriousness of the conduct. If the harassment came from a person not employed by the Institute (ex. parent or vendor) appropriate measures will be taken to correct the situation.

## **FIRE SAFETY**

All employees of The New York Institute for Special Education are required to know and follow Fire Safety requirements. You must always be alert to conditions, which could cause a fire, and be prepared to evacuate the students in the event of a fire or fire drill.

It is the policy of The New York Institute for Special Education that all staff is responsible for:

- ★ Knowing the contents of the Fire Safety and Fire Drill Procedures for Employees.
- ★ Knowing the locations of manual fire alarm boxes in their building.
- ★ Closely supervising students during cooking activities.
- ★ Inspecting electrical cords before using outlets.
- ★ In the event of the activation of a fire alarm, all staff must evacuate the students as quickly as possible by using the procedures listed below.

The Director of Facilities will develop and distribute “Fire Evacuation Plans” and supervisors will have them available at workstations.

## **PROCEDURES FOR FIRE ALARM AND/OR FIRE DRILLS**

- ★ (Manuals are available in the Personnel Office and throughout the Institute.)
  - 1) Take all students out of the room/dormitory.
  - 2) Close the door to prevent the fire from spreading.
  - 3) Pull the nearest wall fire alarm, if alarm is not already sounding.
  - 4) Leave the building with students through the nearest exit.
  - 5) Count the students under your care to make sure they are all out of the building.
  - 6) Proceed to a location away from a doorway.
  - 7) Clear the area near the building so the Fire Department has access to the building.
  - 8) Every staff member in a building is expected to assist in student evacuations.
  - 9) All persons must exit the building during a fire drill or emergency.
  - 10) Do not use elevators! Do not use telephones!

In the event that a fire is in another building, continue your normal activities unless called upon to assist at the scene of the fire or instructed by your supervisor.

## **ELEVATOR MALFUNCTION ON CAMPUS**

To assure the safety of all students and staff from any elevator malfunctions on campus all staff is required to know and follow the Elevator Malfunction on Campus procedures.

- \* In the event of an elevator malfunction staff and students are instructed to press the call button in the elevator, which will directly contact the Security booth at the Aster Avenue entrance to campus. Wood/Russ and Crosby/Phelps are the only elevators on campus equipped with a hand held telephone and hot a call button. In the event of an emergency in those elevators staff and students must dial 511 to contact Security.
- \* Security will notify Plant Operations, Health Services and the Principal of the program. The Principal of the program where the elevator malfunction is located will be in charge at the scene.
- \* Plant Operations will go to the scene and evaluate the situation and if necessary call the Fire Department immediately.

During evening hours and early morning hours Security will call the Fire Department immediately.

The following are the extensions for each elevator. All elevators allow for two-way speaking whether they have call buttons or hand held sets.

Crosby Phelps	596
Dewey Dormitory	388
Frampton Hall #1, South Side	598
Frampton Hall #1, North Side	597
Schermerhorn	374
Van Cleve	599
Wood Russ	108

## **SAFETY AND HEALTH OF EMPLOYEES**

The management of The New York Institute for Special Education regards employee safety and health as a fundamental value of the organization and is committed to protect it. It is the Policy of The Institute to provide a safe and healthful work environment for employees at every level through the awareness and prevention of occupational injuries and illness. All employees, as well as, visitors and outside contractors will be responsible for conducting themselves in a safe manner at all times and shall obey the rules set forth in this safety program.

## **SAFETY AND HEALTH OF EMPLOYEES** *(cont.'d)*

- \* All employees must immediately report any hazardous area to their supervisors and or the Director of Facilities.
- \* Employees shall report all unsafe practices and conditions to his/her supervisor, as well as, observe and follow the directions of all signs and notices.
- \* The Personnel and Health Services Departments will review all accident and incident reports for any patterns and report them to The Safety Committee.

## **SECURITY**

All staff is expected to assist in making the Institute a safe and secure place. Please follow these basic precautions:

- ★ Always lock your classroom or office door when you leave. Close and lock all windows and put out the lights.
- ★ Make sure supply cabinets are locked.
- ★ Evening, night and resident staff should always make sure building doors are kept closed and locked.
- ★ Never leave personal valuables in view. Put them away. Use desk drawers, closets and file cabinets.
- ★ Always lock up Institute equipment when not in use and at the end of the day.
- ★ Notify security if strangers are seen on campus.
- ★ Always close car windows, remove keys from ignition and do not leave valuables visible inside car.
- ★ Report lost keys immediately.

If you have not taken basic security precautions, you may receive a reminder notice from one of the Security officers. This notice is to help you remember basic precautions for everyone's security. Please remember that the Institute is not responsible to reimburse staff for the loss or destruction of personal items.

## **ON-CAMPUS PARKING AND ROADWAYS**

It is imperative for The New York Institute for Special Education to maintain clear roadways in case of an emergency. Fire and ambulance vehicles need to have clear and immediate access through the campus at all times. Due to space limitations, it is not possible for parking to be provided for every employee. Space, when available, will be assigned to employees who have made application based on the following priorities:

- a. Accessibility for disabled employees.
- b. Safety and security of employees coming to work at night.
- c. Employee's seniority at the Institute.

Employees wishing on-campus parking must complete an application and return it to the Supervisor of Security and Safety. A survey will be conducted each year at the time contracts are issued, to determine how many employees want to retain their parking spaces. Any employee assigned to the Frampton Hall parking lot will be responsible for purchasing a remote control clicker through the Supervisor of Security and Safety to gain access to the parking lot. The Supervisor of Security and Safety will maintain an up-to-date waiting list.

The roadway that runs from the corner of the Health Services Building to the Service Building's garage is off limits to all employee vehicles. Employees who park on-campus must enter and exit using the roadway that circles the ballfield and drive no faster than 5 m.p.h.

Failure to comply with rules and regulations associated with parking and roadways will result in a withdrawal of parking privileges or a delay of assignment of space to those on the parking space waiting list. The Institute does not assume any liability for damage to or loss of employees' vehicles while parked on or off campus.

The Institute reserves the right to eliminate on-campus parking at anytime

## **IDENTIFICATION BADGES**

All staff is required to wear identification badges on his/her outermost garment at all times while on Campus.

## **DEFENSIVE DRIVING COURSE**

The Institute recommends that all staff attend a Defensive Driving Course if that staff member will be driving an Institute vehicle off campus.

## **NON-SMOKING**

The New York Institute for Special Education, having given full consideration to educational issues, health hazards associated with smoking and in compliance with the Administrative Code of the City of New York, prohibits smoking and/or the use of tobacco products on school premises.

## **NON-SMOKING (cont'd)**

The New York City Administrative Code Title 17, Section 622 states:

The use of tobacco products on school premises is prohibited. It shall be unlawful for any person to use a tobacco product, including chewing tobacco, on school premises at any time.

"School premise" means the building, grounds or facilities, or any portion thereof owned or occupied by public or private institutions for the primary purpose of providing educational instruction to students at or below the twelfth grade level.

Any person who violates section 17-622 shall be liable for a civil penalty of not more than fifty dollars for each violation. In addition to Section 622 violations, civil penalties resulting from violation of the Clean Indoor Air Act can result in fines up to five hundred dollars per violation. An Employee will also be subject to employment disciplinary action, including the possibility of termination of employment.

## **PROFESSIONAL CONDUCT**

Professional conduct is essential to the efficient operation of any organization and is the cornerstone of a successful work environment. Observance of these rules by all employees is essential in making the Institute a safe and pleasant work place.

- ★ Verbal and or physical abuse of any student is strictly prohibited and may result in immediate termination (refer to Child Abuse and Neglect Policy).
- ★ Employees must conduct themselves in an appropriate and courteous manner with all students, staff, parents and the outside community.
- ★ Use, possession and distribution of illegal drugs are strictly prohibited and may result in immediate termination.
- ★ Use of alcohol or being under the influence of alcohol while on duty is strictly prohibited and may result in immediate termination. Employees must not misuse, damage or steal Institute property. Doing so may result in immediate termination.

## **CHILD ABUSE REPORTING**

The New York Institute strives to provide the highest quality educational environment for its students. One part of that environment is creating a climate of well being. The purpose of this policy is to define and prohibit actions that are contradictory to excellent educational programs. It is recognized that providing a structured daily program with appropriate, approved disciplinary procedures is not abuse.

The Institute follows all Federal and State Laws regarding child abuse and neglect. Any alleged or known acts of abuse will be reported immediately. Failure to make

## **CHILD ABUSE REPORTING (cont'd)**

reports and/or testify as to an alleged abuse by any employee will be considered neglect and will be grounds for disciplinary action.

The Hot Line telephone number for reporting child abuse is: 1-800-342-3720. It is the responsibility of all staff to ensure that any abuse, mistreatment, or neglect of a student is reported to the statewide child abuse register. Failure to do so is a misdemeanor.

- \* When a student has been mistreated or sustained an injury resulting from suspected abuse, Health Services will examine the student and report the results to the Executive Director.
- \* All witnesses to such abuse must immediately report to appropriate supervisory staff as soon as any necessary medical attention is provided. This report must cite the names of all students and staff involved, nature of act, witnesses, etc.
- \* The incident is reported to the immediate supervisor, Assistant Executive Director and Executive Director.

## **WEATHER EMERGENCY**

The New York Institute for Special Education wishes to specify under what conditions the Institute's three programs will be open or closed in a weather emergency.

- ★ The New York Institute for Special Education is a residential school (Schermerhorn and Van Cleve Programs) and it cannot close during a weather emergency while students are in residence.
- ★ The Readiness Program is a day program and may close during a weather emergency if transportation is not available.
- ★ On such days as the New York City school system is closed on the first day of the school week due to a weather emergency, all The New York Institute programs will also be closed.
- ★ The New York Institute will be open to receive students on the first day thereafter that the city schools are open, provided that the Board of Education transportation is available.
- ★ If a weather emergency that would necessitate the closing of city schools is predicted for the last day of the school week, the students may be dismissed on the previous day.

Essential personnel needed during the weather emergency, such as security, maintenance and custodians will be required to come into work even if the Institute is closed for students. On days when your program is open during a weather emergency all staff members are expected to make every effort to arrive at work. Staff members who do

## **WEATHER EMERGENCY***(cont'd)*

not arrive must use their personal leave. If a staff member does not have any personal leave, other accrued leave may be used.

To insure proper coverage for the students, the Institute will try to make rooms available for those staff members who request them during a weather emergency. In the event of an early Friday closing, the program supervisor contacts the Executive Director to receive approval if staff is to be released before the end of their shift.

## **CERTIFICATION**

Many jobs at the Institute require New York state certification or licensure. New York State requires that all staff in teacher positions have a valid teaching license in the appropriate area. The State also requires that professionals, such as psychologists, nurses, social workers and physical, occupational and speech therapists have the proper state and professional certification or licensure. In addition, teacher assistants must have a valid New York State teacher assistant certification.

The New York Institute for Special Education seeks to employ qualified professional staff who are duly certified or licensed according to the Regulations of the Commissioner of Education which govern special education services in the State of New York.

All staff must be eligible for appropriate New York State certification. Certificates and licenses must be presented at the time of hire or transfer. In the event no certified applicant or staff is available after extensive recruitment, the Institute may, at its discretion, hire personnel who need to complete some requirements for certification. A certification/licensure plan with timeframes will be developed. Employment is contingent on successful completion of the plan within the stated timeframes.

## **PROBATION PERIOD**

The first ten months for all new and transferred employees is considered to be a Probation Period. The probation period allows all new and transferred employees an opportunity to understand exactly what is expected of them and to provide a time period for meeting these expectations.

Each supervisor will conduct two formal observations of an employee's job performance during this ten-month period. Supervisors will communicate their standards and expectations to all new and transferred employees. Each supervisor will complete a written performance evaluation after the first five months of employment defining any areas needing improvement over the remaining probation period.

Once your ten-month probation period is completed, the supervisor will meet with the employee and complete another written performance evaluation.

## **PROBATION PERIOD** *(cont'd)*

The Institute reserves the right to terminate the employee's contract at anytime without notice during the probation period, for any reason, at the Institute's sole discretion.

## **PAYROLL**

The New York Institute for Special Education distributes payroll compensation every two weeks by direct deposit or check. All employees must come to the Personnel Office prior to starting work in order to complete the necessary paperwork. The Business Office will answer any questions regarding your salary calculation, payment options, and tax deductions.

Timesheet records are legal documents and are signed by your supervisor. Because of this, timesheet records must never be falsified and doing so may result in termination.

## **FINGERPRINTING AND SCREENING OF PROSPECTIVE EMPLOYEES**

Effective July 1, 2001, Sections 305(30), 3004-b, 3004-c and 3035 of the Education Law, as amended by Chapter 180 of the Laws of 2000, and Part 87 of the Commissioner's Regulations require the Commissioner of Education to request a fingerprint-supported criminal history background check for applicants for certification as well as for prospective employees of school districts, charter schools and board of cooperative educational services (BOCES). Exempted from this requirement are individuals who are applying for a permanent certificate and hold a valid provisional certificate, applied for prior to July 1, 2001, in the same title for which the permanent certificate is sought. Screening shall include two sets of fingerprints, one set to be processed by the New York State Division of Criminal Justice Services (DCJS) and the other by the Federal Bureau of Investigation (FBI). For the Preschool Program (Readiness), the Department of Health (sec. 47.10) and the State Education Department (Chapter 268 of the Laws of 1987) have instituted certain guidelines to be used in the fingerprinting and screening of prospective employees. Screening shall include, but not be limited to: 1) fingerprinting (Preschool Program only); 2) a review of criminal convictions and pending criminal actions; 3) inquiry of the Statewide Central Register of Child Abuse and Maltreatment; 4) reference check with each of three most recent employers.

- \* The New York Institute will not hire or retain any person who refuses to grant authorization for fingerprinting by The State Education Department or clearance by The State Central Register.
- \* The New York Institute will not hire or retain any person who has a criminal conviction record subject to and consistent with Article 23-A of

## **FINGERPRINTING AND SCREENING OF PROSPECTIVE EMPLOYEES (cont'd)**

The New York State Correction Law and Executive Law. The New York Institute will not hire or retain any person who is the subject of an indicated Child Abuse and Maltreatment report on file with The Statewide Central Register of Child Abuse and maltreatment. Notification of the granting or denial of clearance will be sent to both the prospective employee and the applicable school. A denial notice of prospective employee will include information on how he or she may file an appeal with the Office of Teaching of the State Education Department. For Preschool Program (Readiness), any person who is denied employment or terminated as an employee due to an indicated report of child abuse or maltreatment will be informed at that time of his/her rights pursuant to Sections 22 and 424-A of the Social Services law, to request a hearing before the New York State Department of Social Services on the indicated report on file with The State Central Register.

- \* Upon determining that the criminal history record of a prospective employee reveals no criminal record, clearance will be sent to both the applicable school district and the prospective employee.
- \* Applicants for Certification will not receive a separate notification indicating that his/her background check is clear. When all other requirements for certification have been met, the Office of Teaching will issue the appropriate Teaching Certificate. When the applicant receives his/her certificate, he or she will know that the background check was clear.

All prospective employees or a candidate for certification must sign a written consent form for fingerprinting. All prospective employees for any position at the Institute after 7/1/87 must fill out a State Central Register clearance form to be sent to The State Central Register of Child Abuse and Maltreatment for clearance. All prospective employees or a candidate for certification will be fingerprinted on Campus. For Preschool Program (Readiness), all prospective employees must make his/her own arrangements to be fingerprinted by The New York City Department of Investigation. Employees will not receive a contract until clearance is received by The New York Institute for Special Education.

## **HIRING AND TRANSFER REQUESTS**

The New York Institute for Special Education bases its employment policies on the qualifications and skills demonstrated by candidates for job openings. The Institute subscribes to and abides by a policy of non-discrimination in considering individuals for employment and transfer opportunities.

- ★ All hiring and transfer requests for The New York Institute for Special Education must go through the Personnel Office.

## **HIRING AND TRANSFER REQUESTS (cont.'d)**

- ★ Supervisors will notify the Personnel Office when a position becomes available.
- ★ The bulletin board outside the Personnel Office will contain the announcements of vacant positions.
- ★ Qualified staffs already employed, who are interested in the vacant position, must contact the Personnel Office.

All job offers will be made only by the Personnel Manager or the Executive Director upon principal's/supervisor's recommendation and appropriate Director's clearance.

- ★ The Institute has established guidelines for the employment of relatives (refer to Nepotism Policy).
- ★ The Institute will not employ any relative of a student to work in the same program as that student.

All applicants will be sent to the Personnel Office for a general interview. Qualified applicants will then be sent to the appropriate supervisor for a second interview. The principal/supervisor will recommend the best candidate for the position to the appropriate Director.

The Personnel Manager will screen the candidates and check educational credentials and references (refer to Fingerprinting and Screening of Prospective Employees Policy). The Personnel Manager will notify the candidate and make the job offer, which will include a salary quotation and starting date for employment. The Personnel Manager will meet with the new employee on or before the starting date to discuss the various benefits, fill out the appropriate forms for employment and issue an Employee Manual.

## **NEPOTISM**

No employee or employee's immediate family, or any party, group or organization to which the employee(s) has allegiance, may participate formally or informally in the decision to hire, retain, promote, or determine the salary of a member of his or her immediate family.

No employee may, in the supervision or management of another employee who is a member of his or her immediate family, give preferential or favored treatment.

## **PERSONNEL EVALUATION**

The written evaluation of all employees of The New York Institute for Special Education is conducted on a regular basis in order to promote excellence in job performance, identify individual strengths and weaknesses, which can be used as a basis

## **PERSONNEL EVALUATION** *(cont.'d)*

for individual improvement and to assure that each employee is meeting acceptable levels of performance. Each supervisor will also observe an employee's job performance during the year.

All employees will be evaluated at the end of each year in order to determine continued employment. Employees resigning or retiring before June may receive a final

evaluation at the time of termination of service. New employees and employees who transfer to another position will be evaluated according to the policy on Probation Period.

For employees who are performing at a level below acceptable standards, evaluation intervals will be determined by each supervisor (e.g. every three months).

Notification of unacceptable performance will be made as soon as possible by each supervisor when appropriate, at which time a plan of improvement will be developed and will specify a time frame in which the employee can make the necessary improvement.

At the start of the school year, each supervisor informs their staff about the department goals for the upcoming year and about the methods that will be used by the supervisor in gathering data for evaluation. After completing an evaluation on an employee, the supervisor will meet with the employee to discuss the evaluation.

The evaluation form provides space for employees to make written comments concerning his/her evaluation, which will become a part of the evaluation. The employee will be requested to sign the evaluation at this time. A refusal to sign will be noted by the supervisor. Employees will be given a copy of the evaluation form. The original copy will be filed in the employee's folder in the Personnel Office. The evaluation form will not be released to outside agencies.

The Institute reserves the right to not renew an employee's contract at its expiration for any reason within the Institute's sole discretion.

## **GRIEVANCE PROCEDURE**

It is the policy of The New York Institute for Special Education to see that every employee receives fair and equitable treatment and that they are provided with an easily accessible procedure for resolving problems. A grievance procedure has been established to foster employee/supervisor relations through communication and ultimate reconciliation of work related problems. This procedure is an impartial review system through which employees can resolve issues relating to the administration of personnel policies, employee discipline, or other conditions of employment. The formal mechanism for review and reconciliation is established to insure fair and careful review of problems. Every reasonable effort should be made by supervisors and employees to resolve any issue that has arisen.

A grievance is a work related issue that has not been resolved through usual communication channels. Grievance meetings will be scheduled at mutually satisfactory

## **GRIEVANCE PROCEDURE** *(cont.d)*

times for all concerned and will be held during working hours. Grievance procedures are to be used without fear of reprisal. No employee will suffer adversely from the use of these procedures to resolve problems. The Institute's goal is to reach equitable solutions to grievances in a timely fashion.

- ★ The employee must notify the Personnel Manager, in writing, that a problem or potential problem exists and a mutually satisfactory outcome has been attempted but not reached after discussion with his/her supervisor.
- ★ The Personnel Manager will meet with all parties involved to discuss the situation.
- ★ If no satisfactory agreement can be reached after meeting with the Personnel Manager, all parties will then meet with the Assistant Executive Director.
- ★ If no satisfactory agreement can be reached after meeting with the Assistant Executive Director, the matter will then be brought to the attention of the Executive Director.
- ★ The Executive Director will hold a meeting where all parties will present their respective positions. The decision of the Executive Director will be final.
- ★ Once a satisfactory outcome has been agreed upon and a final decision has been made, the decision will be recorded in written form and sent to all parties.
- ★ A file of all grievance decisions will be kept separate from the employee's personnel folder.

## **LEAVE OF ABSENCE**

Pursuant to the provisions of the Family and Medical Leave Act of 1993, all full-time employees who have been employed by the Institute for one year or more are eligible to request a leave of absence for the following:

### **FAMILY LEAVE**

- a) Birth of a child (maternity and/or paternity)
- b) Adoption of a child

### **MEDICAL LEAVE**

- a) Employees' own illness (refer to Sick Leave Policy).
- b) The care of a seriously ill spouse, child or parent with a "serious health condition."

## **LEAVE OF ABSENCE** *(cont.'d)*

- c) A "serious health condition" is an illness, impairment or physical or mental condition that involves: (1) inpatient care; (2) incapacity requiring an absence from one's regular daily activities for more than three days and continuing treatment by a health care provider; or (3) continuing treatment by a health care provider for a chronic or long-term condition that is incurable or so serious that if left untreated would likely result in an absence of more than three days.
- ★ Eligible employees may take up to 12 unpaid months in any 12-month period.
  - ★ Requests for leaves beyond the 12 months will be considered by The Institute with continuity of program taken into consideration.
  - ★ Sick, Personal and Vacation leave may be used to cover all or part of any leave.
  - ★ Employee's Group Health Insurance will be continued on the same basis as before the leave.

The Institute reserves the right to require proof of employee's illness. The Institute reserves the right to require medical certification which states that the employee's presence is necessary or would benefit treatment of a spouse, child or parent. The Institute reserves the right to obtain a second opinion at its expense.

## **MEDICAL LEAVE**

If the need for a leave is foreseeable, employees must request, in writing, to the Personnel Office at least 30 days prior to the leave. In the event of an emergency, employees must notify the Personnel Office within 24 hours.

Failure to return to work without an approved extension of leave time will result in the termination of employment.

## **SICK LEAVE**

Sick leave is intended for short and long term salary protection. The availability of this time in the event of a major illness will protect the employee against loss of wages (refer to Leave of Absence and Disability Policies). All regular, full-time employees accrue sick leave time as follows:

- ★ Twelve-month employees accrue sick leave at the rate of 1.17 days per month, which totals 14 sick days per 12-month contract period.
- ★ Ten-month employees, who work a five-day week, accrue sick leave at the rate of 1.20 days per month, which totals 12 sick days per 10-month contract period.

## **SICK LEAVE** *(cont.'d)*

- ★ Ten-month employees, who work a four-day week, accrue sick leave at the rate of 1 day per month, which totals 10 sick leave days per 10-month contract period.

All regular, part-time employees accrue sick leave time on a prorated basis. Unused accrued sick leave time will be carried over to the next contract year to a maximum of 200 days. If an employee retires while in active employment, the employee's accrued sick time a maximum of 165 sick days is added to their retirement benefit calculation and a maximum of 200 sick days to estimate the value of their sick leave credit toward the employee's health insurance premium.

Sick leave may not be used during the first three months of employment but employees accrue sick leave for those three months. If an employee has no accrued sick leave time, the employee may borrow up to five unaccrued sick leave days, within a contract period, for an absence due to illness. If an employee has used all their allotted sick leave time within a contract period, the employee will not be paid for an absence due to illness (refer to Leave of Absence and Disability Policies).

If an employee will be absent due to illness, the employee must follow Department procedures for notifying his or her supervisor. If an employee becomes ill while at work, the employee must notify their supervisor immediately.

The Personnel Office may request an employee to bring a doctor's note when the employee returns from any sick day that their supervisor feels was not justified. Sick leave days must be recorded on the Employee Attendance sheets. Any employee who is found falsifying Institute records will be subject to immediate dismissal.

## **PERSONAL LEAVE**

Personal Leave is intended for the occasional need for a work absence. A Personal Leave day may be utilized to handle personal matters that cannot be done after work hours. (e.g. house closing, taking family member to an M.D.) and religious holidays (refer to Leave of Absence and Disability Policies). All regular, full-time employees are entitled to the following personal leave:

- ★ Twelve-month employees are entitled to six personal days per 12-month contract period.
- ★ Ten-month employees, who work a five-day week, are entitled to five personal days per 10-month contract period.
- ★ Ten-month employees, who work a four-day week, are entitled to four personal days per 10-month contract period.

All regular, part-time employees are entitled to personal leave time on a pro-rated basis. Personal leave, except for emergencies, may not be used more than one day at a time. Unused personal leave may not be carried over to the next contract year.

## **PERSONAL LEAVE (cont'd)**

Personal leave may not be added to a vacation request for 12-month employees without the approval of the employee's supervisor. Personal leave for 10-month employees will not be approved in the month of June, except for an emergency. A new employee may not use personal leave during the first three months of employment.

Personal leave must be requested with a minimum of 24 hours advance notice. In the event of an emergency, an employee must notify his or her supervisor as soon as possible to inform them of the situation. Supervisors are not obligated to grant personal leave for any specific day if the request conflicts with the Department or Program needs. Supervisors may request that the personal leave time be taken on another day.

Personal leave days must be recorded on the Employee Attendance sheets. Any employee who is found falsifying Institute records will be subject to immediate dismissal.

## **PAID VACATION LEAVE FOR 12 MONTH STAFF**

It is the policy of The New York Institute for Special Education to provide paid vacation leave for all 12-month, full time, permanent employees. Paid vacation leave is accrued on a monthly basis from the first full month of 12-month employment. Persons moving from a 10 to a 12-month position begin accruals of paid vacation leave in the month of his/her transfer.

Twelve-month staff earns the following paid vacation allotments:

- ★ Office clerical, maintenance, housekeeping and security staff.

Two weeks paid vacation, accrued at the rate of .83 days per month. After five years of service the vacation leave is three paid weeks, accrued at the rate of 1.25 days per month. After fifteen years of service the vacation leave is four paid weeks, accrued at the rate of 1.7 days per month.

- ★ Management personnel when specified at the time of hire:

Three weeks of paid vacation leave per year accrued at the rate of 1.25 days per month. After fifteen years of service the vacation leave is four paid weeks, accrued at the rate of 1.7 days per month.

- ★ Clerical Staff in the following offices:

Executive Director  
Assistant Executive Director  
Director of Fiscal Affairs  
Development and Public Relations  
Personnel Office  
Registrar

## **PAID VACATION LEAVE FOR 12 MONTH STAFF (cont'd)**

Three weeks of paid vacation leave per year accrued at the rate of 1.25 days per month. After fifteen years of service the vacation leave is four paid weeks, accrued at the rate of 1.7 days per month.

- ★ Additional holidays are specified each year in the 12-month school calendar.

Vacation leave up to the number of accrued days may be taken any time during the year with the approval of the Supervisor. When vacation requests for a certain time period would cause a department to go below the minimum number of staff needed, vacation requests will be granted in the order of seniority. Unused vacation leave can be carried into the next school year to a maximum of five days.

## **JURY DUTY AND MILITARY LEAVE**

Each employee shall be entitled to a leave with pay for Jury Duty up to a maximum of 15 working days. Military Leave shall be granted in accordance with Federal and State Law.

If an employee is called for Jury Duty or Military Leave, he or she must notify the Personnel Office and present their official notice. If an employee is excused from Jury Duty prior to the 15 days, he or she must return to work immediately. After the employee completes his/her Jury Duty Service, the employee must submit a letter from the County Clerk that states the amount of time he/she completed for Jury Duty Service to the Personnel Office.

## **FUNERAL LEAVE**

When an employee has a death in their immediate family they may request a Funeral Leave. The Institute realizes that this is a trying time for family members. This provision for leave will allow an employee time for bereavement.

- ★ An employee will be allowed up to 5 days of sick, personal or vacation leave upon the death of an immediate family member.
- ★ Immediate family is considered a spouse, child, parent, mother-in-law, father-in-law, brother, sister, grandparent, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and grandchild.

If an employee requires a funeral leave, the employee must notify their supervisor. The Institute reserves the right to require verification regarding a funeral leave.

## **WORKERS' COMPENSATION**

All employees are covered under the New York State Workers' Compensation Act while in the performance of their duties. The Institute pays for the entire cost of such

## **WORKERS' COMPENSATION** (*cont.d'*)

insurance. This policy is written within the guidelines set by the New York State Workers' Compensation Act and is subject to changes in accordance with the law. A booklet containing the New York State Workers' Compensation Act is available in the Personnel Office.

- ★ If an employee suffers an on-the-job injury or illness and there is medical proof of this disability, the employee may choose to use their accrued leave time to cover all or part of his/her disability or the employee may receive benefits from the Institute's Workers' Compensation carrier starting at a rate of two thirds of his/her salary up to a maximum of \$400.00 per week (refer to Workers' Compensation Policy).
- ★ Workers' Compensation benefits are payable to an eligible employee beginning with the eight consecutive day of disability. Benefits are never paid for the first week of disability according to Law.
- ★ The Institute reserves the right to dispute any Workers' Compensation claim.

All employees must fill out an accident report within 24 hours for any job related injury or illness. Accident forms are available in Health Services. If an employee requires outside medical attention, he or she must contact the Personnel Office as soon as possible. Employees are free to choose any physician or hospital authorized to give medical care by the Workers' Compensation Board.

An employee cannot return to work following an injury or illness without notifying the Personnel Office and submitting medical clearance that they are able to perform their job duties on a full-time basis.

## **DISABILITY**

The New York State Disability Benefit Law provides for the payment of benefits to employees who become disabled because of injuries or illnesses, that are not job related, including pregnancy. If an employee becomes disabled, he or she will receive benefits based upon their weekly salary up to a maximum of \$300.00 per week.

- ★ Employees may choose to use accrued leave time to cover all or part of a disability or receive benefits from the Institute's Disability carrier (refer to Disability Policy & Leave of Absence policy).
- ★ Disability payments may be made upon proper verification from the employee's physician for a maximum of 26 weeks during any consecutive 52-week period.
- ★ Disability benefits are payable to an eligible employee beginning with the eighth consecutive day of disability. Benefits are never paid for the first week of disability according to Law.

## **DISABILITY(cont'd)**

- ★ In Disability Benefit cases the law does not provide payments for medical care. The employee must use their health insurance plan.

On becoming disabled, the employee must notify their Supervisor and the Personnel Office immediately. A Disability Form must be filled out by the employee and their physician and returned to the Personnel Office for processing.

An employee cannot return to work following an injury or illness without notifying the Personnel Office and submitting medical clearance that they are able to perform their job duties on a full-time basis.

## **EDUCATIONAL ASSISTANCE**

The Institute encourages staff members to continue to improve and to develop new skills and complete licensure requirements. Toward that end, funds may be available for full-time employees to attend accredited schools, colleges and universities. Funds will be granted to reimburse staff for their tuition costs based on the following criteria:

- A. Course work taken to complete any required N.Y.S. certification and/or licensing requirements.
- B. Course work taken at the request of the administration of the Institute for the development of particular skills, that are or may become a part of the employee's work assignment.
- C. Course work taken to increase the general competence of staff members in their present roles at the Institute.

Tuition is defined as the cost per credit for the coursework only. It does not include registration fees, late fees, books, materials or any other student related fees.

Applications approved for criteria A and/or B will be given first consideration. Applications approved for criteria C will be considered only after the reimbursement of criteria A and B, provided that funds are still available in the educational assistance budget. Tuition advances may be granted for criteria A and/or B only. Tuition reimbursement for criteria C, if granted, will be processed in June of each year only.

Tuition reimbursement if granted for criteria C, will be limited to 9 credits and/or \$2,400 per semester. Employees must complete course work at a "C" grade level or better for undergraduate work and at a "B" grade level or better for graduate work.

If educational assistance is approved, the employee must agree to remain at the Institute for at least one year following completion of the course(s). Employees who leave the Institute prior to completion of the one year will be held financially responsible for the total cost of the course(s) and agree to reimburse the Institute for any educational assistance and any other costs it incurred relating to the course(s).

Temporary, and/or substitute employees are not eligible for tuition reimbursement. Part-time employees who are interested in tuition reimbursement will be evaluated on a

## **EDUCATIONAL ASSISTANCE** *(cont.'d)*

case-by-case basis. Tuition reimbursement will not be offered to any employee of less than one contract year unless the course work taken is for criteria A or B.

When the approved requests for funds exceed the available budget for a given year, a percentage of reimbursement may be given based upon Institute priorities rather than the full amount requested. Reimbursements will be made only for course work taken within the year for which the request is made.

- \* Effective September 1, 2006, employees who anticipate requesting tuition payment or reimbursement must obtain approval prior to determine if the coursework meets the Institute's criteria for payment. Approval forms may be obtained from the Personnel Office. Approval of the coursework does not guarantee payment. All other conditions must be met.
- \* Employees must obtain an application for tuition assistance (payment) from the Personnel Office.
- \* The employee's completed application must be returned to the Personnel Office. Copies of payment receipts must be attached.
- \* The Assistant Executive Director and/or the Personnel Manager will determine the payment for each application.
- \* Applications for summer and fall courses must be submitted to the Personnel Office by December 1 of each year. Applications for the spring semester must be submitted May 1 of each year.
- \* Upon the completion of the course, the employee must send an official grade report or transcript to the Personnel Office.

All tuition reimbursement is subject to the Internal Revenue Service guidelines regarding employee benefits. The Institute reserves the right to withdraw its Educational Assistance Program at anytime.

## **CONFERENCES AND SEMINARS**

The New York Institute for Special Education encourages staff members to increase their skills through professional development activities such as conferences and other training sessions.

- ★ Requests to attend a conference or seminar must be made in writing to your supervisor. A trip and expense form must accompany the request. Requests will be considered on an individual basis.

## **CONFERENCES AND SEMINARS** *(cont.'d)*

- ★ Your Supervisor and Assistant Executive Director must approve requests or the Personnel Manager for 12-month staff.
- ★ Staff members attending any approved conference or seminar may be required to share conference findings via presentation and/or written summary.

Requests, with appropriate forms, must be submitted to your supervisor. After a request is approved, the trip and expense form must be forwarded to the Registrar. The Registrar will return the expense form to the staff member. Staff member must bring expense form to the Business Office for processing.

## **BENEFIT PACKAGE**

### **HEALTH INSURANCE**

All Institute employees who work a minimum of half time in his/her job category per week are eligible to enroll in the NYS Health Insurance Program (The Empire Plan) or the Health Maintenance Organization (HMO) offered by the Institute. The Personnel Office has booklets, which explain the plans in detail, plus the current charge for each plan. Participation in this plan is voluntary.

### **DENTAL INSURANCE**

All Institute employees who work a minimum of half time in his/her job category per week are eligible to enroll in the G.H.I. Dental Plan or one of the other various Dental Plans. The Personnel Office has booklets, which explain the plans in detail, plus the current charge for each plan. Participation in this plan is voluntary.

### **VISION PROGRAM**

All Institute employees who are enrolled in one of the Health Insurance Plans are eligible to enroll in the NYS Vision Program (Davis Vision). The Personnel Office has booklets which explain the plan in detail. Participation in this plan is voluntary.

### **RETIREMENT PLAN**

All Institute employees including temporary and substitutes are eligible to enroll in the New York State Employees Retirement System (NYSERS). The Personnel and Business Offices have booklets and information regarding this plan. Participation in this plan is voluntary for 10-month employees. Participation in this plan is mandatory for 12-month employees.

## **BENEFIT PACKAGE** *(cont'd)*

### **CREDIT UNION**

All Institute employees are eligible to participate in payroll deductions to the Municipal Credit Union. The Personnel Office has booklets and information regarding this plan. Participation in this plan is voluntary.

### **TAX DEFERRED ANNUITY (TDA)**

All Institute employees are eligible to participate in a TDA through payroll deductions. The Personnel and Business Offices have booklets and information regarding this plan. Participation in this plan is voluntary.

### **LIFE INSURANCE**

The New York State Employees Retirement System provides group life insurance to all members of the Retirement Plan while they are in active service.

Additional life insurance is available through payroll deduction. The Personnel Office has booklets and information regarding this plan. Participation in this plan is voluntary.

### **CANCER PROTECTION PROGRAM**

All Institute employees are eligible to enroll in the Cancer Protection Program (AFLAC NY). The Personnel Office has booklets which explain the plan in detail plus the current charge for the plan. Participation in this program is voluntary.

### **SHORT TERM DISABILITY PROGRAM**

All Institute employees are eligible to enroll in the Short Term Disability Insurance with Allstate Workplace Division. The Personnel Office has booklets and information which explain the plan in details. Participation in this program is voluntary.

### **DAY CARE SUPPLEMENT**

All Institute employees are eligible to apply for a monthly supplement if your child is attending a licensed daycare. Please call the Personnel Office for further details.