

SUNY Maritime College

CLASSIFIED EMPLOYMENT AND BENEFIT HANDBOOK

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1. INTRODUCTION

Welcome to SUNY Maritime College. This document has been designed to help you understand your position as a New York State Civil Service employee and to provide you with an overview of the benefits, services, and regulations relevant to your employment.

We encourage you to read this document and use it as a reference. **Updates to this document will be made on Polices page of the Human Resource Services web site at <http://www.sunymaritime.edu/HR/index.aspx>.** It is impossible to include all information applicable to every situation an employee might encounter. Whenever you need further information, advice, or assistance, you are encouraged to contact your supervisor or the Office of Human Resource Services, McMurray Hall 718-409-7301.

2. CIVIL SERVICE STATUS

Classification of Positions

The Classified Service has four classifications of positions: competitive, non-competitive, exempt, and labor classes. This classification is based on the nature of the work to be performed and whether an examination is required for the job. In the competitive class, appointments are made from Civil Service lists based upon the results of examinations, which measure knowledge and skills required by the job. The examinations are either open-competitive (open to all qualified persons) or promotional (open to qualified New York State employees). These examinations result in eligible lists, which contain the names of candidates who passed the tests, ranked in the order of their test scores. The only exception to this policy may be a temporary appointment as described below.

There are no examinations in the non-competitive, exempt, and labor classes. These positions are filled by open recruitment and are based on training, experience and the operating needs of the department. Current employees with good attendance and work records who have the ability to do the job will be given due consideration for promotional opportunities based on seniority.

Types of Appointments

There are four types of appointments to New York State Civil Service: permanent, contingent permanent, provisional, and temporary. Your letter of appointment will identify your status.

Permanent - A permanent appointment to a competitive position is made by selecting one of the three highest ranking eligible candidates willing to accept the appointment. All employees appointed on a permanent basis must serve a probationary period.

Contingent Permanent - If you have a contingent permanent appointment, you have either been appointed, transferred or reinstated to a temporarily vacant position. Except in the case of the return of a prior incumbent, contingent permanent appointees have all the rights and benefits of permanent appointees.

Provisional - If your appointment is provisional, you have been determined qualified and selected to fill a position for which no appropriate eligible list exists at the time. In order to obtain permanent status in your position, you must take the appropriate examination when it is held and rank high enough to be appointed.

Temporary - If you are a temporary appointee, any of several conditions may apply. You may be filling the position of a permanent employee on leave of absence; you may have been appointed for a few weeks pending the appointment of someone who will fill the position permanently; or you may have been appointed for a short period to aid in carrying out some project of a temporary nature. Depending upon funding source, temporary appointments are usually of a specific, limited duration. The Office of Human Resource Services will explain the regulations surrounding these kinds of appointments.

An employee may also be appointed as a trainee or apprentice. These appointments allow an appointee to be trained on the job before acquiring full permanent status. Upon satisfactory

completion of the traineeship or apprenticeship, appointees are entitled to full permanent status in the position for which the appointment was made.

Probationary Period

The probationary period is a part of the selection process for permanent employees. During probation you are observed to determine how well you can perform the specific duties of your job, how well you work with other people, and whether you possess other abilities that Civil Service examinations may not reveal. Attendance also is an important factor in evaluating your probationary performance.

Your probationary period will vary depending upon your appointment. Your appointment letter will indicate the probationary period that applies to your position. In addition, when permanent employees are given a promotion, they also must serve a probationary period in their new title.

Promotion

It is the policy of the State of New York to fill higher graded positions by promotion from the lower grades whenever appropriate. This policy gives you some assurance that when you come into state service that you will be eligible to advance as you become more proficient, take higher-level promotional examinations, assume more responsibility, and have a good performance and attendance record.

In most cases, to be promoted you must take an examination just as you did for your original appointment. Advancement in the non-competitive and labor class is not tested but based on a combination of seniority, demonstrated ability, performance evaluation and attendance.

Examination announcements and vacancies are posted on bulletin boards throughout campus, and in the Office of Human Resource Services. Ask your supervisor where the bulletin boards are located in your building. Employees with access to email may also sign up directly with the NYS Department of Civil Service to receive announcements of examinations at:

http://www.cs.state.ny.us/announ/tentative_schedule.cfm

Transfer

You may send a written request to other state agencies for a transfer after you achieve permanent status. If you transfer prior to completing your probationary period, you will be required to begin your probation again. State agencies are not obligated, but may appoint persons seeking transfer to their facility. Sections 70.1 and 70.4 of Civil Service Law have increased opportunities for transfer between titles at SUNY Maritime College. The Office of Human Resource Services can provide detailed information regarding these transfers.

Reinstatement

If you have held a permanent competitive position and have resigned, you may be reinstated at the discretion of any state agency to the same title within one year without taking an examination, provided a position is available. If you are reinstated, you will serve a new probationary period in the same manner and be subject to the same requirements as the original appointment. If you are reinstated within one year, you are entitled to retain any leave accruals for which you did not receive payment. After a year of separation, those accruals are lost. If you are absent from state service for over a year, reinstatement to Civil Service status is still a possibility, but it requires the support of the Office of Human Resource Services and formal approval of the New York State Civil Service Commission.

Position Classification and Compensation

Generally defined, “position classification” is the means by which a job, comprised of specific duties and responsibilities, is analyzed and relegated into a class or title. A “classification” or “class,” then, is made up of jobs or positions containing similar duties and responsibilities. A class of jobs is allocated to a particular salary grade on the basis of several judgmental factors including: difficulty and complexity of work, relationships to other classes or work, and the “market value” of the job (or the price paid by employers other than the State for similar work).

If, in your opinion, the work you perform and the responsibilities you hold are those of a position classified higher or different from the one you fill, you should discuss a possible reclassification and/or title change with your supervisor or union representative. While it is possible for employees to submit proposed reclassifications directly to Civil Service, you are encouraged to work in conjunction with the Office of Human Resource Services so as to be informed of any restrictions or other information, which may be relevant to your request.

Your job cannot be reclassified or reallocated solely because:

- you are qualified to do more responsible work;
- you have rendered long service;
- you have not had an increase in salary for a long time;
- you are very efficient; or
- you have passed an examination for a higher level position.

Job duties and responsibilities must justify the change.

Reclassification or reallocation of your position does not mean that you will automatically receive a higher title and higher pay. You must be on an appropriate eligible list and reachable for appointment. Otherwise you must qualify for a reclassified position in competition with others who may be qualified. Only the Department of Civil Service has authority to approve a reclassification request.

Staff Reductions

It is possible that an employee may be demoted or laid off for reasons of economy or because of other circumstances, which do not reflect on the character or performance of the employee. In these situations, the least senior appointees in the State service are the first to be demoted or dismissed.

If you are a permanent employee who is demoted or laid off under these circumstances, the Civil Service Department will place your name on a preferred eligible list for appointment to a position similar to the one you formerly held. It may also be possible for you to transfer immediately to another position if a vacancy exists.

Separation from Service

Prior to your final paycheck, College equipment and materials, including keys and your identification card, must be returned and all financial obligations must be met.

If you are subject to the Attendance Rules, you or your estate are entitled to cash payment for accrued vacation credits, not in excess of 30 days, when you separate from state service by reason of death, retirement, resignation, or layoff. Payment may be withheld if you:

- A. are removed from State service as a result of disciplinary action, or
- B. resign after charges of incompetence or misconduct have been served upon you.

Provision is made for the transfer of leave credits when employees transfer to another state agency or from classified service to unclassified service. According to Section 23.1 of the New York State Attendance Rules, the campus may withhold payment for vacation if an employee resigns without giving written notice of his/her resignation at least two weeks prior to his/her last day of work.

Payments for accrued vacation and compensatory time due to eligible employees who have retired or died will be made two weeks after the last regular paycheck. Payments for accrued and unused credits to employees who have resigned or transferred will be paid after they have been off the payroll six weeks.

3. CONDUCT AND JOB PERFORMANCE

Code of Ethics

As an employee of New York State, the Code of Ethics set forth in the Public Officers Law binds you. Under this law, you are required to pledge to support the Federal and State constitutions and to perform faithfully the duties of your position. You are also expected to maintain the highest standards of conduct in carrying out your responsibilities and to conduct yourself in your position in a way that will reflect favorably on yourself and the College.

The Secretary of State is required by law to obtain and file your Oath of Office as an employee of New York State, along with a signed statement that you have received, read, and will conform to the provisions of Sections 73-78 of the Public Officers Law. These provisions are set forth in a pamphlet entitled "Public Officers Law: Standards and Code of Ethics" which you received at the time of your appointment.

Performance Evaluation

Performance evaluation is important to you, your supervisor, and the College. Your supervisor's appraisal of your work performance is; therefore, a constant process. All employees are subject to evaluations of their job performance under established performance evaluation systems. Depending on your union affiliation, the form and procedure surrounding the system varies. Regardless of the performance evaluation system used, your supervisor will be required to evaluate your work performance based on the duties and responsibilities of your job and of the standards or objectives you may be reasonably expected to meet. Supervisors are required to set forth a mutually agreed upon performance program at the beginning of each employee's evaluation cycle. Then, at least once a year, you will receive a written notice of your performance evaluation and an overall rating based on your work performance. A standard evaluation due date of April 1st has been established at SUNY Maritime College.

Appeals of Unsatisfactory Ratings

Employees represented by CSEA or PEF who receive an unsatisfactory rating may seek to have it raised by appealing the rating. Employees may appeal within 15 calendar days after the date the rating was received by completing a Performance Evaluation Appeals Form.

The first step of the appeal process is at the college level, where the "Agency Appeals Board" reviews the appeal form submitted by the employee. The board will make a recommendation to the Director of Human Resource Services. The Director of Human Resource Services will make the final decision on the appeal. If the appeal is denied, the employee has 15 calendar days in which to appeal to the Statewide Performance Evaluation Appeals Board. More information is available on this process through CSEA or Human Resource Services.

Discipline

The State University of New York is able to provide its educational programs effectively and efficiently only when each employee meets the required standards of conduct and performance for his/her position. If an employee fails to meet these standards, disciplinary action may be imposed.

Disciplinary procedures have been established pursuant to Civil Service Law and the agreements negotiated between the state and the employee organizations. For specific information about the procedural aspects of discipline, please refer to your copy of the appropriate bargaining agreement.

Insubordination

Insubordination is the intentional and willful refusal to accept the valid authority of a supervisor. The more common forms of insubordination are refusal to accept work assignments, to remain for overtime work, or to comply with an operational order such as wearing safety equipment. Supervisors have the responsibility for ensuring that employees understand they have been given a directive. Employees must comply with orders even though they may disagree with the supervisor. The principle of “work now, grieve later” applies in these situations. There are; however, limited exceptions to this rule. Specifically, if there is a question that the order given is unconstitutional or illegal and/or where compliance might pose an unusual or immediate threat to an employee’s health or safety.

4. ATTENDANCE

Hours of Work

It is very important that you maintain a good attendance record. The campus attaches considerable importance to reliable attendance and it is a significant factor in probation and promotion decisions.

Depending on your job, the basic workweek for full-time annual salaried employees is 37 1/2 or 40 hours a week. The normal workday is 8 hours, plus mealtime, for employees working 40 hours per week, and 7 1/2 hours, plus mealtime, for those working a 37 1/2-hour week. The workweek begins on Thursday and ends at the close of business the following Wednesday. Your supervisor will tell you what your schedule is and he/she must approve any changes. Changes in an employee's basic workweek and/or day will be made with advance notification except during emergencies.

Attendance Records

You are required under the State Finance Law to maintain an accurate daily record of your attendance on the appropriate forms. These serve as the basis for paying you. Attendance records must be submitted to the Payroll Office on a timely basis or your paycheck may be held. Deliberate falsification of your attendance records is a basis for discipline.

Meal Breaks

Employees must take a daily meal break at least 30 minutes in length. Failure to take a meal break does not permit you to shorten the workday, nor does it entitle you to compensatory time or overtime payment.

Rest Breaks

The College grants two rest periods for employees who are scheduled to work a full day. Your supervisor will determine the time for these breaks. You may not skip one break in order to extend the length of the other break, nor may you extend your meal break or shorten your workday if you do not take your breaks. Break time includes travel time to and from the break location.

Tardiness

Your supervisor will tell you when and where to report to work. If you arrive at your workstation late, either at the start of your workday or after the lunch break, you are tardy.

Most employees regularly report to work on time except when restricted from doing so because of unusual, nonrecurring circumstances or emergencies. Such employees need not be penalized for occasional tardiness. When you know in advance that you will be unavoidably late for work, be sure to notify your supervisor. In addition to these penalties, an unsatisfactory performance rating may be given and/or disciplinary action taken, where appropriate, in the case of chronic offenders. Since being late places an unfair burden on others, repeated tardiness will result in disciplinary action.

In accordance with the Attendance Rules for the Classified Service, the following tardiness penalty schedule is in effect for employees at SUNY Maritime College who have neither been

counseled nor disciplined for tardiness within the 12 months prior to the pay period in which the tardiness occurs:

- 1) If an employee is tardy no more than twice in a biweekly pay period and the total tardiness is less than 15 minutes, the tardiness will be excused by the immediate supervisor.
- 2) If an employee is tardy more than twice in a biweekly pay period and the total tardiness is less than 15 minutes, a charge of 15 minutes will be made to the employee's leave accruals.
- 3) If an employee's total tardiness totals 15 minutes or more in a biweekly pay period, a penalty deduction from leave accruals of 15 minutes will be made for each 15 minutes of tardiness or fraction thereof up to two hours.
- 4) For each 15 minutes or fraction thereof of tardiness over two hours (120 minutes), a penalty deduction from leave accruals of 30 minutes will be made.

In accordance with this schedule, deductions from accruals for tardiness will be made from compensatory time, vacation or personal leave credits, in that order. If there are no leave credits to charge, pay cuts will occur.

Supervisors are responsible for keeping tardiness to a minimum. Chronic tardiness must be addressed through counseling and discipline and reflected in the employee's annual performance rating. If employees have received counseling and/or discipline for tardiness within the 12 months prior to the pay period in which additional tardiness occurs, this penalty schedule may not apply to them and their tardiness may result in both a pay cut and penalties imposed through negotiated disciplinary procedure.

The President may excuse tardiness when it is related to uncontrollable conditions such as public transportation difficulties, strikes or severe weather.

Compensatory Time

If your basic workweek is 37 1/2 hours and you are required to work extra hours, you are not paid for the hours worked between 37 1/2 and 40 hours but instead receive compensatory time. The compensatory time you accrue may be used, with your supervisor's approval, as you would use vacation or personal leave credits. When you use compensatory time, it must be in minimum units of 1/4 hours, and you must use all the compensatory time you accrue by the close of the fiscal year following the fiscal year in which you earned it. (For example, compensatory time earned between April 1, 2007 and March 31, 2008 must be used by March 31, 2008.)

If you move to another position within SUNY, your compensatory time accruals go with you. If you leave State service or if you move to another State position outside SUNY, you will be paid for your unused compensatory leave.

Overtime

Every attempt is made to schedule the workload so that the need for overtime is kept to a minimum. However, situations may arise which make overtime unavoidable - staff illnesses, special projects, emergencies, etc. If such situations do arise, you may be directed by your supervisor to work overtime.

Hours worked in excess of a 40-hour week constitute overtime for which eligible persons are entitled to overtime compensation at time and one-half, subject to the rules established by the Division of the Budget. Refer to your bargaining unit contract for information about when overtime payments must be made. Your supervisor must approve all overtime in advance.

Depending upon your bargaining unit, you may be eligible for an additional cash payment for meals if you work a minimum amount of overtime. Read your bargaining unit contract to determine eligibility requirements and amount of meal allowance.

5. SALARY INFORMATION

Pay Days

You will be paid by state check on a lag basis every other Wednesday. This means that when you receive your paycheck, you are being paid for the two-week period, which ended two weeks prior to payday, not for the two-week period that just ended. Some types of payments are delayed one pay period due to the deadline established by the Office of the State Comptroller. Such payments include overtime, meal allowances and extra-time. Read your bargaining unit agreement for more information or contact the Human Resource Services about when these payments are made.

New employees who are salaried begin work on the first day of a pay period must wait four weeks before receiving their first paycheck. New employees paid on an hourly basis may have to wait six weeks before receiving their first paycheck. The first paycheck will cover the first two weeks of work. If you should go off the payroll for any reason at the end of a pay period (resign, retire, or be placed on a leave without pay), you always will receive a final paycheck two weeks after your separation date paying you for services rendered in your pay period in pay status. If you are reinstated to the payroll for any reason following a separation, your first paycheck following your return will again be delayed at least four weeks.

If you are represented by CSEA or PEF, one day's pay will be withheld from each of your first five paychecks as a result of the additional lag payroll implemented by the State of New York in January 1991. These days will be repaid to you upon separation from service at the daily rate of pay you are receiving when you leave state employment.

Paychecks and direct deposit advices are distributed to departments by the Accounting Office, (Audit and Control policy prohibits the release of paychecks by members of the Payroll Office) on Wednesday paydays as soon as the checks have been counted, sorted, and recorded in accordance with New York State Department of Audit and Control procedures. Employees are cautioned that delivery may be delayed due to the late arrival of paychecks because of holidays, weather, or post office distribution problems. Employees must pick up their own paycheck or provide written permission for someone else to do so.

Direct Deposit

Checks may be deposited directly to any financial institution that is a member of the Automated Clearing House (ACH). Some banks offer special benefits to employees who elect direct deposit. Employees are strongly encouraged to participate in the Direct Deposit Program. For more information and forms, contact the Human Resource Services Office.

Employees routinely low on time accruals or incurring lost time due to lack of accruals will be cancelled from the program. Employees routinely failing to turn in timesheets/timecards in a timely fashion will be cancelled from the program.

Each payday you receive a paycheck or direct deposit advice, which shows the amount of your biweekly salary and describes your deductions. Periodic, if not biweekly, monitoring of your check or direct deposit advice is encouraged. Do not assume that because you have direct deposit that the money went to your account.

Pay Check Deductions

There are a variety of deductions, which may be withheld from your paycheck. Some deductions are mandatory, such as state and federal income taxes, social security taxes, agency shop fees, and tier III or IV retirement system contributions (if you have less than 10 years of state service). Other deductions are voluntary and you must arrange to have them made (for example, insurance premiums, savings bonds or credit union deductions, and SEFA contributions, etc). Unauthorized absences or absences not covered by leave credits will result in a deduction from your check.

Two other types of deductions that are unpleasant for both SUNY Maritime College and affected employees are:

Garnishments

The Office of the State Comptroller may receive legal garnishees requiring it to withhold wages from an employee's paycheck for payment of unpaid taxes, child support, alimony, or other debts or financial liabilities. It is important to note that these garnishees are often executed and reflected in an employee's paycheck before the campus Human Resource Services Office is even aware of them. Also, it should be noted that the campus Human Resource Services Office has no authority to start or stop such garnishees.

Similarly, the Office of the State Comptroller cannot start or stop a legally imposed garnishee without an order or a modification of an order from the garnisheeing authority. Therefore, employees should understand that, although SUNY campus staff may be sympathetic to the hardships created by the garnisheeing of an employee's wages, they are neither responsible for garnishees nor can they do anything to stop them. Employees upset over a garnishee itself, or the amount of one, must contact the external person or agency responsible for the garnishee to modify or remove a garnishee.

Parking Fines

State law authorizes the deduction of unpaid parking fines from the paychecks of SUNY employees appointed to the state payroll. SUNY Maritime College will not exercise such authority until after normal collection procedures have failed and the Accounting Office has advised employees that this collection method is to be used.

Salary Increments and Increases

All classified positions are allocated to a salary grade in the New York State Salary Plan. Each grade has a minimum (hiring rate) and a maximum salary (job rate). The maximum salary rate is reached through a series of increments, which vary according to bargaining unit, amount of time in grade, and a satisfactory performance evaluation rating.

Increments stop when you reach the maximum salary rate for your grade. However, you still are eligible for across-the-board increases or other increases that are negotiated by your union. Please refer to your bargaining unit contract for additional information.

Inconvenience Pay

Inconvenience pay is included in the salary of those full-time employees whose regular hours include four or more hours between 6 p.m. and 6 a.m. The current rate is \$550 per year.

6. VACATION, SICK, HOLIDAY, AND OTHER LEAVES

The information described in this section applies to the following employees in the classified service:

- a) All employees compensated on an annual salary basis and working a fixed number of hours per week, or
- b) All employees compensated on an hourly basis who have completed 19 pay periods of qualifying service and work at least half-time on a regularly scheduled basis.

Vacation Leave

Full-time employees start to earn vacation upon completion of 13 pay periods (6 months) of employment. Six and one-half (6 1/2) days are credited following this period, after which you accumulate vacation at the rate of one-half day per pay period. Part-time employees who work at least half time earns vacation accruals on a prorated basis. You must be in a full-pay status for at least seven working days during each biweekly pay period in order to earn accruals. Accruals cannot be used before they are earned. An employee who charges more accruals in a pay period than are available will have a lost time deduction taken from a subsequent pay check, even though the employee may earn enough accruals to cover the deficit in the interim.

Your bargaining unit agreement contains a schedule of additional vacation credits you will receive upon completion of further years of continuous service.

Your vacation accruals may exceed the maximum of 40 days during the fiscal year, but you must be back to 40 days or less by April 1st of each year. Any unused vacation accruals above 40 days on April 1st will be lost. On April 1st of each year, your leave accrual record must be adjusted to reflect a maximum of 40 days.

Requests for vacation leave must be submitted in writing and approved in advance by your supervisor.

Sick Leave

You begin to accumulate sick leave as soon as you start working. Most full-time employees earn sick leave credits at the rate of 1/2 day per biweekly pay period provided you are in full-pay status at least 7 out of 10 days during that pay period. This is the equivalent of 13 days per year. However, Professional, Scientific, and Technical Unit employees earn 10 days per year. Part-time employees, who are eligible, earn sick leave credits on a prorated basis. Please check your bargaining unit agreement for the maximum number of sick days you may accumulate.

In addition to personal illness, sick leave may be used in quarter-hour units for your medical and dental appointments. Routine visits should be scheduled to minimize your absence from work. When approved, you may charge sick leave, not exceeding a total of 15 days in one calendar year, for illness or death in your immediate family.

In the case of family illness, usages of sick leave credits are considered appropriate only when your absence is necessary to provide direct care for members of the family who are ill. Family sick leave may be used to take family members to routine medical and dental appointments. (A request for leave because of death in the immediate family cannot be denied if properly verified.)

If you are sick and cannot report to work, you are expected to notify your supervisor. At times, employees may be required to provide medical documentation to support requests for the use of sick leave. In order to be considered acceptable, medical certificates must include the following information:

1. Patient's name
2. Brief statement of diagnosis
3. The inclusive dates of disability
4. Certification that the employee is disabled from the performance of his/her job duties
5. Anticipated return-to-work date
6. A medical practitioner's signature

Failure to provide acceptable medical documentation may result in the absence being considered as unauthorized leave, resulting in a salary deduction and disciplinary action. Employees also may be required to be examined by a physician appointed by the state during an extended sick leave or prior to their return to work.

Sick Leave at Half Pay

Permanent employees who have completed more than one year of service, who have exhausted all accumulated leave credits, and who meet the conditions of the appropriate agreement, may be granted sick leave at half pay for personal illness for a duration determined by their years of permanent service. The amount of sick leave at half pay that you may be granted during your entire state service is one biweekly payroll period for each completed six (6) months of service. Requests for sick leave at half pay are considered on an individual basis and approval is subject to supporting medical documentation.

Employees on sick leave at half pay receive personal leave and bonus vacation credits on their anniversary date, but these credits may not be used until the employee returns to work. They do not earn vacation and sick leave credits normally earned in each payroll period.

Leave Donation Program

The intent of the leave donation program is to provide a means to assist employees who, because of long-term personal illness, have exhausted their leave benefits and would otherwise be subject to a severe loss of income during a continuing absence from work. The program is not intended to provide supplemental income that would result in compensation levels exceeding normal wages for employees who have other sources of substitute income such as that provided by disability insurance programs.

Donation of **vacation** days may be solicited by the recipient employee, on his or her behalf by coworkers, or by local union representatives, if applicable. The College may not solicit donations on the employee's behalf. Certain criteria must be met in order to receive or donate leave accruals.

For more information contact Human Resource Services.

Abuse of Sick Leave Credits

The College is very concerned that employees who continually use an excessive amount of sick leave will not have enough accrued sick leave to cover them in the event of an unforeseen accident or illness. Your supervisor may periodically review attendance records of subordinates and encourage employees whose sick leave balances are low to build their time. Supervisors may put an employee on “sick watch” and employees will be required to provide complete medical documentation for each absence until such time as their accruals improve.

The New York State Disability Program does not cover state employees. In addition to protecting employees during a long-term illness, sick leave accruals help offset the cost of health insurance during retirement and can add up to 200 days of service credit in calculating retirement benefits.

Holiday Leave

The following days are observed as legal holidays by all state agencies:

New Year’s Day	Labor Day
Martin Luther King Day	Columbus Day
Lincoln’s Birthday	Election Day
Washington’s Birthday	Veteran’s Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

Unless required to work, employees who are eligible are entitled to these legal holidays as days off without charge to leave credits. Generally, employees who are required to work on a holiday will receive, at their option, additional pay for the holiday worked, or additional time off. In April of each year, you will have the option of selecting compensatory time off in lieu of pay for holiday work for the following fiscal year.

Employees absent from work on sick leave at half-pay or leave without pay are not entitled to charge any absence during such leave as a holiday nor receive credit for compensatory time off in lieu of a holiday.

Personal Leave

Eligible classified employees will be credited with five days of personal leave each year on their anniversary date. PEF employees appointed on or after April 1, 1982 receive three personal days annually for the first five years of employment and then half-day increments each year until they reach five days per year. The use of personal leave is subject to advance approval by your supervisor.

Unlike vacation and sick leave, personal leave is not cumulative. Any personal leave credits remaining unused on an employee’s anniversary date shall be forfeited. Unused personal leave is not liquidated for cash at the time of separation, retirement, or death.

Maternity/Child Care Leave

Employees are entitled to maternity/child care leave for up to seven months following the date of delivery. Requests for maternity leave should be submitted in writing to the employee's supervisor and then forwarded to the Office of Human Resource Services for final approval. For further information contact Human Resource Services.

Absences during pregnancy and following childbirth may be charged to vacation, personal leave or compensatory time, or may be taken as leave without pay. The use of sick leave and sick leave at half pay, however, is limited to the period of time during which the employee is disabled, as determined and verified by the employee's physician. Generally, the period of such disability starts four weeks before and continues for six weeks following delivery.

Family and Medical Leave Act (FMLA)

The FMLA gives eligible employees the right to take unpaid leave, or paid leave charged to appropriate leave credits under certain circumstances, for a period of up to 12 weeks in a calendar year due to: 1) the birth of a child or the placement of a child for adoption or foster care; 2) the employee's need to care for a family member (child, spouse, or parent) with a serious health condition; or 3) the employee's own serious health condition which makes the employee unable to do his or her job. Under certain conditions, FMLA leave may be taken on an intermittent basis. Employees also are entitled to continuation of health and certain other insurances, provided the employee pays his or her share of the premium during this period of leave.

The College has a right to 30 days' advance notice from the employee, where practicable. In addition, the College will require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or family member. The College will also require medical documentation certifying that an employee is able to perform his or her full duties prior to the return to work from a personal illness. For more information contact Human Resource Services.

Extraordinary Weather Circumstances

Only the Governor has the authority to officially close the College in the event of extreme or extraordinary weather conditions. The President may cancel classes, but the College remains open and essential services are expected to be maintained. Employees who do not report to work or who leave work early under these conditions MUST charge such absences to accumulated vacation, accrued holidays, compensatory time, or personal leave credits.

Court Attendance/ Jury Duty

Whenever you are required to appear for jury duty or are subpoenaed as a witness in court, you are entitled to leave with pay without charge to leave credits if you are not a party to the action. Proof that such absences are required must be submitted to your supervisor. You will also be required to provide certification of actual hours of attendance in court.

Leave for jury duty purposes includes time actually spent in court plus necessary travel time to get to the location of the court proceedings. You are not entitled to compensatory time off in lieu of an ordered appearance or jury attendance on a pass day or holiday.

State Civil Service Exams and Interviews

Employees are entitled to leave with pay, without charge to credits, to take New York State Civil Service promotional or open competitive examinations provided they give their supervisor sufficient notice. Reasonable travel time to and from the examination will be included. Time off without charge to credits also is granted to employees being interviewed for state positions as a result of the establishment of eligible or transfer lists. Time off to take examinations for federal and local government positions, and leave to attend interviews initiated by the employee for a lateral transfer must be charged.

Other Examinations

All employees are permitted to take examinations for the Regents External Degree Program, the College Proficiency Examination Program, and the College Level Examination Program without charge to leave credits.

In addition, employees in the PEF unit are permitted as a contract benefit to take one professional licensing examination per year in their discipline without charge to leave credits. In either case, use of this time should be arranged for in advance with your supervisor.

Military Leave

Members of the National Guard, the Naval Militia, or an organized reserve unit are entitled to leave with pay up to 30 calendar days or 22 work days, whichever is greater, during one calendar year when they are ordered to perform this essential service. The College requests that you provide copies of your official orders as verification of the necessity for such a leave. After exhausting the military leave with pay, you are entitled to leave without pay. If you are entering active military duty for voluntary service, you are entitled to a leave of absence without pay from your position, while engaged in, and while going to and from, military duty for up to a cumulative total of four years. This also applies to reservists and volunteers. Personnel who are activated for the war on terror may be eligible for an additional supplemental leave period at full-pay.

Leave of Absence Without Pay

A permanent employee may, at the discretion of the College, be granted a leave of absence without pay, for a period not exceeding one year. Such leave may be extended beyond one year only with the approval of the Civil Service Commission.

7. BENEFITS

Health Insurance

New York State has provisions for health insurance coverage for its employees and their families. Several types of plans are available. Your coverage becomes effective 42 (56 PEF) days following your date of employment provided you enroll for coverage within this 42-day period. Employees who apply for health insurance more than 42 (56) days after their employment or who apply for dependent coverage more than 42 (56) days after the dependents' first date of eligibility may be subject to the late enrollment period of five payroll periods.

Employees are given the opportunity to change health insurance plans annually. This change will be effective January 1st each year. Employees who have their health insurance deduction taken on a pre-tax basis, must have a qualifying event in order to change from family to individual coverage, or to cancel their insurance entirely at a time other than the month of November. For more information on the limitations of the pre-tax contribution program, please contact the Office of Human Resource Services or refer to your New York State Health Insurance Program General Information Book. Note: There are strict timeframes in which you must request a change to your coverage. Failure to make a request within the timeframe will result in a waiting period or you could lose your right to make a change.

Helpful telephone numbers for the various health insurance and other benefit programs can be found on the Human Resource Services web site at <http://www.sunymaritime.edu/HR/phonenumbers.aspx>.

You may also continue this insurance into retirement if your most recent date of employment in state service is prior to April 1, 1975 and you have at least five years of state service or a combination of five years of state and local government service in New York State. If your most recent date of employment in state service is on or after April 1, 1975 you may continue your health insurance into retirement if you have at least ten years of state service or at least ten years of combined service with the state and one or more participating agencies. The monthly premium, if any, would be deducted from your retirement allowance. Any premium you may be required to pay after retirement will be paid for or reduced in part by the actuarial value of your accumulated sick leave. A maximum of 200 accrued days of sick leave may be applied towards this calculation.

Retirees may elect to apply only 70% of their sick leave credit toward the monthly premium during their own lifetime and then have 70% continue to be credited toward the surviving spouse or dependent premiums after the retiree's death. You also may delay indefinitely the start of your health insurance in retirement.

The New York State health insurance coverage will remain your primary carrier as long as you are employed at least half time. Medicare part B does not need to be active for active employees or their dependants, unless stated in the terms and conditions in the General Information Book. As a retiree, age 65 or older, Medicare will become your primary carrier. Contact your local Social Security Administration Office three months prior to your 65th birthday to enroll in Medicare. The State will reimburse you and your dependents for the cost of the Medicare Part B primary coverage.

Dental and Vision Care

Addresses and telephone numbers can be found on the Human Resource Services homepage <http://www.sunymaritime.edu/HR/phonenumbers.aspx>.

Retirement and Survivor Death Benefits

The State of New York provides its employees with a retirement program, and with ordinary and accidental death benefits during their working years. All new **permanent full-time employees** must join the retirement system and contribute 3% of their gross biweekly pay during your first 10 years of state service.

The benefits you or your beneficiaries receive from the retirement system or the death benefit plan are generally determined by your date of entry into state service, earnings, and age. Employees having questions concerning the financial status of their retirement account or the amount of their pension should write directly to the retirement system: Employees Retirement System, Alfred E. Smith State Office Building, Albany, NY 12244. An application for retirement must be on file with the retirement system for at least 30 days but not more than 90 days before a retirement can become effective.

The Department of Civil Service also provides a Survivor's Benefit Program for both active and retired employees who meet certain specific requirements. For active employees, this plan is a supplement to the death benefit payable by the retirement system. It offers assistance to your beneficiaries if they do not qualify for a death benefit payment from the retirement system equal to at least half of your annual salary.

If the death benefit is less than half of your annual salary, a survivor benefit is payable to bring the total benefit to one-half salary. (The maximum survivor's benefit payable is \$10,000.) If the death benefit exceeds one half the annual salary, no survivor benefit is payable. On completion of 90 days of service you are automatically eligible. Part-time employees who work at least 20 hours per week or who are paid on an annual basis at the rate of \$2,000 or more per year are also eligible.

The beneficiary of a retired SUNY employee will receive a Survivor's Benefit payment of \$3,000 for employees who retired on or after April 1, 1970. To be eligible, a SUNY employee must have 10 or more years of full-time State service within the last 15 years immediately prior to retirement. The cost of these programs is paid entirely by the State of New York.

Social Security Benefits

The U.S. Social Security Administration provides a death benefit for those who have paid into the system. Additional information concerning this benefit can be obtained directly from your local Social Security Office.

Ordinary and Accidental Disability Retirement Benefits

Employees who are permanently disabled and cannot return to work may receive ordinary or accidental disability benefits. These pensions are provided for employees who are not eligible for normal retirement benefits.

Ordinary disability may be available to employees who become permanently disabled other than as a direct result of an accident on the job. There are service credit requirements depending on the employee's pension plan.

Calculation of the ordinary disability retirement allowance takes into consideration service credit and the employee's pension plan.

To qualify for accidental disability, an employee must be permanently disabled as a result of an accident on the job. There are no service credit requirements. Disability determinations are made by the Employee's Retirement System (ERS).

An application for disability retirement must be on file with the retirement system for at least 30 days before an approved retirement can become effective. Once an application is on file, the retirement system will provide the employee with an estimate of the retirement allowance. The approval of an application for disability retirement may not prevent an employee from returning to work if determined to be medically fit at a later time. Employees are encouraged to consult with the retirement system before resuming employment.

Tax Deferred Annuities

You are eligible to participate in tax-deferred annuity programs, which offer you the opportunity to make supplemental contributions toward your retirement. These voluntary programs enable you to save a portion of your income on a tax-deferred basis, that is, before federal and state tax is deducted. You may pick up an application from the Office of Human Resource Services.

You may change this deduction amount up to four times in a calendar year. You must complete a Salary Reduction Agreement to make a change or cancel the deduction. These forms may be picked up from the Payroll Office.

New York's College Savings Program

Through payroll deduction, employees may contribute to a New York's College Savings Program account. These are voluntary, after-tax, deductions with a minimum contribution of \$15.00 per pay period per account. For more information and enrollment forms, call 1-877-NYSAVES, and visit their web site at www.nysaves.org.

Unemployment Insurance

State employees are covered by unemployment insurance on the same basis as employees in private industry. You can obtain information about eligibility from the local office of the Department of Labor.

Workers' Compensation

Employees are urged to take safety precautions and to be alert for hazardous conditions, but if you are injured or disabled while on the job, the Workers' Compensation Law covers you.

When an accident or injury occurs (regardless of whether or not it is a lost time incident), it must be reported immediately to your supervisor. Failure to do so may compromise your occupational injury/disease claim. An Employee Accident and Injury Report must be completed by the Employee's supervisor or the University Police Department or the Office of Human Resource Services. If completed elsewhere a copy must be forwarded to Human Resource Services. When seeking medical treatment, be sure to inform your physician that the injury occurred at work. Do not pay your doctor or hospital. If you are unable to work as scheduled, you must inform the supervisor that your absence is the result of your work-related injury.

All work-related accidents involving lost time and/or outside medical treatment also must be reported immediately to the New York State Accident Reporting System at 1-888-800-0029. When you call this number, you will be given an incident number, which you must give to the Office of Human Resource Services. Failure to report the injury to the Office of Human Resource Services will delay your benefits.

In accordance with Civil Service Law, you have a right to a leave of absence from your position during your disability due to a work-related accident for one cumulative year, unless you are determined to be permanently disabled sooner.

Before an employee returns to work, a medical certificate from a physician must be submitted to your supervisor stating the exact day on which the employee is able to begin work and whether there are any physical restrictions. The employee also may be required by the College to undergo a medical examination by a state doctor at any time during the leave.

Additional information on workers' compensation procedures and the Accident & Injury Report can be obtained from Human Resource Services.

Right to Know

Under the New York State "Right to Know" Act, employees may request safety information on any toxic substance found or used in the workplace. Employees may refuse to work with a toxic substance if they have requested information and have not received a written reply within seventy-two hours, excluding weekends and holidays. An on-line training program on "Right to Know" is available at: <http://www.goer.state.ny.us/Train/onlinelearning/HAZ/intro.html>

Employee Assistance Program

The Employees Assistance Program (EAP) is a confidential counseling/referral service available to employees needing help with personal problems. By contacting the EAP coordinator at 395-2513, anyone may arrange for an appointment to discuss a problem and to receive help in outlining an approach to its solution. SUNY Maritime College's Employee Assistance Program Coordinator is Terri Phillips and she is located in the Accounts Payable Office in the Fort.

8. COLLEGE POLICIES

Affirmative Action

SUNY Maritime College does not discriminate on the basis of race, sex, color, creed, age, national origin, disability, marital status, sexual orientation, or status as a disabled veteran or veteran of the Vietnam era in the recruitment of students, the recruitment and employment of faculty and staff, and the operation of any of its programs and activities, as specified by Federal and State laws and regulations. The College has developed, published, and periodically updates, an Affirmative Action Plan which specifies the procedures to be followed in implementing its stated policy of providing equal opportunity for all persons, and which sets hiring goals and timetables, where appropriate, to meet objectives of affirmative action.

Any employee of the State University of New York who believes that he or she has been discriminated against in any personnel action or condition of employment may file a complaint with the campus Affirmative Action Officer using the University's Internal Discrimination Grievance Procedure. Externally, complaints may be filed with the local office of the Division of Human Rights and/or the Equal Employment Opportunity Commission. Complaints of discrimination on the basis of sexual orientation may be filed with the Governor's Office for Employee Relations in Albany. The campus Human Resource Services Office will provide addresses, phone numbers, and filing procedures to any employee requesting such information.

Employment Decisions by Members of Immediate Family (Nepotism)

To avoid conflict of interest where immediate family members and/or their spouses are employed or are qualified for employment within the same department or work unit, the College prohibits such persons from participating in employment decisions about each other. For these purposes, an "immediate family member" is defined as the spouse, parents, offspring, siblings, and in-laws of any individual. "Employment decisions" include personnel actions having to do with hiring, promotion, tenure, demotion, transfer, layoff, conditions of work, rates of pay, other terms of compensation, and selection for training. When one such individual might be in a supervisor relationship to the other, such decisions must be delegated to someone else or a committee.

Gifts and Gratuities

The acceptance of any gift, gratuity, or rewards by an employee from a person or persons with whom she/he does business is forbidden. If such gifts are received, they must be returned. Employees must adopt an attitude and mode of operation that is above criticism and avoid any type of conduct that would reflect unfairly on the employees of the State University as a whole.

Insurance of Personal Items

Personal property of employees is not covered for loss or damage through College insurance nor does the College carry a policy of liability insurance. Persons who bring items of personal property to campus should record essential information regarding such items and, where appropriate, obtain insurance. In the event such items are lost or stolen, the owner should contact the University Police.

Off-Campus Employment

As a New York State classified service employee, there are restrictions on how much outside work you may perform and limitations on conducting outside business while you are employed.

Some of these rules are:

1. You may not use the interoffice mail system to promote personal business.
2. You may not conduct personal business during your working hours (e.g. selling materials, in person or on phone, etc.).
3. If you wish to perform extra service work for another state agency, you must have permission of the President of the College or his designee to do so. You may only earn 20% of your annual salary in extra service with another state agency. Forms are available in the Office of Human Resource Services.

Political Activities

The State University encourages you to exercise your constitutional right to vote and to support the political party and candidate of your choice. Please remember that if you participate in any political activities, you must not participate in them during your work hours and they must never involve the use of State equipment, supplies, or services of any kind. Signs, posters, etc. supporting individual candidates or political parties cannot be posted or distributed on campus.

Release of Information

All requests from outside agencies to the Human Resource Services Office for information concerning a staff member, including home address and telephone, must be made in writing. No information shall be released without the written consent of the employee.

Review of Personnel File

You may review your personnel record by scheduling an appointment with the Office of Human Resource Services. An employee's personnel record typically contains copies of personnel transactions, official correspondence with the employees, and evaluation reports prepared by supervisors. The confidential section of the record contains materials such as letters of recommendation solicited in connection with the hiring process. The confidential section is not available to employees or their representatives.

Sexual Harassment

Sexual harassment is defined as any unwanted verbal or physical sexual advance, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone in the workplace or classroom which are offensive or objectionable to the recipient, or cause the recipient discomfort or humiliation, or interfere with the recipient's job or academic performance. Harassment on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act as amended, Title IX Education Amendments of 1972, and the New York State Human Rights Law and will not be tolerated at SUNY Maritime College. The College will not condone actions and words that are regarded as sexually harassing. See <http://www.goer.state.ny.us/Train/onlinelearning/SH/intro.html> for a training program related to sexual harassment.

Smoking

The College provides a work environment that is smoke free for all employees, clients, and visitors. See SUNY Maritime College's Smoking policy at:

Use of Alcohol and Controlled Substances

The College is committed to the maintenance of a drug-free environment and in accordance with the Federal Drug-Free Workplace Act of 1988 prohibits the unlawful possession and use of controlled substances (drugs) on its premises. The unlawful manufacture, distribution, dispensation, possession of, or use of a controlled substance is prohibited in and on College property.

Employee violations on College property may result in criminal charges as well as disciplinary action. Employees charged with offering, giving, or selling controlled substances to other employees, students, or visitors on College property will be suspended without pay and disciplinary action will seek their dismissal from State service.

Compliance with the provisions of this policy shall be a condition of employment at SUNY Maritime College. In addition, no employee will be allowed to work if the supervisor has good reason to believe that the employee is under the influence of or impaired by alcohol or controlled substances. See: <http://www.goer.state.ny.us/Train/onlinelearning/DFW/intro.html> for a training program on drugs and alcohol in the workplace.

9. EDUCATION AND TRAINING

You are allowed a reasonable amount of time off without charge to leave credits to attend training programs, seminars, workshops, or courses that your supervisor approves as related to your present or future job duties. Approval may be withheld if the supervisor feels that your absence would interfere with the efficient operation of the office or work area.

A variety of training and educational opportunities are made available to classified employees. They range from job-related to personal development courses to tuition assistance programs for employees who are continuing their education. The following is an overview of these types of programs.

Labor Education Action Program (LEAP)

This program offers courses that are tuition free to members of the Operational, Administrative, and Institutional Services Units. The program is funded by an agreement in your labor contract. Courses offered in this program are intended to increase the job performance and improve opportunities for upward mobility of employees in state service. Participation is limited to one application per school semester, and your supervisor's approval is required for course work during work hours. Applications and additional information are available by calling the LEAP hotline at 1-800-253-4332.

Clerical and Secretarial Employee Advancement Program (CSEAP)

This program is available to members of the Administrative Services Unit (ASU), subject to space availability. It offers non-credit courses intended to broaden the capabilities of clerical and secretarial employees so that they might assume new responsibilities.

SUNY Tuition Support

Based upon available funding, employees may apply for a reimbursement of tuition expenses for one course per semester taken at SUNY colleges (not including community colleges). Money is allocated annually and awarded on a first-come first-serve basis. Forms are available in the Office of Human Resource Services.

Public Service Training Program

This program offers tuition-free credit and non-credit course work for members of the Professional, Scientific and Technical Unit. The programs range from graduate and undergraduate courses in public administration and professional workshops to individualized courses designed to address the professional needs of PS&T employees. Tuition is covered under this program, but fees such as books, supplies, and travel expenses are the responsibility of the employee.