



# **Employee Handbook**

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## I. INTRODUCTION

Welcome to St HOPE Leadership Academy Charter School (SHLACS)! The school congratulates you on your decision to join our community. We trust this decision will prove beneficial to you, SHLACS, and the families and students we serve. We want you to be informed about the many benefits and services provided to the employees of SHLACS.

The information in this handbook is important to all staff at SHLACS. Read the handbook now and keep it in a convenient place. You will want to refer to your handbook when you have questions about school policies and benefits. However, this document is informational only, it is not an attempt to provide a complete reference to the law, employee rights or the regulations of the State Education Department, or, if applicable, to the regulations of the Chancellor of the New York City Department of Education. If specific questions arise, we urge you to discuss those inquiries with the appropriate administrative staff.

**In addition, possession of this handbook does not necessarily make you eligible for the various benefits described. You may need to satisfy certain eligibility requirements before obtaining coverage. In some instances, state or federal laws may impose certain requirements, in addition to those stated as school policy. In any situation where insurance or other benefit plans are concerned, the official plan documents and insurance contracts will always prevail over statements contained in this handbook.**

This School, as all charter schools in New York State, is subject to the provisions contained in both federal law and certain laws of the State of New York. Charter schools are bound by the same New York State health and safety, civil rights and student assessment requirements as other public schools. Additionally, SHLACS is subject to the requirements of the compulsory education law and student performance standards adopted by the Board of Regents. From time to time the need will arise for this school to amend, modify, rescind, delete, supplement or add to the provisions of this handbook as law and regulations dictate. In addition, administrative policies may be made by the Board of Trustees of this School. These policies, within this School have the force of law and you are expected to be bound by these policies. Every effort will be made to keep you informed of all changes to law, regulation and policy. The Principal will attempt to provide you with notification of any other changes as they occur.

No policy contained in this handbook can be inconsistent with federal or applicable state law. Additionally, this School will be bound by all of the provisions contained in the New York State Charter School Act and, if applicable, the regulations of the Chancellor of the New York City Department of Education.

In 1998, New York State joined the majority of states with the adoption of the Charter School Act. New York's legislation is significantly different from other states legislation. Within New York State, charter schools were established with the following criteria in mind;

“Charter schools put children before bureaucracy and innovation ahead of regulation. They strengthen public education by creating alternatives to the existing system, giving parents real choices and creating a competitive atmosphere so all children can improve.”

New York State charter schools have four distinguishing characteristics that should provide you with guidance regarding the objectives of this school and the State of New York:

- They are public schools, funded with public dollars and fully accountable to public oversight. In fact, accountability is so high that schools that fail to meet their stated goals for academic achievement and fiscal responsibility can be closed.
- They are created by parents, educators, or civic or community groups who can meet qualifications and agree to reach specified pupil achievement goals.
- They operate free from bureaucracy that frequently stifles innovation and cripples learning. Thus, they invite innovation while demanding results.
- They foster competition, which will improve education for all children.

This handbook is a tool to help promote a cooperative and healthy atmosphere. It sets forth certain policies relative to hours, wages, and conditions of employment.

Further, this handbook and the policies and procedures set forth herein are not intended to create or constitute a contract between you and this Board of Trustees, either express or implied, for any specific duration of time. Your employment relationship exists by separate contract and in all events employment with the School is at-will, and in accordance with Section III I, can be terminated at any time, by you or the School, with or without cause.

We hope you enjoy the challenge of working at this school and we wish you great success in your future here!

## **II. MISSION STATEMENT**

St HOPE Leadership Academy Charter School Mission Statement:

*To educate self-motivated, productive, and critically thinking leaders who are prepared to succeed in a college preparatory high school, committed to serving others, and passionate about lifelong learning.*

Please read the mission statement. The Board of Trustees believes strongly in the principles and practices identified in this statement. We urge you to consider these in formulating your own educational philosophies. The objectives of this school may only be realized when our faculty, staff and volunteers share this mission.

## **III. EMPLOYMENT**

It is important to realize that we exist because of the needs of our community to have an alternative approach and philosophy in the delivery of information to the students whom we serve. Impressions are constantly changed and formed by every contact parents have with us. Every time our parents hear or see anything having to do with St HOPE Leadership Academy Charter School, it strengthens or changes their perception of our School.

When our parents send us their children, they have great expectations and a very positive impression of our school and mission. It is up to each of us to fulfill these expectations and build a lasting impression. We must consider the quality and professionalism in every aspect of what we do and say. Our reputation and commitment is our future.

### **A. Employee Professional Conduct**

The mission of SHLACS requires that all are involved in the work of the school and develop collegial relationships. It is reasonable to insist on a higher degree of mutual, professional and personal respect and for a high level of mutual support.

We value teachers, staff and volunteers actively participating in discussions related to decisions affecting them. The School values diversity in perspectives leading to a deeper understanding of organizational reality and an enriched knowledge base for decision making. The School values employees resolving conflict in a healthy way that leads to stronger solutions for complex issues. We value employees reflecting on their own and others' thinking in order to achieve better organizational decisions.

Genuine community requires respect for individual privacy. Among other things, this means a high degree of attention to confidentiality. As individuals within the community, we should share information about one another and our students on a judiciously defined need-to-know basis. If one needs to know something in order to carry out school responsibilities one should know it; otherwise the information should not be shared.

SHLACS emphasizes the extraordinary degree of care that employees (including volunteers) must take in maintaining the confidentiality of all School matters, including information about children and families as well as employees. Personnel and student records may not be taken out of the office. Our obligation to maintain confidentiality requires that information not be released other than to the child's parents or legal guardian without express written consent of the parent or legal guardian. This handbook will further address the confidentiality demanded of SHLACS employees in subsequent sections.

### **B. Equal Opportunity Employer**

SHLACS is committed to equal employment opportunity. The School does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, sexual orientation, ethnicity, national origin, age, disability, or any other characteristic protected by law. Employment decisions at SHLACS will be made in a non-discriminatory manner and are based on qualifications, abilities, and merit. This policy governs all aspects of employment at this School including hiring, assignments, training, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, compensation, employee benefits, discipline, and other terms and conditions of employment.

If you have any questions or concerns about any type of discrimination, bring these issues to the attention of the Principal. Anyone found to be engaging in any type of discrimination will be subject to disciplinary action, up to and including termination of employment.

### **C. No-Harassment Policy**

SHLACS is committed to providing an environment that is free from harassment and coercion, where all employees can work together comfortably and productively. Harassment is unacceptable under the law and will not be tolerated. SHLACS prohibits all types of harassment, including verbal harassment, based on an employee's sex, race, religion, national origin, ethnicity, age, physical or mental disability, sexual orientation or any other basis prohibited by federal, state or local law. This prohibition applies in your relationships with all other employees, students, parents and guardians, visitors, and guests. Likewise, SHLACS will not tolerate retaliation or reprisals of any type against any employee who complains of harassment or provides information in connection with any such complaint.

#### **D. Sexual Harassment**

As sexual harassment raises issues about human interaction that are to some extent unique, the subject of sexual harassment is treated separately here. SHLACS prohibits sexual harassment at any time of any employee, student, parent or guardian, visitor, guest, candidate for employment or other person visiting the School's premises.

Sexual harassment is a form of sex discrimination in violation of federal, state and local law. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal or physical conduct when submission to such conduct is either explicitly or implicitly made a term or condition of employment or submission to or rejection of such conduct is used as the basis for employment decisions or when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. All of the same applies in connection with the educational or commercial relationships within SHLACS. You cannot be forced to submit to such conduct as a basis for any employment decision and the School will do its best to keep its workplace free of any conduct which creates an intimidating, hostile, or offensive work environment for you.

Sexual harassment applies to the conduct of a supervisor toward a subordinate, an employee toward another employee, a non-employee toward an employee or an employee toward an applicant for employment, student, parent or guardian, visitor, or guest. Sexual harassment can apply to conduct in any work-related setting outside the work place as well as at work. The acts underlying sexual harassment need not be sexual in nature or take the form of overt sexual advances. Sexual harassment may consist of intimidation and hostility directed to an individual because of sex or sexual orientation, explicit or degrading verbal, written or electronic comments of a sexual nature or persistent or unwelcome flirtation or requests for dates, especially if the behavior continues after a clear objection has been made. It is not permissible for any SHLACS employee to engage in any form of sexual harassment. An occasional compliment of a socially acceptable nature is not sexual harassment. Neither is consensual sexual behavior between adults, outside the workplace and welcome by both parties; however, those who engage in such relationships should be aware that questions regarding the actual freedom of choice of one of the parties may be raised later. Notwithstanding the foregoing, when a superior/subordinate relationship exists between them, such a relationship is strictly prohibited.

#### **E. Complaint Procedure and Investigation**

If an employee believes that he or she has been harassed by any School employee, student, vendor, client, or other school contact, or other non-employee the employee should immediately report the incident to the Principal. If the Principal is involved in the reported conduct, or for some reason the employee feels uncomfortable about making a report to the Principal, the employee should report directly to the Board Chair. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form, located on the HUB.

Any person who sees or hears about conduct that may constitute harassment under this policy should immediately contact the Principal.

#### **F. Investigation and Response**

The School will investigate any such report and will take whatever corrective action is deemed necessary, including disciplining any individual who is believed to have violated these prohibitions against harassment and retaliation. Disciplinary action may include, for example, warnings, reprimands, withholding of a promotion or pay increase, suspension without pay, termination of employment, or any other measures the School believes will be effective in ending the misconduct.

All employees have a duty to cooperate in the School's investigation of alleged harassment. Failure to cooperate or deliberately providing false information during an investigation shall be grounds for disciplinary action, including termination.

The School will not retaliate, nor will it tolerate retaliation, against employees who complain in good faith about harassment in the School environment.

False and malicious complaints of harassment, as opposed to complaints which, even if erroneous are made in good faith, may be the subject of disciplinary action, up to and including termination.

#### **G. Confidentiality**

Confidentiality will be maintained to the extent practical and appropriate under the circumstances. However, the School may need to discuss the allegations with the alleged harasser or other potential witness in order to conduct an effective investigation. The School will maintain confidential records of all complaints and how each was investigated and resolved.

#### **H. Summary of Responsibilities**

##### **Employees**

To refrain from all conduct which might be considered discrimination or harassment.

To report complaints to the Principal who will treat such information with sensitivity to its confidential nature.

To cooperate reasonably in any investigation conducted by the School or its agent.

##### **Supervisors**

To maintain a workplace free of discrimination, harassment, and intimidation.

To inform employees of the School's policy prohibiting discrimination and harassment and of their right to bring complaints of this nature, confidentially, to the Principal.

To report all complaints of discrimination and harassment to the Principal.

To investigate promptly each complaint and, where the investigation confirms the allegation, to take appropriate corrective action, up to and including termination of employment.

To be sensitive to the confidential nature of these matters and to the privacy of all parties involved in such complaints.

To not retaliate against any employee for bringing a complaint.

##### **Administration**

Annual education and training will be required for employees. This is critical to the success of the School's policy. Accordingly, Administration will ensure that all supervisors and employees are apprised of the School's policy against discrimination and harassment and of their responsibilities hereunder.

Administration shall assist supervisors in their investigation of complaints, including training all investigators on proper investigative procedures and safeguards. Where complaints are lodged directly with Administration, it shall investigate promptly and report findings to the appropriate supervisor or level of management with recommendations concerning corrective action where appropriate.

**Legal Protections and External Remedies:** Discrimination, harassment and retaliation are not only prohibited by the School, but are also prohibited by federal, state, and local law. The School encourages, but does not require, an individual who believes he or she is being discriminated against, harassed or retaliated against, to first notify the School using the internal complaint procedure described in this Policy. However, aside from the internal process at School, employees may also choose to pursue legal remedies with the following governmental entities at any time:

**New York State Division of Human Rights (DHR):** The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State, including the School, with regard to discrimination, harassment and retaliation, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the alleged conduct. If an individual did not file at DHR, he or she can sue directly in state court under the HRL, within three years of the alleged discrimination, harassment and/or retaliation. An individual may not file with DHR if he or she has already filed a HRL complaint in state court. Complaining internally to the School does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of discrimination, harassment and/or retaliation. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination, harassment and/or retaliation has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the discrimination, harassment and/or retaliation or redress the damage caused, including paying monetary damages, attorney's fees and civil fines. Contact DHR at (888) 392-3644 or visit [www.dhr.ny.gov/complaint](http://www.dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

**United States Equal Employment Opportunity Commission (EEOC):** The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the alleged conduct. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination, harassment and/or retaliation is found to have occurred. The EEOC has district, area, and field offices where complaints can be filed. For more information, contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

**Local Protections:** Many localities also enforce laws protecting individuals from harassment, discrimination and retaliation. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of discrimination, harassment and retaliation with the New York City Commission on Human Rights. For more information, contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450 or visit their website at: [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

**Contact the Local Police Department:** If you are experiencing harassing conduct that involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

### **I. Recruitment**

SHLACS selects applicants for employment on the basis of such factors including, without limitation, experience, character, conformity with the School's mission and philosophy, necessary credentials, and ability to perform their required duties. The School is committed to evaluating each applicant and employee on the basis of personal skill and merit. The School will make every effort to ensure that both the letter and spirit of the laws prohibiting discrimination are fully implemented in all of its working relationships.

The School actively seeks diversity in its student/parent body, faculty, staff and administration. The School is committed to equal employment opportunity. As previously stated, the School does not discriminate based on an individual's race, religion, color, creed, national origin, citizenship, disability, marital status, veteran status, sexual orientation, age, sex, or any other classification protected by law. This policy governs all aspects of employment at the School, including hiring, assignments, training, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, compensation, employee benefits, discipline and all other terms and conditions of employment.

SHLACS, like all charter schools, is required to fingerprint prospective employees for purposes of determining whether or not the perspective employee has a criminal history.

The School uses several sources to generate a pool of qualified applicants once a determination has been made that a vacancy exists. These sources may include job postings, mailings, informal networking, outside job fairs, on-campus recruiting, on-line internet services, etc.

### **J. Eligibility to Teach in a Charter School**

Charter School staff members are employees of the charter school, not the school district in which it is located. SHLACS may employ non-certified teachers with at least three years elementary, middle or secondary classroom teaching experience, those having two years of satisfactory teaching experience through the Teach for America program, or individuals who possess exceptional business, professional, artistic, athletic, or military experience.

Current charter school legislation allows up to 30% or 5 teachers (whichever is less), in addition to 5 teachers in any subject, and another 5 teachers in Math, Science, Computer Science, Technology or Career and Technical Education. These teachers must have previous teaching experience or "exceptional" experience in other professional fields.

### **K. Employment Categories**

Each employee is categorized as full-time salaried, full-time hourly, part-time salaried, part-time hourly, or temporary. Full-time employees are regularly scheduled to work thirty-five (35) or more hours per week. Part-time employees are regularly scheduled to work thirty-four (34) or fewer hours per week.

Salaried employees are generally bona fide executive, administrative, or professional employees considered exempt from federal and state minimum wage and overtime requirements. Hourly employees generally work in non-exempt positions.

It is the responsibility of the Board of Trustees to oversee school policies and operations. However, no person other than the Principal has authority to enter into any agreement for employment for any specified period of time and any such agreement must be in writing.

#### **L. General Definitions**

- Full-time Employees - Full-time, regular employees work a minimum of 35 hours per week and are eligible for full benefits.
- Part-time Employees - Part-time employees who work 20-34 hour per week are not eligible for benefits.
- Temporary Employees – Temporary employees who work for a specific time frame and not eligible for benefits.
- Consultants - Independent contractors work under a consultancy agreement, have no employee status, and are not eligible for benefits.

#### **M. Separation (Resignation and Termination)**

- **Resignation Notice Requirement**

Pursuant to Education Law 3019-a, a public school teacher shall file a written notice with the school district (SHLACS), at least thirty days prior to the date of resignation. SHLACS believes that a thirty-day written notice is required in order to achieve appropriate educational transition. Should an instructional employee terminate his or her appointment at the School by voluntarily discontinuing work during the academic year, the School will cease salary and benefit payments as of the date work was discontinued. Non-instructional employees are required to file a written notice with the Administration at least two weeks prior to the date of resignation.

- **Termination**

As an employee of SHLACS, you are an employee at will and therefore you may be terminated at any time for any reason with or without cause. The School will exercise this prerogative in the event that there has been a breach of any of the policies, laws, regulations or standards for which SHLACS is held accountable. Instances requiring immediate termination will include, but not limited to, corporal punishment, use or sale of narcotics, repeated poor performance, excessive absence, excessive lateness, failure to report child abuse, intoxication, demeaning conduct and attitude towards students, employees, visitors or vendors, theft, fighting, abusive or foul language, insubordination, or any other conduct deemed inappropriate by the Principal.

In those instances where the employee has demonstrated deficiencies associated with pedagogical or administrative skills or performance, the employee may receive, on at least one occasion, an advisement in writing of the deficiencies and will be given an opportunity to cure the Administration's concerns.

- **Return of School Property**

Upon termination or resignation, employees must return all keys, electronic devices, records, files, supplies, or any other school property.

#### **N. Unauthorized Absence**

An employee is deemed to be on unauthorized leave at such time and on such occasions as the employee may absent themselves from required duties without justification. This would cover nonperformance, unauthorized use of sick leave, unauthorized use of other leave benefits, nonattendance at required meetings, failure to perform supervisory functions outside of the classroom including but not limited to Community Building posts and school-sponsored activities.

An employee who is absent for a period of at least three days without notifying their direct supervisor will be considered to have resigned without giving the required two-week (non-instructional staff) or thirty-day (instructional staff) notice, with such resignation effective on the initial date of absence. The Principal will make the determination of unauthorized absence.

**O. Verification of Absence**

The Principal shall require a physician's note or other verification as to an employee's claimed reason for absence to the extent permitted by applicable law. Such verification shall be made within five working days of absence.

**P. Personnel Records and Files**

Your personnel file includes information such as your job description, resume, offer letters, contracts, benefit forms, work history salaries, vacations, sick days, employee evaluations and correspondence concerning discipline. In accordance with the Americans with Disabilities Act, SHLACS keeps your medical records in a file separate from your personnel file.

The following information may be included in your personnel file:

- Employment application and resume
- Reference checks
- College transcripts
- Job descriptions
- Records relating to hiring, promotion, demotion, transfer, layoff, rates of pay and other forms of compensation, and education and training records
- Records relating to other employment practices
- Letters of recognition
- Disciplinary notices or documents
- Performance evaluations
- Test documents used by an employer to make an employment decision
- Exit interviews
- Termination records

The following information will not be included in your personnel file:

- Medical records
- Insurance records
- EEO/invitation to self-identify disability or veteran status records
- Immigration (I-9) forms
- Safety training records
- Child support/garnishments
- Litigation documents
- Workers' compensation claims
- Requests for employment/payroll verification

Personnel and medical files are the property of SHLACS and access to the information is restricted. The only persons allowed to review your files are supervisors that may have a legitimate reason to do so.

It is your responsibility to immediately notify the Human Resources Manager, in writing, of any changes in personal data such as

- Name
- Home address
- Home telephone number and, if available cell phone number
- Number of dependents
- Name of individual to notify in case of an emergency
- Change of marital status
- Change in alien status
- Military status

Failure to report the correct information may adversely affect the benefits to which you are entitled. Providing false information may result in disciplinary action, including termination of your employment.

SHLACS will not release any information about you to external sources other than dates of employment and job title, except where such release is required or authorized by law or otherwise authorized by you. If you wish to have the Human Resources Manager provide information to any particular company or individual, you must provide a written release.

#### **Q. Primary Goals and Responsibilities of Faculty/Staff**

As an employee of SHLACS, your primary responsibility is for the health and safety of the children in your charge and any other children from the School when they are near you. Always be alert to any safety hazard as to avoid even the appearance of a safety hazard, poor supervision of children, or inattentiveness to their needs.

Your next responsibility is the development of each child's potential (social, emotional, physical, and intellectual), as well as the development of good work habits and positive attitudes.

SHLACS encourages communication between parents, teachers and administrators. Your responsibility toward the parents makes it necessary for you to conduct yourself as a professional in your interactions with them at all times. Additionally, you have the responsibility to keep parents updated on the progress of their children under your care.

In addition, we all have a serious responsibility towards the School, its reputation, and its success educationally. By creating a most carefully designed and equipped environment (social and physical environment) you can dedicate yourself to providing the most effective education for the children in your care.

#### **R. Social Media Policy**

At SHLACS, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all SHLACS employees.

## **Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with SHLACS, as well as any other form of electronic communication. Examples of social media include, but are not limited to Facebook, Twitter, YouTube, Google+, Snapchat and Instagram.

You may not post or “tag” photos of students or other SHLACS employees or people who work on behalf of SHLACS.

If a student asks for permission to follow an employee, the employee is not to accept the request and must notify a supervisor of the student’s request.

The same principles and guidelines found in SHLACS policies and three basic beliefs apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow staff members or otherwise adversely affects people who work on behalf of SHLACS, students, parents, or SHLACS legitimate school interests may result in disciplinary action up to and including termination.

These guidelines provide guidance intended to support existing SHLACS policies. Users of social media sites must comply with all applicable federal, state and local laws, including, but not limited to the Children’s Online Privacy Protection Act (COPPA), and the Family Educational Rights and Privacy Act (FERPA), and intellectual property laws.

### **Know and follow the rules**

Carefully read these guidelines and ensure your postings are consistent with these policies.

No personally identifiable student or staff information may be posted by SHLACS employees on social media sites. You may not post pictures or videos of students or staff members on your personal or someone else’s social media accounts.

In order to maintain a professional and appropriate relationship with students, SHLACS employees should not communicate with students on a personal social media site.

Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be respectful**

Always be fair and courteous to fellow staff members, people who work on behalf of SHLACS, students and parents. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, do not use statements,

photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage staff members, people who work on behalf of SHLACS, students and parents, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about SHLACS, staff members, people working on behalf of SHLACS, students and parents.

Post only appropriate and respectful content.

Maintain the confidentiality of SHLACS. Do not post internal reports, policies, procedures or other internal school-related confidential communications.

Do not create a link from your blog, website or other social networking site to a SHLACS website without identifying yourself as a SHLACS employee.

Express only your personal opinions. Never represent yourself as a spokesperson for SHLACS. If SHLACS is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of SHLACS, fellow staff members, people who work on behalf of SHLACS, students and parents. If you do publish a blog or post online related to the work you do or subjects associated with SHLACS, make it clear that you are not speaking on behalf of SHLACS. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of SHLACS."

### **Using social media at work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your supervisor or consistent with the Use of Facilities and Equipment policy. Do not use SHLACS email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is prohibited**

SHLACS prohibits taking negative action against any staff member for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media contacts**

Employees should not speak to the media or respond to online media requests on SHLACS behalf without contacting the Principal. All media inquiries should be directed to the Principal.

### **For more information**

If you have questions or need further guidance, please contact the Principal or Human Resources Manager.

## **IV. IMMIGRATION LAW COMPLIANCE**

Federal law requires all employers to verify each new employee's identity and legal authority to work in the United States via the INS I-9 Form. All offers of employment are conditional upon the receipt of satisfactory evidence of an applicant's authorization to work in the United States. This evidence of the right to work must be provided within three days of your hire date. Failure to provide the appropriate documentation will be grounds for termination.

## **V. TIME AND ATTENDANCE**

### **A. Work Days and Work Week**

The usual work day is 7:30am – 3:40pm, Monday through Thursday and 7:30am – 4:00 on Fridays. All employees are expected to work the established work week hours as determined by their supervisor. Instructional staff are expected to be fully engaged during school hours with the exception of their lunch break. Additionally, classroom instructional staff are expected to work such hours that ensures the timely start of the school day, an orderly process for ending the school day, and sufficient interaction with other instructional staff and administrators to help support the educational mission of the School.

Employees who need to engage in personal business during the work day outside of their lunch break must receive prior approval from his/her supervisor.

Teachers are required to teach 6 periods/day. To provide a productive and safe learning environment, substitute coverage will be assigned to an available faculty member. When this occurs, teachers may be required to teach 7 periods. A \$55 stipend will be paid when a member of the Leadership Team or the HR Manager assigns an additional teaching period. Compensation will be paid if the expectations for covering a class are met. The expectations for covering a class are:

- Actively teaching
- Following and completing the sub plans

There are also times when lunch/recess coverage will be required. When a member of the Leadership Team or the HR Manager assigns coverage, a \$30 stipend will be paid if the expectations for covering lunch/recess duty are met. The expectations for covering lunch or recess duty are:

- Actively monitoring tables/exits/play areas

When a teacher is absent, he/she is expected to email his/her supervisor and include a detailed plan for each class. If applicable, the teacher should direct the covering teacher to where he/she can find copies to support the lesson. Sometimes, it may not be possible to send a detailed plan that naturally follows

the previous day's lesson. To prepare in advance for this possibility, every teacher must create three (3) emergency substitute plans, with accompanying copies, for each unit should an emergency arise.

### **PTO Notification**

If a teacher or staff member needs to use a PTO day, notification must be sent to their direct supervisor and principal, and notification must be received by 6:30 a.m.

### **B. Pay Periods**

Pay periods are semi-monthly; the first pay period is from the 1<sup>st</sup> day of the month up to and including the 15<sup>th</sup> day of the month; the second pay period of the month is from the 16<sup>th</sup> day of the month up to and including the last day of the month.

### **C. Paychecks**

#### ● **Direct Deposit**

- ✓ Eligible Employees have the option to have their pay directly deposited into their checking or savings account.
- ✓ Employees must complete the necessary paperwork in order to use Direct Deposit.
- ✓ Employees can access their pay record on ADP.
- ✓ Meet with the Human Resources Manager for Direct Deposit eligibility requirements.

If you want someone else to pick up your paycheck, we must have a note on-file from you stating who is authorized to do so.

As per NYC law, you will be provided a copy of your attendance tracker every pay period. It is used to track your attendance and available PTO. You will receive this via email after every payroll. If you notice any discrepancies, please let me know.

You are responsible for accurate information on your paystubs including, but not limited to, address, salary, tax withholding and benefit deductions. If there is a discrepancy, you should notify the Human Resources Manager.

#### ● **Lost Paychecks**

In the event of a lost paycheck, the Human Resources Manager must be notified in writing as soon as possible before a replacement check can be issued. In the event the lost paycheck is recovered and the Human Resources Manager identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check within 24 hours.

### **D. Paid Deductions and Garnishments**

The only deductions from your paycheck are those required by law or authorized in writing by you (e.g. Medical/Dental). Your check stub identifies each deduction and should be kept as a permanent record. Paid deductions may also be taken by SHLACS in response to a garnishment notice received from a court or other legal authority. It is the employee's responsibility to ensure information on the paystub is correct.

### **E. Visitors in the Workplace**

To maintain safety and security, only authorized visitors are allowed on the SHLACS campus. We request that no visitors (children, parents, spouse, or friends) come to the School without official prior approval from the Principal. Unless staff has planned visits in their schedules, the presence of visitors may

negatively reflect on classroom activities, causing unwarranted disruption and possibly diminishing productivity.

## **VI. BENEFITS: PAID LEAVE**

### **A. School Calendar and Holiday Leave**

Each year the Board of Trustees, following consultation with the school administration, will establish a School Calendar that complies with the New York State Education Law relating to compulsory attendance. SHLACS has discretion with regard to the dates of attendance; however, in some instances it will follow the calendar established by the New York City Department of Education. SHLACS will be closed on all federal holidays. The School Calendar should be consulted for other dates that the School is closed.

### **B. Weather Days and Other Closings**

The Principal will determine if the school will be closed due to inclement weather or other situations. Staff members will be notified as early as 5:00am. A call from a member of the Leadership team will be made to your contact number listed on the website. Notification will also be posted on the school's website and Facebook page. If public schools in New York City are closed due to the weather, St HOPE is automatically closed. In this instance, you will not receive notification via your phone. At the discretion of the Principal, any classroom days lost to closure due to inclement weather or other reasons may be made up by adding an equal number of days to what was scheduled to be the end of the school year.

### **C. Paid Time Off (PTO) Days (Instructional and Counseling Staff Only)**

Unless otherwise provided for or as approved by the Principal, PTO days for regular full-time employees shall be accrued as follows:

- Each employee is granted ten (10) PTO days, earned at a rate of 1 day per month, beginning on September 1<sup>st</sup> of the school year.  
Employees can roll over a maximum accumulation of 5 PTO days each year, with a total maximum accumulation of 15 days per year.

PTO requests should be made via email and sent to your direct supervisor. If the request is for a Friday or if you are requesting 2 or more consecutive days off, this must be directed to your direct supervisor and the Principal.

### **D. Paid Time Off Usage**

Unless otherwise provided for or as approved by the Principal, PTO is to be used by regular, full-time employees in accordance with the following provisions:

- PTO days are to be used at an employee's discretion for personal reasons, such as a doctor's appointment, illness, family matters, etc.
- PTO used for sick leave may be used for the following reasons ("Sick Leave Purposes"):
  - Due to the employee's own mental or physical illness, injury, or health condition;
  - Due to the employee's need for medical diagnosis, care, or treatment for his or her own mental or physical illness, injury, or condition;
  - Due to the employee's need for preventive medical care;
  - Due to the employee's elective surgery, including organ donations;

- o Closure of the School's workplace due to a public health emergency (as declared by the Commissioner of the New York City Department of Health and Mental Hygiene or the Mayor);
- o Due to the employee's need to care for a child whose school or child care provider closed due to a public health emergency;
- o To care for the employee's family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care; or
- o To care for the employee's family member who has elective surgery, including organ donations.
- o Employees may also use their sick days as "safe time" to plan their immediate next steps and focus on safety when the employee or a family member has been the victim of a family offense matter. Safe time may be used to address the health, safety and financial repercussions that employees may face due to family offenses, sexual offenses, stalking and human trafficking. More specifically, safe time may be used to obtain relief services from a shelter or crisis center, to participate in safety planning or to relocate, to meet with an attorney or to file a complaint or police report, or to otherwise attend to the physical, psychological or economic wellness of the person(s) affected
- As our priority is student learning, PTO days are not designated to be used for vacation while school is in session.
- You must complete and submit an approved PTO form in advance, when possible. Do not assume that your responsibility ends when you submit the form to your supervisor. If you do not see your request in the web based Academic Calendar, your PTO request was not approved. Therefore, you are expected to be present for work. Failure to appear for work will be considered a no call/no show and the day will be unpaid.
- Requests to leave early or come in late also require a completed and approved PTO form.
- If a teacher or staff member needs to use a PTO day, notification must be sent to their direct supervisor and principal, and notification must be received by 6:30 a.m.
- PTO days may be used in increments of one-half work day. Leaving at or before 11:30am will be considered as a half work day. Arriving after 10:00am will be considered as a half work day. In addition, leaving at or before 2:30pm will be considered as a half work day.
- When possible, such as in the event of foreseeable extended illnesses and planned medical procedures, advance notice of the use of PTO days should be given to the Human Resources Manager and approved by your supervisor.
- With the exception of Sick Leave Purposes, no more than 2 consecutive PTO days can be taken while the School is in session unless absence is due to exigent circumstances. The final decision will be made by the Principal.
- A staff member cannot give/receive more than 2 PTO days to/from other staff members unless absence is due to exigent circumstances. Your direct supervisor must be notified in advance.
- If a staff member is absent on a school-designated ½ day, a full PTO day is charged.
- A doctor's note will be required for absences the day before/after holidays and vacations and on critical days. This does not apply if the absence is pre-approved PTO. Extenuating circumstances outside of personal illness will be considered on a case-by-case basis. A doctor's note is also required for absences of 3 or more consecutive business days.
- Improper use of PTO for Sick Leave Purposes is grounds for disciplinary action, up to and including termination of employment.
- Employees shall not be subject to retaliation for the request or use of PTO for Sick Leave Purposes.

#### **E. Tardiness**

Reporting to work on time is a professional expectation. Reporting to work late or leaving early causes difficulties for other staff members, and can also cause an unsafe environment for our students. We understand that late arrivals or leaving early cannot always be avoided, so, subject to applicable law, all staff members are able to come in late or leave early for a total of 12 times per academic year without a consequence. If a staff member exceeds this allowance, ninety (90) minutes will be deducted from future PTO days for each occurrence. You are expected to notify your co-teacher, supervisor and the Principal if you are going to be late or leave early. A staff member may never leave early without approval. If a staff member does not sign in, it will be treated as a tardy. Sign-in sheets are located outside of the main office. Staff members who exceed the maximum number of late arrivals/early departures may not exchange unused PTO days for the attendance incentive pay at the end of the year.

#### **F. Critical Days**

Critical days are defined as periods of school operations where it is critical that all staff be in attendance. Staff should not plan to take PTO days during critical periods, and any absences on critical days, except for religious holidays, medical emergencies and funerals with documentation (to the extent permitted by applicable law) and approved bereavement leave, **will be unpaid**. Critical days include but are not limited to all school-wide testing days and the day before/after holidays or school vacation days. A doctor's note is required for absences the day before/after vacations and critical days. If the absence is not pre-approved or if a doctor's note is not presented, the absence will be unpaid.

#### **G. Fridays**

One of the most important things that we do as a school to support our collective goal of maximizing impact on student success is our Friday schedule. Having STEM and Humanities Fridays allows departments to have critical common planning time while also providing science and social studies with two Fridays per month to extend class periods for labs, etc. For our Fridays to work, it is essential that all staff be onsite. Except as provided by law, if a staff member calls out on a Friday, meaning their PTO was not scheduled ahead of time, it will result in a loss of pay for the day. If the staff member is out due to serious illness or an emergency, they will be required to provide a doctor's note or other formal documentation to reinstate their pay. The reason we do not want to call every Friday a critical day is because we can permit a planned Friday PTO if we are able to plan ahead for coverage. True critical days mean that any requested PTO will be denied.

#### **H. Unused PTO Days**

Accrued but unused PTO time is not paid out in the event of termination, whether voluntary or involuntary. All employees are entitled to roll over up to 5 unused PTO days. In addition to rolling over up to 5 unused PTO days, teachers/counselors/other 10 month employees who do not exceed the maximum number of late arrivals/early departures and end the school year with at least 5 unused PTO days may exchange up to 5 of these unused days for \$100/day. Said days do not rollover.

#### **I. Temporary Schedule Changes**

School employees working in New York City for more than 80 hours per year who have worked for the School for 120 days or more are also eligible for two temporary schedule changes per calendar year for the following personal events:

- The need for a caregiver to provide care to a minor child or care recipient;
- An employee's need to attend a legal proceeding or hearing for subsistence benefits to which the employee, a family member or the employee's care recipient is a party; or
- Any circumstance that would constitute Sick Leave Purposes. The law entitles employees to no more than two requests of **up to one business day each per calendar year (or one combined request of two days)**.

Temporary changes include a limited alteration in the hours or times that or locations where an employee is expected to work, including, but not limited to, using paid time off, working remotely, swapping or shifting work hours and using short-term unpaid leave.

An employee must notify the School as soon as he or she becomes aware of the need for the temporary change and state that the change is due to a qualified personal event. The request need not be in writing, however, no later than two days after returning to work, the employee must indicate in writing the date for which the temporary change was requested and that change was due to the employee's qualified personal event.

Within 14 days of receiving the request in writing, the School will provide a written response that includes the following information:

- Whether the School will agree to the temporary change to the work schedule in the manner requested by the employee, or will provide the temporary change to the work schedule as leave without pay, which does not constitute a denial;
- An explanation for the denial, if the School denies the request for a temporary change to the work schedule; and
- How many requests and how many temporary change business days the employee has left in the calendar year, after taking into account the employer's decision contained in the written response.

Employees are not required to exhaust accrued PTO for Sick Leave Purposes before requesting schedule changes.

The School shall not retaliate against an employee who seeks a temporary schedule change.

#### **J. Bereavement**

Bereavement leave is available as follows if you have been employed by SHLACS continuously for thirty (30) days or more. If you suffer the loss of an immediate family member, you will be entitled to bereavement pay for up to three (3) consecutive days. You may be granted additional time without pay or you may use 2 PTO days for additional bereavement leave. You should notify your supervisor as soon as possible of the expected length of your absence. As used in this paragraph, "immediate family member" means a spouse, father, mother, child, step-child, brother, sister, grandparent or grandchild of the employee.

#### **K. Military Duty**

If you are a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves, or Public Health Service, you will be granted up to three (3) weeks of paid leave and unpaid thereafter for military absence for military service, training, or related obligations in accordance with the Unified Services Employment and Re-employment Act of 1995 (USERRA).

#### **L. Leaves With or Without Pay**

The Principal, with the permission from the Board of Trustees, has the authority to approve a leave with or without pay providing that it is in the best interest of SHLACS.

#### **M. Parental Leave**

Eligible employees will be paid their full salary for four (4) weeks, following the birth or adoption of a child. Employees can also use their earned PTO days toward additional paid parental leave. Employees eligible for short term disability benefits may qualify for partial salary payments beyond the 4 weeks covered by SHLACS. When leave is taken to care for your child, SHLACS will require you to provide documentation. You may be required to submit medical certification from a health care provider to support a request for Parental Leave. Medical confirmation must be submitted within 15 days of the School's request for certification. If you do not return to work from Parental Leave you will be considered to have voluntarily resigned. Please contact the Human Resources Manager for further details. Parental leave will run concurrently with NYS PFL.

#### **N. Family and Medical Leave Act (FMLA) of 1993 – Basic Information**

**St HOPE does not meet the requirements to offer FMLA. We employ fewer than 50 employees and there are no other schools under the jurisdiction of St HOPE within 75 miles. We do want to address FMLA for informational purposes.**

Employees are eligible for leave if they have worked for their employer at least 12 months, at least 1,250 hours over the past 12 months, and work at a location where the company employs 50 or more employees within 75 miles. Whether an employee has worked the minimum 1,250 hours of service is determined according to FLSA principles for determining compensable hours or work.

#### **O. NYS Paid Family Leave**

NYS Paid Family Leave (PFL) is job-protected paid leave to bond with a newborn, adopted or foster care child during the first 12 months; care for an ill family member with a serious health condition; address important needs related to a family member's military service. Employees are entitled to be reinstated to their same or comparable job upon return from PFL.

Employees with a regular work schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.

In 2021, you can take up to 12 weeks of PFL. Your current group insurance plan benefits will continue during the PFL leave on the same basis as if you had been continuously employed during that time, including any applicable employee contribution to the cost of those benefits. If you fall more than 30 days in arrears for required employee contributions (i.e. those contributions which would have otherwise be deducted from your pay), if any, coverage will be cancelled retroactive to the beginning of the month in which the delinquency occurred. SHLACS will give you notice prior to discontinuing your health insurance coverage. PFL will run concurrently with Parental Leave. An employee may also choose to use any accrued time off in order to receive full salary during a PFL. An employee who is eligible for both New York State disability benefits and PFL during the same period of 52 consecutive calendar weeks shall not take both at the same time and shall not receive more than 26 total weeks of New York State disability and PFL during that period of time. Please contact the Human Resources Manager for further details.

It is unlawful for any employer to interfere with, restrain or deny the exercise of any right provided under the PFL Law, discriminate or retaliate against any person for using or trying to use PFL. If an employee believes his or her rights have been interfered with or he or she has been subjected to discrimination, harassment or retaliation in violation of this policy, the employee should immediately report same to the Principal.

NYS PFL will run concurrently with SHLA Parent Leave.

#### **P. Jury Duty and Witness Subpoenas**

You will be granted jury duty leave when summoned for jury duty. SHLACS will pay full-time employees (and reduced-time or part-time employees if their hours cannot be rearranged to avoid a loss of work time) for the difference between jury duty pay and normal straight-time pay, up to a maximum of two weeks (10 work days) for actual time served on jury duty. You are required to report to work whenever the court schedule permits.

You must report your anticipated jury duty to your supervisor and Human Resources Manager immediately upon receipt of the summons. Upon completion of jury duty service, you must provide a copy of your "Completion of Jury Duty" notice to the Human Resources Manager for inclusion in your personnel file.

SHLACS encourages you to fulfill your civic responsibility to serve jury duty, however, SHLACS may ask you to request an excuse from jury duty if, in SHLACS's judgment, your absence would create serious operational difficulties. Note that New York State automatically grants one request for postponement of jury duty. Therefore, if a teacher or member of the administrative staff is called to jury duty for the first time during a school year, he or she is urged to reschedule jury duty for a "school" vacation or for the summer.

You will continue to earn all benefits and, if applicable, vacation and annual leave during jury duty leave.

If you receive a duly issued subpoena to appear as a witness during work time, immediately notify your supervisor. All subpoenas involving possible testimony about SHLACS and your employment at SHLACS must also be immediately reported to the Principal. The party issuing the subpoena is responsible to compensate you for appropriate witness fees and for your absence from work. SHLACS will not pay you for hours/days not worked.

#### **Q. Time Off to Vote**

New York employees are allowed "sufficient time" to vote if polls are not open four consecutive hours outside their regular working hours. The Human Resources Manager must be notified of the need for time off at least two but not more than ten working days prior to the election, and at the Human Resources Manager's discretion, may specify whether the time off is taken at the beginning or end of the working hours. If an employee has four consecutive hours either before or after regular working hours at the opening or closing of the polls, an employee will not be entitled to any paid time. If there are not four consecutive hours before or after the regular working hours, an employee is entitled to up to three hours paid time off at the beginning or end of an employee's regular working hours.

#### **R. Crime Victim Leave**

Eligible employees may take time off from work to comply with a subpoena to: (1) testify in a criminal proceeding (including time off to consult with the district attorney); (2) give a statement at a sentencing

proceeding; (3) give a victim impact statement at a pre-sentencing proceeding; or (4) give a statement at a parole board hearing.

Leave under this policy will be unpaid except that exempt employees will receive pay when required by applicable federal or state law.

#### Leave Eligibility

Employees are eligible for time off under this policy if they are:

- The victim of the crime at issue in the proceedings;
- The victim's next of kin;
- The victim's representative (a person who represents or stands in the place of another person, including an agent, attorney, guardian, conservator, executor, heir or parent of a minor) if the victim is deceased as a result of the offense;
- A good Samaritan (i.e., someone who acts in good faith to: (1) apprehend a person who has committed a crime in his or her presence; (2) prevent a crime or an attempted crime from occurring; or (3) aid a law enforcement officer in effecting an arrest); or
- Pursuing an application or the enforcement of an order of protection as provided under relevant law.

#### Notice and Certification

Employees must notify the Human Resources Manager of the need to take a leave under this policy no later than the day before the absence. In addition, employees must provide the Human Resources Manager with verification of their service upon request.

#### **S. Emergency Responder Leave**

Eligible employees will be allowed time off from work to perform duties as a volunteer firefighter or member of a volunteer ambulance service during a declared state of emergency, unless providing the leave would impose an undue hardship on School's business operations.

To be eligible for leave under this policy, employees must have previously provided the School with written documentation from the fire department or ambulance service notifying the School of the employee's status as a volunteer firefighter or volunteer ambulance service member, or the employee's volunteer duties must be related to the declared emergency.

Leave under this policy will be unpaid except that exempt employees will receive pay when required by applicable federal or state law.

The School may request certification of the need for leave in the form of a notarized statement from the head of the fire department or ambulance service setting for the time period that the employee's volunteer services were required.

#### **T. Military Spouse Leave**

Employees who work an average of 20 or more hours per week and who are the spouse of a member of the U.S. armed forces, national guard, or reserves who has been deployed during a period of military conflict (to a combat zone of operations or a combat theater) may be allowed up to ten days of unpaid

leave to use when their spouse is on leave. Employees who seek leave under this policy may be required to provide documentation to support their request.

For purposes of this policy, “period of military conflict” means a period of war declared by the United States Congress, or in which a member of a reserve component of the armed forces is ordered to active duty.

The School will not retaliate or tolerate retaliation or harassment against employees for requesting or taking military spouse leave.

#### **U. Blood Donor Leave**

Employees who work an average of 20 or more hours per week will be granted an unpaid leave of absence if they seek to donate blood. Eligible employees will be granted up to three hours of leave per calendar year to donate blood off-site or will be provided with an opportunity to donate blood on-site during work hours (such as through a blood drive) at a convenient time and place. Time spent donating blood on-site will be paid. Leave under this policy will be unpaid except that exempt employees will receive pay when required by applicable federal or state law.

Except in emergencies, employees who seek leave under this policy must give reasonable notice to Human Resources Manager of at least three working days prior to taking leave for blood donation off-premises and two working days for on-site and other alternative blood donation drives. Employees must also provide documentation to the Human Resources Manager immediately after such leave is taken.

The School will not retaliate or tolerate retaliation against an employee for requesting or taking blood donor leave.

#### **V. Bone Marrow Donor Leave**

Employees who work an average of 20 or more hours per week will be granted a leave of absence if they seek to undergo a medical procedure to donate bone marrow. The total length of the leave for each employee will be determined by a physician, but may not be longer than 24 work hours without School’s approval. An employee who seeks leave under this policy must provide verification from a physician of the purpose and length of the leave. Leave under this policy will be unpaid except that exempt employees will receive pay when required by applicable federal or state law.

The School will not retaliate or tolerate retaliation against an employee for requesting or taking bone marrow donor leave.

## **VII. BACKGROUND CHECKS**

New York State Education Law and Regulation of the Commissioner of Education require Charter Schools to fingerprint perspective employees for the purposes of a criminal history background check. Any employee refusing this request shall be deemed as having involuntarily resigned from the School.

## **VIII. VACATION LEAVE**

### **A. Instructional and Counseling Staff**

Instructional Staff (most teachers and other program staff) are entitled to school breaks, as outlined in the school calendar.

### **B. 12 Month/Leadership Employees**

12 Month/Leadership Employees (most leadership, administrative, and operations staff) that are employed by SHLACS on a 12 month basis are entitled to 20 PTO days mentioned in Section VI. Vacation days are earned at a rate of approximately 1.67 days per month. 12-month employees are strongly encouraged to use their PTO days when school is not in session during the school year (ex: winter break, spring break, etc...). Any vacation requests for July must be approved by the Principal. Depending on the business needs of the organization, vacation requests may not be approved, regardless of the number of PTO days available for use. 12 Month Employees are eligible to exchange up to 5 unused days for \$100/day at the end of the school year if they do not take these days as PTO when school is in session (this includes staff professional development days). As with other staff, 12 Month Employees cannot exceed the maximum number of late arrivals/early departures to be eligible. Said days do not rollover. Accrued but unused vacation time is not paid out in the event of termination, whether voluntary or involuntary.

In addition to vacation days, there are some days when the school and office are completely closed and all staff are given the day off. These days do not count towards your overall vacation days. These days are:

Labor Day  
Veteran's Day  
Thanksgiving Break  
December Break  
New Year's Eve  
New Year's Day  
MLK Day  
President's Day  
Good Friday/Easter  
Memorial Day  
Juneteenth  
Eid -al – Fitr

### **C. Federal Holidays**

SHLACS observes the federal holidays listed below, along with a few additional days, which are available to all regular full-time employees. Part-time employees are not paid for these holidays. In the event that one or more these days falls on a weekend, the previous or subsequent business day will be designated as a school holiday.

- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day
- New Year's Day
- Martin Luther King Day
- President's Day
- Juneteenth

- Memorial Day

## **IX. BENEFITS: INSURANCE/HEALTH**

### **A. Medical Insurance**

The Principal or his or her designee will select a medical insurance plan, which may include more than one option of provider or provider networks that the School will offer to each full-time regular employee. Employee co-payment for health care coverage will be required, and will vary depending upon the level of coverage selected by the employee (individual; individual plus spouse; family; etc....).

### **B. Dental Insurance**

The Principal or his or her designee will select a dental insurance plan that the School will offer to each full-time regular employee. Employee co-payment for health care coverage will be required and will vary depending upon the level of coverage selected by the employee (individual; individual plus spouse; family; etc....).

### **C. Life Insurance**

The Principal or his or her designee will select life insurance, short-term disability and long-term disability insurance policies that the School will offer to each full-time regular employee, in an amount and of a type determined by the Principal and in accordance with applicable law.

### **D. Vision Care**

The Principal or his or her designee may select or devise a vision care plan that the School will, if developed, offer to each full-time regular employee. Employee co-payment for health care coverage will be required and will vary depending upon the level of coverage selected by the employee (individual; individual plus spouse; family; etc....).

**Employee contributions (where applicable) for benefits coverage will be automatically withheld from employee paychecks, in an amount in accordance with a schedule maintained by the Principal of his or her designee.**

### **E. Workers' Compensation**

SHLACS, in accordance with New York State Law, will provide Workers' Compensation to its employees.

### **F. Disability Insurance**

The School carries short-term disability insurance in accordance with New York State Law. Such insurance allows payment in the event of certain illness, illnesses or other disabilities occurring outside of the workplace, including pregnancy. Any employee wishing to claim disability pay must file appropriate reports and forms with the Human Resources Manager. Such employee also is responsible for filing any other necessary forms, applications, or other information as required by applicable government policies.

### **G. Declination of Insurance Benefits**

Any employee who wishes not to accept any of the insurance benefits offered by the school is required to submit such a request in writing to the Human Resources Manager.

### **H. Reservation of Rights**

This School reserves the right to alter the benefits package made available to employees at any time, consistent with all applicable laws. Each employee will be notified of any alteration in the benefits package.

## **X. BENEFITS: OTHER**

### **A. Unemployment Compensation**

This School contributes to the Unemployment Compensation plan administered by the State of New York.

### **B. COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employee and qualified beneficiaries the opportunity to continue health insurance coverage under the School's health care plan for at least 18 months when a qualifying event would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment for reasons other than gross misconduct, a reduction in the employee's hours or a leave of absence, death of an employee, an employee becoming entitled to Medicare, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the School's group rates plus an administrative fee. Group health coverage for COBRA participants is usually more expensive than health coverage for active employees, since usually the employer formerly paid a part of the premium.

The School will provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the School's health insurance plan. The notice contains important information about the employee's rights and obligations.

### **C. 401(k) Savings Plan**

As an employee of SHLACS, you will be afforded an opportunity to enroll in a 401(k) plan of the School's choosing. SHLACS will match each employee's contributions, up to 5% of the employee's annual salary.

The School's vesting schedule for the 401(k) plan is:

- 0% of the employer's contributions if employee separates before completing two years of service from the date of hire
- 50% of the employer's contributions if employee separates after completing two years of service from the date of hire
- 100% of the employer's contributions if employee separates after completing three years of service from the date of hire

Employees should note that the IRS limits the amount that an employee can contribute to his/her 401(k) plan per year to \$19,500.

### **D. Professional Development**

During the 2021-2022 academic year, staff members will not be permitted to participate in professional development offsite. However, each staff member can be reimbursed up to \$2,000 for online professional development. Webinars must be approved by their direct supervisor prior to purchase to be eligible for reimbursement. In addition, every effort must be made to schedule webinars when working

offsite or outside of school day hours. Recorded webinars should be viewed outside of school day hours. In order to take advantage of this benefit, please follow the procedures below:

- Submit your PD request to your supervisor via email. The email should include the dates of the PD. Your supervisor will reply with his/her approval.
- Register for your online conference.
- Complete a reimbursement form and attach your receipts to the form. Receipts must show your name, the amount and the proof of payment. Obtain the signatures of both your supervisor and the Principal.
- Submit completed reimbursement forms to the Human Resources Manager.
- NYS taxes will not be reimbursed.
- *At the end of the academic year, unused PD money (up to \$1,000) may go towards the reimbursement of a completed class taken during the Fall and/or Spring semester. Classes are subject to supervisor's approval. Proof of registration, payment for the course and proof of completion including grade must be submitted. Reimbursements will be paid to active employees on September 30 of the following academic year.*

## **XI. HR POLICY**

### **A. Confidentiality**

Employees of this School shall not, in any way, release any information about this School, its activities, or the activities of its personnel except as normally required by their duties, expressly permitted by the Principal, and in conformity with the requirements of applicable Freedom of Information Laws, the Family Educational Rights and Privacy Act, the Health Insurance Portability and Accountability Act, and any other applicable federal, state, or local law or regulation on school policy or regulation. Failure to follow this policy will result in disciplinary action, up to and including termination.

### **B. Personnel Inquiries**

No one in this School other than the Board of Trustees, Principal, or a designee is authorized to respond either verbally or in writing to personnel inquiries of any type about any employee of this school. Your obligations under this policy continue after your termination of employment.

### **C. Ban on Acceptance of Gifts**

The Principal and other school employees are not permitted, in accordance with the Conflict of Interest Provision contained in this handbook, to accept gifts of any kind of a value exceeding twenty-five dollars (\$25.00) – including but not limited to money, goods, food, entertainment, or services – directly or indirectly from:

- Individuals, schools, or companies serving as vendors or potential vendors for this school;
- Elected officials or their representatives;
- Candidates for public office or their representatives; or
- Political party officials or their representatives

The Principal, including in instances where such gifts intended for and will be used by the School, may make exceptions. Offers of such gifts in excess of \$25.00, even when refused, must be communicated immediately by the employee receiving such an offer to the Principal. The Principal will communicate such offers to the Board of Trustees.

#### **D. Confidential and Privileged Information**

During your employment at SHLACS, you may learn or work with and be entrusted with confidential and/or privileged information about fellow employees, administrators, school parents, students or applicants. You must exercise the highest degree of care not to disclose any such information, even inadvertently, to any unauthorized person in or outside of SHLACS. You may not disclose any confidential or privileged information except to persons specifically designated in advance and in writing by the Principal.

Confidential information includes but is not limited to:

- Student records
- Financial information
- Personnel records
- Payroll records
- Computer programs, codes, processes and passwords
- Personnel information regarding school parents and students

If you believe confidential information must be disclosed to a third party, you should consult with the Principal prior to the disclosure. There is no excuse for the disclosure of confidential information. Failure to follow this policy will result in disciplinary action, up to and including termination.

Your obligations under this policy continue after your termination of employment.

#### **E. Dress Code/Cell Phone**

At St HOPE Leadership Academy, we recognize that, as adults, we have a unique opportunity to model various expressions of terms like “casual,” “business casual,” or “business professional” for our students and push their and our own existing definitions of those terms. We are here *for* our students, and we should model various expressions of each of these terms each week, ensuring that our students do not only see “business professional” for visitors or parent-teacher conferences. More important than any visitor or evaluator ***are our students.***

Please see below for a map of the week:

- Monday to Wednesday: Staff may choose how to express “business casual” or “business professional,” as long as it adheres to a few guidelines below.
- Thursday: With our students, we wear a St HOPE shirt, hoodie, or polo. If you forget, one will be provided.
- Friday: With our students, be true to you, as long as you adhere to the guidelines below. If casual, St HOPE attire is not required.

Please see below for a few guidelines:

- Sleeveless shirts and dresses may be worn, as long as the shoulder covering extends from the neck to the shoulder.
- Shorts, skirts, and dresses may be worn but should extend to at or below the halfway point of your thigh.

- Similar to our students, if your pants have rips or frays above the knee, please wear opaque leggings underneath.
- Leggings or sweatpants by themselves are not permitted.
- Shoes must cover your toes.
- Hats or hair coverings can be worn as long as they are “business professional” or are being worn for religious reasons. Casual hats can be worn on Fridays. On Thursdays, if wearing a casual hat, only St HOPE hats will be permitted, unless your hat or hair covering is “business professional” or being worn for religious reasons.

Similar to our students, when we are actively teaching, counseling, coaching, supervising, and/or performing the essential functions of our role at St HOPE, cellular phones and other electronic devices not used for business purposes should be turned off and out of sight. A cellular phone should only be visible if being used as a pre-approved instructional tool or, in rare cases, to request student or teacher support. Employees are free to use their cellular phones or other electronic devices while on prep or during their lunch break. Staff may elect to use their personal phone as their business phone, either using a Google voice phone number provided by the school or giving the school permission to publish their personal phone number for parent and professional use. All voicemail, text and email messages must be returned within 24 hours business hours Monday-Thursday. If contacted on Friday or over the weekend, all messages must be returned by the end of day Monday.

#### **F. Violence in the Workplace**

SHLACS is committed to preventing workplace violence. Given the increasing violence in society in general, SHLACS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. You are expected to refrain from fighting, rowdy behavior, or other conduct that may be dangerous to others. You may not bring firearms, weapons, or other dangerous or hazardous devices or substances onto the premises of SHLACS.

Employees are to immediately report violence or threats of violence, both direct and indirect, to a supervisor. This includes threats by employees, students, or visitors. Reports should be as specific and detailed as possible.

SHLACS will promptly and thoroughly investigate all reports of violence or threats of violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation SHLACS may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for acts or threats of violence or other conduct in violation of these guidelines will be subject to disciplinary action up to and including termination of employment.

SHLACS encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Principal, before the situation escalates into potential violence. SHLACS is eager to assist in the resolution of employee disputes, and will not discipline you for raising such concerns.

#### **G. Code of Ethics and Standards of Conduct**

You are responsible for observing certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what is expected.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of unacceptable conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to harm to others or to damage of employer-owned property.
- Insubordination or other disrespectful conduct (including refusal to follow your supervisor's lawful directives)
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace or while at work outside the workplace.
- Excessive absenteeism, excessive tardiness, or any absence without notice
- Absence from or tardiness to a scholar supervisory post
- Use of cellphone or other electronic device when at a scholar supervisory post
- Failure to provide appropriate classwork for a suspended scholar within one business day of receiving notification of said suspension
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of business "secrets" or confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct

Some of the unacceptable forms of behavior are separately discussed in more detail elsewhere in this handbook. Other misconduct will be evaluated based on the specific facts and circumstances.

#### **H. Drug and Alcohol-Free Workplace – Drug Screening**

It is the policy of SHLACS to create a drug-free workplace in keeping with the spirit and intent of the Drug Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in business off premises, such as at a parent's home, are strictly prohibited.

To maintain a safe, efficient and alcohol/drug-free work environment, drug and/or alcohol testing may be required if the School has a reasonable suspicion you are under the influence of alcohol or drugs in violation of this guideline. The results of any test conducted under this guideline will be treated in a confidential manner.

To educate employees on the dangers of drug abuse, employees may be periodically required to attend information and training sessions in the area of alcohol and illegal drug dangers, treatment resources

and workplace policy. Employees arrested and charged with controlled-substance-related violations must inform the Principal of such arrest before returning to work. Employees convicted of controlled-substance-related violations, including pleas of no contest, must inform SHLACS within five days of such conviction or plea or before returning to work, whichever period of time is sooner.

Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the School may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

### **I. Use of Facilities and Equipment – Computer, Electronic and Voice Mail Systems**

This policy establishes rules governing employee use of SHLACS's computer network, electronic mail ("e-mail"), telephone message handling ("voicemail") services, and Internet access. SHLACS has developed these rules to ensure that everyone understands how these options function and the limits which properly apply.

All SHLACS equipment, including but not limited to desks, computers and computer systems, computer software, e-mail, voicemail and other physical and electronic items are for business use only, provided that you may receive necessary and appropriate personal messages on your office voicemail and/or through office e-mail. All communications and information transmitted by, received from, or stored in these systems are School records and property of SHLACS. You have no right of personal privacy in any matter stored in, created, received, or sent over SHLACS computer, e-mail, internet, or voicemail systems.

SHLACS at all times retains the right, without notice, to search all indices, diskettes, files, databases, e-mail messages, voicemail messages, Internet access logs, and any other electronic transmissions contained in or used in conjunction with SHLACS's computer e-mail, voicemail and Internet access systems and equipment.

By placing information on the SHLACS computer system, you give SHLACS the right to edit, delete, copy, republish and distribute such information.

All SHLACS systems require users to identify themselves with a user ID and password to obtain network access. Unauthorized use of systems without making this identification or by bypassing this process is a violation of SHLACS policy. You should make every effort to safeguard your password and you must immediately notify your supervisor if you believe a breach in security has occurred.

Sharing your network access with other users is strictly prohibited.

If SHLACS provides you access to an Internet service such as web-browsing, such access is only for business use. This restriction includes any Internet service which is accessed on or from SHLACS premises using SHLACS computer equipment or via SHLACS – paid access methods and/or used in a manner that identifies you with SHLACS, including usage of SHLACS equipment utilized from a private or public (non-school) residence. Very limited or incidental use of Internet services for personal non-business purposes is acceptable. However, personal use must be infrequent and must not:

- Involve any prohibited activity (see Prohibited Activities);
- Interfere with your productivity or the productivity of your co-workers;
- Consume system resources or storage capacity on an ongoing basis; or

- Involve large file transfer or otherwise deplete system resources available for business purposes

SHLACS purchases and licenses the use of various computer software for business purposes only and does not own the copyright to this software or its related documentation. Therefore SHLACS does not have the right to reproduce such software for use except as expressly provided in the license or purchase agreement. SHLACS expressly prohibits the illegal duplication of software and its related documentation.

As an employee, you should not expect privacy with respect to any of your activities using SHLACS – provided e-mail, voicemail or Internet access or services. **SHLACS reserves the right to review or otherwise monitor any files, messages, or communications sent, received or stored in the SHLACS computer or telephone systems.**

If you violate this policy, you are subject to discipline, up to and including termination of employment. If you use the SHLACS computer system for defamatory, illegal or fraudulent purposes, you may also be subject to civil liability and criminal prosecution.

## **XII. AMERICANS WITH DISABILITIES ACT (ADA)**

Pursuant to the Americans with Disabilities Act and other applicable Laws, SHLACS will provide a reasonable accommodation to any qualified employee with a disability where their disability affects the performance of their essential job functions unless it would impose an undue hardship to SHLACS. Individuals who believe they need an accommodation to perform their jobs should submit a written request to the Human Resources Manager identifying which essential functions are affected by the employee's disability and what reasonable accommodation would enable the employee to perform these duties. Employees requiring accommodation may be required to provide medical certification from the employee's health care provider that includes: 1) identification of the health care provider; 2) the health care provider's diagnosis of the disabling condition; 3) specific limitations and/or suggested restrictions and their relation to the disability; and 4) suggested accommodations. Consideration of a request for an accommodation may be delayed or denied if the appropriate documentation is not provided in a timely manner.

## **XIII. ADDITIONAL ACCOMMODATIONS**

### **A. Pregnancy Accommodation**

Employees who have needs related to pregnancy, childbirth or a related medical condition may request a reasonable accommodation to enable them to perform their essential job functions, except where doing so would result in undue hardship for the School or if the employee is not able to perform the essential functions of her job with an accommodation. A reasonable accommodation may include: (1) bathroom breaks; (2) breaks to facilitate increased water intake; (3) periodic rest (for employees who stand for prolonged periods); (4) assistance with manual labor; and/or (5) an unpaid leave of absence.

### **B. Lactation Accommodation**

The School will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child. Generally, a reasonable amount of break time for purposes of this policy will be at least 20 minutes in every three hour period, if requested by the employee. Longer break times will be provided when the room designated for expression of breast milk is not in

close proximity to the employee's work station. The School will provide this break time for up to three years following the birth of a child.

Nursing mothers can elect to take time to express breast milk during their regularly scheduled meal and rest breaks. If the break time cannot run concurrently with the meal and/or rest breaks already provided to the employee, the break time will be unpaid for nonexempt employees. Where these additional breaks are required, employees should work with the Human Resources Manager regarding scheduling. A nonexempt employee can elect to work before or after her normal shift to make up the amount of time used during unpaid break time for expression of breast milk, so long as the additional time requested falls within the School's normal work hours.

### **C. Accommodations for Victims of Domestic Violence**

Employees who are victims of domestic violence may request a reasonable accommodation to enable them to perform their essential job functions, unless providing the accommodation would cause an undue hardship on the School's business operations.

The School may request that an employee provide proof that he or she is a victim of domestic violence, such as documentation from a victim's services agency, lawyer, clergy, medical provider, a court or the police.

The School will not refuse to hire, terminate or discriminate against any employee because the employee is, or is perceived to be, a victim of domestic violence, sex offenses or stalking.

## **XIV. OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA)**

Consistent with federal OSHA requirements and to protect the well-being of employees, SHLACS recognizes a need to limit the potential harmful effects of occupational exposure to blood and other potentially infectious bodily fluids where exposure to these materials could result in infection, illness, or death of employees. The Health Safety policy covers all SHLACS employees but particularly those who may reasonably anticipate coming into contact with these materials as a result of their job duties. If your job duties may put you in this category, SHLACS will provide you with appropriate information.

## **XV. RIGHT-TO-KNOW**

The New York State Right-To-Know Law gives you the right to find out what toxic substances are present in your workplace – in this case, SHLACS. This law covers New York State public sector employees including former employees who were employed after December 1980.

By law, we are obligated to inform you of all substances known to be present in any compound or mixture, if they comprise 1% or more by weight of the compound or mixture hazardous. Upon written request, we will provide you with any information regarding any substances we use, within a three day period.

## **XVI. ETHICS/CONFLICT OF INTERESTS**

It is imperative that SHLACS, both in reality and in perception, be deemed to operate solely in the best interests of the students it serves. Any taint to its reputation will significantly impact on the mission of the school. As an employee of SHLACS, you are to be ever mindful of the need to conduct yourself both in and outside of the school in a manner that will not bring criticism to yourself and to the school.

You have an obligation to conduct your affairs within guidelines that prohibit actual or potential conflicts of interest. Actual or potential conflict of interest occurs when you are in a position to influence a decision that may result in a personal gain for you, for a relative or for anyone else who has a close personal relationship with you as a result of SHLACS business dealings. For the purpose of this policy, a relative or a person with a close personal relationship is any person who is related by blood or marriage, or whose relationship with you is similar to that of persons who are related by blood or marriage.

No “presumption of guilt” is created by the mere existence of a relationship with an outside firm or vendor. However, if you have any influence on transactions involving purchases, contracts, or supplies it is imperative that you disclose that relationship to the Principal immediately so that safeguards can be established to protect all parties.

Personal gain may result in instances where you or your relative or one with a close personal relationship has a significant ownership in the vendor or firm with which SHLACS does business. As noted elsewhere, accepting a gift from a vendor or business doing business with SHLACS is prohibited.

## **XVII. CHILD ABUSE**

### **A. Child Abuse or Maltreatment Pursuant to §411 et. seq. of the Social Services Law**

Pursuant to §413 of the Social Services Law, school officials are required to report instances of suspected child abuse or maltreatment to the State Central Register of Child Abuse and Maltreatment (“SCR”). A hotline has been established for reporting by mandated reporters, which include school officials. The hotline is 1-800-635-1522.

Child “abuse” occurs when a parent or other person legally responsible for the child inflicts serious physical injury upon the child, creates a substantial risk of serious physical injury, or commits a sex offense against the child. In addition, the definition includes instances where the parent (or person legally responsible) knowingly allowed another to inflict such harm.

Child “maltreatment” (which includes neglect) occurs when a child’s physical, mental, or emotional condition has been impaired, or is in imminent danger of impairment, by the parent’s (or other person legally responsible for the child) failure to exercise a minimum degree of care by (1) failing to provide sufficient food, clothing, shelter or education; (2) failing to provide proper supervision, guardianship, or medical care; or (3) inflicting excessive corporal punishment, abandoning the child, or misusing alcohol or other drugs and, in doing so, cause the child to be placed in imminent danger.

As mandated reporters, school officials are required to report suspected child abuse or maltreatment when they have reasonable cause to suspect either has occurred. “Reasonable cause” to suspect child abuse or maltreatment means that, based on a school official’s rational observations, professional training, and experience, the official suspects that the parent or other person legally responsible for the child has harmed the child or placed the child in imminent danger of harm.

The following procedures should be followed in reporting instances of child abuse and maltreatment.

1. If a school employee learns or suspects a situation of abuse or maltreatment of a student by his or her parent or person legally responsible for the student's care, the employee must report the situation to the Principal immediately.
  - a. If the Principal is not available, the school employee should report the situation to the Social Worker.
  - b. If both the Principal and Social Worker are not available, the employee must follow the regulations listed below.
2. If, based on the employee's report, the Principal reasonably believes that abuse or maltreatment has occurred, the Principal must immediately call the SCR hotline at **1-800-635-1522** and make a verbal report.
  - a. The Principal should ask the SCR representative his or her name and the "Call ID".
  - b. Within 24 hours of the Principal's verbal report to the SCR hotline, he or she must complete and submit to SCR mandated reporter form "LDSS-2221A". Form LDSS-2221A may be obtained from the New York State Office of Children and Family Services website at: [www.ocfs.state.ny.us/main/forms](http://www.ocfs.state.ny.us/main/forms) or by calling 518-472-0971.
3. If a school official is uncertain about whether a situation rises to the level of abuse or maltreatment, the official should contact the hotline to discuss the matter with a trained SCR specialist
4. The Principal shall document for his or her confidential file the events, conversations, and facts associated with an allegation of child abuse or neglect, whether or not those circumstances rise to the level of reasonable suspicion that cause him or her to make a report to SCR.
5. All information relating to reports of child abuse or maltreatment shall be strictly confidential.

#### **B. Child Abuse in the Educational Setting Pursuant to Education Law Article 23-B**

Pursuant to New York Education Law §1126, and the regulations of the Commissioner of Education (8 N.Y.C.R.R. 100.2(hh)), any oral or written allegation to a teacher, school nurse, guidance counselor, psychologist, social worker, administrator, board member, or other school personnel required to hold a teacher or administrator license or certificate, that a child has been subjected to child abuse by an employee or volunteer in an educational setting, shall promptly make a report, on a form provided by the Commissioner of Education, consisting of the following:

1. The name of the child's parent
2. The name of the person who reported the abuse and their relationship to the child
3. The name of the employee or volunteer against whom the allegation is made
4. A listing of the specific allegations

The report must be given to the Principal immediately. The report and all other written materials, photographs, and/or videos concerning the allegations and report are strictly confidential and may only be disclosed to law enforcement authorities involved in the investigation of the alleged child abuse, or as expressly authorized by law or pursuant to a court-ordered subpoena. Willful disclosure of a confidential record to an unauthorized person is a class A misdemeanor.

The duties of administrators upon receipt of a written report alleging child abuse in an educational setting, where the administrator has a reasonable suspicion that an act of child abuse has occurred, shall be as follows:

1. If the alleged child-victim made the report, promptly notify the parent of the allegation and provide the parent with a written statement pursuant to §100.2(hh) of the Commissioner's Regulations setting forth the duties of employees and administrators upon receipt of the

allegation, additional duties of superintendents, notification by the district attorney pursuant to Education Law §1130, and actions to be taken upon criminal conviction of a licensed or certified school employee pursuant to Education Law §1131.

2. If the parent made the allegation, promptly provide the parent with the above-referenced written statement.
3. If someone other than the child-victim or parent made the report, ascertain from the reporting person the source and basis of the allegation, promptly notify the parent and provide the parent with the requisite written statement.
4. If a public school administrator received the written report alleging abuse, the administrator must promptly provide the Principal with a copy of the report as well.
5. A report of child abuse in an educational setting must be promptly forwarded to the appropriate law enforcement agencies.
6. The school shall forward the report of child abuse to the Commissioner of Education if the accused employee or volunteer holds a license or certification issued by the New York State Education Department.
7. Any child abuse report that does not, after investigation, result in criminal conviction shall be expunged after five years or at such earlier time that the school determines.

If the alleged abuse was by an employee or volunteer of a school other than one within the school district of the child's attendance, the report must be forwarded promptly to the Principal and Board of Trustees of the other district.

**CERTIFICATION of RECEIPT of the St HOPE LEADERSHIP ACADEMY CHARTER  
SCHOOL EMPLOYEE HANDBOOK**

I have been informed about the St HOPE Leadership Academy Charter School Employee Handbook, and I understand that I have the responsibility to become familiar with all policies and procedures included in them.

Further, I have read and understand the provisions of the following School policies, procedures and guidelines, and agree that adherence to them and all others as a condition of continued employment by the School:

- ✓ Employment At Will
- ✓ Equal Employment Opportunity
- ✓ Complaint Procedure
- ✓ Code of Conduct and Harassment
- ✓ Use of Facilities and Equipment – Computer, Electronic and Voice Mail Systems
- ✓ Procedures for Reporting Child Abuse

I understand that the procedures set forth in the Employee Handbook are operational guidelines for the School and its employees, and may, from time to time, be changed as necessary to improve organizational efficiency. As such, these procedures shall not be construed as constituting a contract between the School and myself. School staff is employed and serve at will. The employment relationship can be terminated at any time (subject to certain notice requirements) by either the employee or the School.

Employee Name (print) \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Received by \_\_\_\_\_ Date \_\_\_\_\_

## **Appendix**

### **Policies Specific to COVID-19**

*The guidance below is subject to change, as the guidance we receive, as a school, is ever evolving. Updates will be communicated in a timely manner.*

If an employee tests positive for COVID, regardless of vaccination status, the employee must isolate at home for 10 calendar days *and*, if symptoms permit, work from home on tasks that can be accomplished from home. The list of acceptable work from home tasks will be created between the employee and direct supervisor. If symptoms do not permit, a staff member will use a PTO day.

If an employee is a confirmed close contact and is vaccinated, the employee is not required to isolate and can continue to come to work. The employee will automatically be added to the weekly testing pool for two weeks.

All staff members who are vaccinated will be included in weekly pool testing, meaning they may or may not be selected for random testing.

If an employee's dependent is required to quarantine and requires care and supervision at home, the employee will setup a meeting with their direct supervisor and Principal and provide the letter from the school or childcare facility confirming that quarantine is required and the duration of the quarantine. A plan will be developed through which the employee and other persons who can care for the dependent(s) share responsibility and through which the employee, their direct supervisor, and Principal determine the number of days during which they will work from home while also providing care and supervision for their dependent.

If, as a result of the above protocols, an employee is worried that they are on track to or do exhaust the number of PTO days allowed, they are encouraged to setup an appointment with the Principal and their direct supervisor to create a plan for the remainder of the year.

All St HOPE employees, including school-based staff, will be required to be vaccinated. St HOPE employees will be required to provide proof that they have received at least one dose of the COVID-19 vaccination by September 27, 2021. Staff members will be provided with an additional PTO day to obtain both the first shot and the second shot.

When a fully vaccinated employee becomes eligible for the booster shot, an additional PTO day will be given.

*The policy below may be updated on or after September 27<sup>th</sup>:*

If an employee is a confirmed close contact and is not vaccinated, the employee must isolate at home for 14 calendar days *and*, if symptoms permit, work from home on tasks that can be accomplished from home. The list of acceptable work-from-home tasks will be created between

the employee and direct supervisor. If symptoms do not permit, the staff member will be required to use PTO days.