

- 3) ! First year professionals: Three months prior to expiration of term (or March 1 for terms ending in June, July or August).

E. DESIGNATION OF SUPERVISOR: Each professional employee must be informed of who his/her supervisor is upon initial appointment or within thirty (30) calendar days of any change in supervision. If more than one person acts in a supervisory capacity with respect to an employee, only one person is assigned responsibility for evaluation, including consultation with other supervisors and any secondary sources. An employee may request clarification in writing.

F. SECONDARY SOURCES OF CONSULTATION: The supervisor, after consultation with the employee, must identify in the performance program any secondary sources to be consulted as part of the evaluation process, and their relationship to the employee. These would be agencies, offices or individuals involved with the employee's job performance and his/her achievement of stated objectives.

G. INITIAL CONSULTATION: The evaluation process officially begins with the initial discussion (consultation) between the designated supervisor and the professional employee concerning the following elements of a performance program appropriate to the position:

- 1) ! The nature of the professional employee's duties and responsibilities.
- 2) ! Supervisory and functional relationships.
- 3) ! Immediate and long-term objectives.
- 4) ! Criteria for evaluating achievement of objectives. Initial consultation should take place within the first month of employment.

H. SUBSEQUENT CONSULTATION MEETINGS: Begin with a review of preliminary evaluation of the employee's achievement of stated objectives under an existing performance program. Consider possible areas for improvement. Conclude with discussion of the elements of a new performance program.

I. POSITION DESCRIPTION: A current position description should be maintained and kept on file in the Human Resources Office for each professional position. It is prepared by the incumbent, if any, in consultation with other appropriate staff. The draft is submitted to the supervisor for review, consultation and modification if necessary.

J. PERFORMANCE PROGRAM: Consistent with the professional employee's duties and responsibilities and role in contributing to the aims of the University, the designated supervisor after discussion with the professional employee shall determine and prepare a written performance program containing 1) the assigned duties and responsibilities, 2) the objectives to be achieved during the evaluation period, and 3) appropriate criteria for evaluating the degree to which those objectives are met. Such a performance program will serve as the basis for subsequent evaluation. A new employee's first performance program must be established within fifteen (15) working days following the initial consultation.

As they relate to particular duties, responsibilities and objectives for which the professional employee is concerned, the following criteria should be among those on which evaluation is based:

- 1) ! **Effectiveness in Performance:** As demonstrated, for example, by success in carrying out assigned duties and responsibilities, efficiency, productivity and relationship with colleagues.
- 2) ! **Professional Ability:** As demonstrated, for example, by invention or innovation in professional, scientific, administrative or technical areas; i.e., development or refinement of programs, methods or apparatus.
- 3) ! **Effectiveness in University Service:** As demonstrated, for example, by such things

as successful committee work, participation in local campus or University governance or involvement in campus or University-related student or community activities.

- 4) Continuing Growth: As demonstrated, for example, by continuing education, participation in professional organizations and enrollment in training programs.
- 5) Mastery of Specialization: As demonstrated, for example, by degrees, licenses, honors, awards and reputation in professional field.

These criteria and examples thereof are presented for descriptive and explanatory purposes only and are in no way intended to be all inclusive or to limit the immediate supervisor in determining appropriate criteria for evaluation.

The performance program must also contain written expression of the supervisory functional relationships and the long-term objectives and should specify the extent to which any secondary sources are to be consulted in the evaluation process. Any significant change in the assigned duties during the evaluation period should be reflected in a modification to the existing performance program following consultation. Should the supervisor and employee disagree on the performance program, the employee has the right to attach a statement within ten (10) days of receipt.

K. **EVALUATION:** At the end of each evaluation period the supervisor will formally evaluate the employee's performance and include any recommendations relating to reappointment, salary or other actions affecting employment status. This must be completed at least annually, and no less than forty-five (45) days before any term appointment renewal deadline (to accommodate the appeal procedure). The evaluation shall be based on:

- 1) Effectiveness in performance of assigned duties and responsibilities,
- 2) Achievement of objectives as stated in the performance program, and
- 3) Related professional participation and development.

The supervisor should comment on the employee's performance and note any areas in need of improvement in addition to rating according to criteria. Provision is also made for comment by both the evaluator's supervisor and the employee. The employee's signature signifies only receipt, not agreement with the evaluation.

The supervisor first prepares a tentative, or preliminary evaluation, then meets with the employee to discuss both that evaluation and a new performance program. Any unsatisfactory performance should be a part of the discussion. That report should contain any recommendations relating to reappointment, promotion or discretionary salary adjustments. The supervisor then completes the final written evaluation report, attaches the new performance program, and distributes copies as noted on the forms.

If, as part of the informal, ongoing evaluation process, the immediate supervisor identifies a continuing need for improvement in the employee's performance, it is his/her responsibility to discuss this with the employee without delay, offering specific suggestions for improvement.

L. **APPEAL:** The employee is given the right to request a review of a final evaluation report characterized as "unsatisfactory" (i.e. unsatisfactory in essence, irrespective of any summary rating given). Such review is to be directed to the campus Professional Employee Evaluation Review Committee. The

Committee, comprised of three professional employees elected at large by their constituency and two selected by the President, may address such review to both procedure and substance of the unsatisfactory evaluation.

Procedure for Appeal of "Unsatisfactory" Evaluation Report:

- 1) ! A professional employee who seeks review of an "unsatisfactory" final evaluation report must inform in writing his/her supervisor, the Chair of the campus Professional Evaluation Review Committee and the President within ten (10) working days of receipt of the report. Otherwise, the right of appeal is forfeited.
- 2) ! The evaluation committee must transmit its recommendations to the President within twenty-five (25) working days of the appeal. Otherwise, the President is free to act without it.
- 3) ! The President takes appropriate final action and gives written notice thereof within ten (10) working days of the issuance of the committee recommendations.

Copies for all parties to the evaluation procedure are required at each step of the appeal process. Distribution requirements of materials are noted in the Memorandum of Understanding.

5.4 MANAGEMENT STAFF

A. Current position descriptions for all managerial positions should be on file in the Human Resources Office. Preparation, revision or modifications to performance programs is the responsibility of the supervisor of each managerial position.

For a new position an initial draft is prepared by the supervisor. For ongoing positions, the incumbent will periodically review and revise the position description as appropriate. The draft is then submitted to the supervisor for review and approval. Review of the position description is routinely accomplished as part of the annual performance program cycle. Individuals may consult with other interested or affected staff as appropriate.

B. Performance programs are completed annually on or about July 1 for the period July 1 through June 30, the college fiscal year. A performance program should be amended during the rating period in the event of significant change in duties and responsibilities.

The performance program is normally drafted by the incumbent, consulting with others as appropriate, and submitted to the supervisor for review and approval. The supervisor may make any modifications deemed necessary or appropriate.

C. Evaluation reports are prepared annually, usually during the month of July. They are completed by the incumbent's supervisor based upon the performance program for the evaluation period. Appropriate faculty, staff and students may provide written input to the evaluation process. Such material may be reported in summary on the evaluation form; specific evaluative comments may be retained by the evaluator. A meeting to discuss the evaluation, the proposed performance program for the next evaluation period, department goals and performance expectations should be held at least annually during the month of July.

6.0 PROFESSIONAL DEVELOPMENT

Professional development is that continuing growth which enables a member of the professional staff to perform his or her duties more effectively. The professional growth includes the improvement of instructional effectiveness and technical skills, academic achievement, and university

services.

It is the policy of Canton College of Technology to encourage the continuing development of the professional staff. This policy shall be implemented by recommendation for leave for professional development purposes whenever the services of the staff member can be spared, approval of requests for travel reimbursement for professional purposes within budgetary limitations, endorsement of grant applications and tuition waivers for course enrollment, encouragement of research and individual study and other methods traditionally employed by institutions of higher education for this purpose including periods of full-time employment outside the State University.

6.1 PLAN FOR PROFESSIONAL DEVELOPMENT

Faculty members come to the college with varying backgrounds. The first step that a new faculty member should take is to analyze his or her own background and plan a program which will make it possible for him or her to meet the academic qualifications for promotion to the next higher rank at some future time. As soon as the faculty member meets the qualifications for such promotion, more long range objectives can be considered. Each faculty member should have developed a plan, since professional improvement is a continuing process. Since reappointment and promotion require the recommendations of department chairpersons and division deans, faculty members should consult with them in preparing plans for professional improvement.

The Vice President for Academic Affairs will collect this information, compile records of each faculty member, work with department chairpersons, division deans and other faculty members in formulating professional development programs and do everything possible to create opportunities for faculty members to carry out these programs.

Plans for professional development should also be discussed as part of the annual meeting between faculty members and their department chairperson and division dean, and documented as part of the faculty member's annual report.

Professional development is also an important part of the job of each professional or managerial employee. Plans and accomplishments should be incorporated into annual performance programs and evaluation documents.

6.2 PROFESSIONAL ORGANIZATIONS

It is strongly recommended that individual faculty members apply for membership in professional and technical organizations for their personal and professional benefit. Attendance of professional staff members at meetings of professional organizations and societies is encouraged and will be supported with financial assistance to the extent that such travel money is available on a departmental or division basis. Attendance at such meetings requires the prior written approval of the division dean. It is the responsibility of the faculty member, after consultation with the department chairperson and division dean, to assure that there will be adequate coverage of regularly scheduled class meetings.

7.0 COMPENSATION

7.1 PAY PERIODS

Academic and professional employees with ten or twelve month obligations are paid on a twenty-six (26) bi-weekly pay period basis. Paydays are alternate Wednesdays. Paychecks are distributed in three different ways: a) in the Student Accounts Office, b) by the department or supervisor, in some

instances, and c) by direct deposit to an employee's designated bank or credit union. Employees on leave, out of town on business, etc. should make arrangements for the disposition of their paycheck. Forms are available in the Human Resources Office or in the Student Services Center. Similar arrangements should be made for employees during periods of non-obligation.

7.2 EXTRA SERVICE

No employee may engage in other employment that interferes with the performance of the employee's professional obligation. No employee of the college may assume another position or obligation within the University or another state agency while receiving compensation from the college, without prior approval. In addition, all extra service activities must conform to the ethical standards provided by section 74 of the Public Officers' Law.

Written approval for extra service assignments must be obtained prior to the commencement of additional responsibilities. Extra service performed in advance of such approval will not be compensated.

A. **EXTENDED STUDIES:** Effective September 1, 1998, stipends for off-load credit and non-credit courses are as follows:

- 1) Off-load Credit Courses: \$ 600 per credit hour, regardless of academic rank for part-time faculty. This rate may be increased in accordance with the UUP contractual agreement for eligible individuals. Full-time faculty teaching □off-load□ credit courses will receive \$ 700 per credit hour, regardless of academic rank. Due to the unique nature and responsibilities of laboratory sections and practicum experiences requiring supervision, no standard rate has been set. The rate is negotiable and established on a case by case basis.
- 2) For courses offered off campus (requiring a minimum round trip of 35 miles from the campus) staff shall receive an additional travel allowance to offset the inherent transportation costs. Travel allowances shall be a □flat rate□ dependent upon location and shall be added to the normal compensation otherwise paid for the course. Staff are responsible for their own transportation.

Location	Travel Allowance
Massena	\$ 210
Hammond	240
Ogdensburg	105
Massena Mall	240

- 3) Non-credit Courses: A minimum of \$15 per contact hour. A higher rate of compensation per hour may be negotiated dependent upon course content and "hands on" instruction.

B. **LIMITATIONS ON EXTRA SERVICE COMPENSATION** (for service exceeding 100 percent of full-time):

- 1) ! Such extra service shall not interfere with an individual's professional responsibilities. It must be demonstrated that such research, teaching, administration or other public service exceeds that which is normally performed under the regular professional obligation.
- 2) ! Faculty, administrators, and other professional staff may not exceed twenty percent

(20%) of their base annual salary in any academic or calendar year as is appropriate to an individual's professional obligation. Summer employment, for those individuals having an academic year professional obligation, is not subject to the twenty percent (20%) limitation.

- 3) Approval of extra service payment for all professionals must be made by the President. Extra service payment for management/confidential staff also requires the approval of the Chancellor or his designee.

C. **STAFFING THIRD PARTY CONTRACT PROGRAMS:** The college will provide specialized training programs under contractual arrangement with external sponsors when such programs are consistent with the academic and public service mission of the college and under the following conditions:

- 1) Summer: Programs designed for operation during the period May 15 through August 15 will be encouraged. College staff and facilities are more readily available during the summer. Such programs may be directed and taught by adjuncts or by existing college faculty subject to the approval of the relevant dean and the Vice President for Academic Affairs. Summer compensation of existing faculty is limited by SUNY policy to two months and to 11.11% of their preceding year's salary per month (1-4 weeks @ 2.67% per week; 5 weeks @ 15.0%; 6 weeks @ 16.0%; 7 weeks @ 18.0%; 8 weeks @ 20.0%).

- 2) Academic Year: Courses or programs designed for operation during the academic year will be taught by existing staff or adjunct faculty whenever feasible. The respective dean, when approving an extra service assignment, will limit the assignment to under 100 clock hours of contact per semester. Extra compensation, when approved, is limited to twenty percent (20%) of annual gross salary per year subject to presidential approval.

In addition to local approvals, external sponsor approval may be required.

- 3) Exceptions: In special circumstances, when sponsor needs exceed the limitations noted above (200 hours per academic year), the president, in consultation with the respective dean, may appoint an academic project director from departmental faculty. Such appointment may carry an additional stipend of up to twenty percent (20%) per academic year payable from college funds, subject to the availability of funds.

- 4) Procedure:

- a) The Office of Sponsored Research will notify the appropriate dean of pending requests for training.

- b) The dean will recruit or assign responsibility to appropriate faculty, utilizing adjunct faculty whenever feasible. The Office of Sponsored Research will secure grant sponsor approval.

- c) The dean will complete a Report of Personnel Change (C-2) requesting approval of the appointment. Extra compensation must also be approved by the Vice President for Academic Affairs, Vice President for Administrative Services and the Research Foundation Fiscal Designee.

7.3 PART-TIME INSTRUCTIONAL PERSONNEL

Part-time faculty are employed to serve as substitutes for faculty on leave, to "fill-in" for medical emergencies, to supplement normal course offerings or to enrich the instructional program, as may be required from time to time. They are generally employed on a temporary basis, not to exceed one semester at a time. Part-time faculty may be required to only meet their classes and provide office hours to students, or they may be expected to fully participate in a full range of professional obligation. The extent of their professional obligation will be defined in their appointment letter. Part-time faculty may be entitled to some employee benefits in accordance with the collective bargaining agreement. Those benefits will be listed in their appointment letter.

A. Part-time faculty not having a full range of professional obligation are not paid on the basis

of annual salary. They are paid on a credit hour basis as outlined below:

1) Compensation for part-time faculty teaching credit courses is \$ 600 per credit hour, regardless of academic rank. This rate may be increased in accordance with the UUP contractual agreement for eligible individuals. Full-time faculty teaching "off-load" credit courses will receive \$ 700 per credit hour, regardless of academic rank. Due to the unique nature and responsibilities of laboratory sections and practicum experiences requiring supervision, no standard rate has been set. The rate is negotiable and established on a case by case basis.

2) Compensation for part-time faculty teaching non-credit courses, regardless of location, is a minimum of \$15 per contact hour, regardless of academic rank. A higher rate may be negotiated dependent on course content and the nature of "hands on" instruction.

B. In the event part-time faculty are expected to participate in the full range of professional obligation normally expected of full-time faculty, they shall be paid on the basis of prorated basic annual salary at no less than the negotiated minimum for the rank at which appointed, or at the appropriate percentage thereof. Compensation will be decided by the Vice President for Academic Affairs upon the recommendation of the respective dean within budgetary limitations and guidelines.

Effective September 1, 2002, the minimum annual salary for an academic year obligation is:

Instructor	\$ 25,736
Assistant Professor	29,562
Associate Professor	35,105
Professor	43,681

C. If deemed necessary and appropriate, modifications may be instituted in the above rates with the approval of the president. In addition, part-time faculty may have specific benefits in accordance with the UUP Agreement.

D. Qualifications for appointments to academic rank are contained in section 2.1 A.

E. Casual (CSL) Appointments: Temporary appointments for a limited duration, as defined by the University, are not covered by contractual provisions. Such employees are given "CSL" titles, and are not in the Professional Services Bargaining Unit (UUP), subject to the agency shop fee deduction or entitled to negotiated salary increases or minimums. Casual employees are compensated on a bi-weekly, hourly, fee, or per diem basis. They are not compensated on the basis of basic annual salary. Full payment is normally made during the course of the contractual period.

Individuals employed in a casual basis may participate in the state's various health insurance and retirement programs by contributing the full premiums and fees for such programs. Casual employees are not entitled to leave accruals.

University guidelines for casual faculty appointments are:

1) Teach no more than one course totaling three contact hours, or its equivalent. These individuals would not perform the full range of professional obligation or a pro-rata portion thereof (e.g., teaching, research, community service, etc.) in exchange for a basic annual salary as would a regular part-time employee; but rather are retained on other than a basic annual salary basis to provide specific and limited service; or

2) Provide service for a period of less than six weeks per year; or

3) Are appointed on a non-recurring semester basis (e.g., to complete a particular finite task with no present intention that they will provide additional service. Subsequent retention would

customarily depend upon a number of variables including college curricula, course demands, etc.) As a group, individuals within these titles should demonstrate a rate of return from semester to semester of less than sixty percent (60%).

4) Casual faculty returning for more than four out of any eight semesters may no longer be considered casual.

University guidelines for casual professional appointments are:

1) Provide temporary or part-time service of a limited duration or scope, not expecting to exceed six months in duration; and

2) Total annual compensation is not expected to exceed the benefit eligibility provisions of the current contractual agreement (Sec. 39.12 e, UUP).

8.0 EMPLOYEE BENEFITS

Employees are encouraged to consult with the Human Resources Office for more details on various insurance and benefit programs.

8.1 RETIREMENT

Salaried members of the professional staff of the University are eligible to join a retirement program. Depending upon an individual's employment status, they may elect one of the following three retirement programs:

A. New York State Teachers Retirement System (TRS)

B. New York State Employees' Retirement System (ERS)

C. Optional Retirement Program (ORP) established by law, under which the University has designated the Teachers Insurance and Annuity Association (TIAA) and the College Retirement Equities Fund (CREF) as the insurers. Contracts are issued to and become the property of the electing employee. Individuals may also choose to transfer their equity holdings to other equity funds administered by Aetna, Metropolitan Life or VALIC. The State of New York is not liable for the payment of benefits provided under such contracts.

Employees must select a retirement program within thirty (30) days of the effective date of appointment. If a timely election is not made, you will automatically be enrolled in the Teachers Retirement System (TRS). This is the only opportunity employees have to select their retirement program. Once enrolled in one of these programs, either by election or by failure to make a timely election, employees may not change from one program to another during employment by the university, except upon transition from part-time to full-time status.

Each of these programs offer certain advantages. Employees should consider each program in relation to their particular needs and financial objectives. More detailed information on each of the programs is available from the Human Resources Office. Employees who have had previous public employment should consult with the Human Resources staff before making a final decision.

Information regarding mandatory retirement, voluntary retirement, retirement for mental or physical incapacity, or privileges after retirement is available in the Human Resources Office and in the Board of Trustees Policies (BOT, Art XV).

8.2 INSURANCE

A. Health Insurance: All employees may elect health insurance coverage through the Empire Plan or a health maintenance organization (HMO). Under the Empire Plan, coverage for in-hospital expenses is provided by Blue Cross, while other medical expenses are provided by Metropolitan Insurance Company. Additional coverage for dental, prescription and vision care are available to members of various bargaining units through Employee Benefit Funds provided by the unions.

B. Workers' Compensation Insurance is provided to all college employees.

C. Group Disability Insurance is provided to all active full-time professional staff members after an appropriate waiting period, usually one year.

D. Life insurance programs are available through the various employee unions for their members. Representatives of the various bargaining units can provide additional information. In addition, employees are eligible to purchase individual life insurance from TIAA-CREF.

8.3 LEAVES OF ABSENCE

Board of Trustees Policies (Art XIII) and Article 23 of the UUP Agreement provide information and guidelines regarding sick leave, disability leave, vacation, sabbatical leaves and other leaves of absence. Information on monthly attendance reporting requirements is contained in section 4.6.

A. Request for Leave of Absence: All anticipated leaves of absence shall be requested in writing through appropriate supervisory channels to, and approved by, the President in a timely fashion. Request forms for sabbatical and other leaves are available from the offices of the Vice President for Academic Affairs or President.

B. Extension of leaves of absence are to be requested in writing and acted upon no later than March 1 for extensions which begin in September, and no later than October 1 for extensions which begin in January.

C. Reporting of Sick Leave: All absences necessitated by a personal illness or injury, medical appointments or medical emergency by members of the employee's immediate family are reported on the monthly attendance report as charges against sick leave accruals. Family sick leave is limited to fifteen (15) days per year. Specific provisions regarding the usage of sick leave are contained in the Trustees' Policies and the UUP Agreement.

Academic year staff accrue sick leave only during full months of obligation, or major fraction thereof, and charge appropriate absences to sick leave accruals only for days of academic obligation. Since the academic obligation is defined as consisting of a numerous duties besides class sessions, such absences should be charged to sick leave accruals irrespective of class coverage by other faculty members or rescheduling of classes. Except for those days which the academic calendar defines as breaks in the academic year, all weekdays from the new faculty meeting in the fall through the final faculty meeting in the spring are academic obligation days, or work days, for which absences are accountable.

D. Medical Excuses: College policy requires the submission of suitable medical evidence of temporary disability or inability to perform one's job duties, any time an employee loses three or more consecutive days of work due to illness or injury. This requirement may be waived by a supervisor for an absence of three to five workdays if the supervisor is convinced that the reason and the duration of the absence are legitimate and that such medical condition might not require medical attention. Such waivers shall be documented by notation on an appropriate "Request for Leave" slip for the absence, in lieu of an attached doctor's slip. The requirement for a valid medical excuse may be waived for longer absences by the appropriate dean or vice president. In cases of extended or serious disability, satisfactory medical evidence of ability to return to full resumption of duties is also required.

Suitable medical evidence shall consist of a dated and signed physician's statement on printed letterhead or form containing general diagnosis of the injury or illness, a statement that the condition necessitates time lost from work, the prognosis for recovery and the estimate as to when the employee should be able to resume their normal duties. Medical evidence is due immediately upon return to work and should be provided to the supervisor. The supervisor may disallow any charge to leave credits in the absence of such medical evidence or may prohibit an employee's return to work until such statement is provided, if the supervisor has reason to believe that the employee may not be fully recovered.

Lengthy temporary disability may require periodic status reports to the supervisor so that appropriate staffing and planning decisions can be made. Written medical evidence may also be required periodically to verify an employee's status for payroll purposes. Extended leaves of absence beyond the period of disability are permitted upon request and approval, but such absence should not be reported as sick leave. They will be charged to other leave accruals or as leave without pay, as may be appropriate.

The Human Resources Office is responsible for monitoring attendance and leave policies and is the final authority on the adequacy of any medical evidence submitted.

E. Payment of Replacements: No member of the academic staff shall be required to pay the salary of substitutes or replacements employed to cover classes in any absence. Substitutes employed to cover leaves of absences, including sabbatical leaves at half pay, shall be paid from available budgetary appropriations. Teaching loads of faculty on sabbatical leave at full pay must be absorbed without extra compensation.

8.4 HOLIDAYS

A. Holiday Observance: Academic year staff observe those holidays and other breaks built into the academic calendar. Calendar year and college year professional staff observe those legal holidays identified by the Board of Trustees which fall within their work year. The college observes:

New Years Day !
Martin Luther King, Jr. Day !
Lincoln's Birthday !
Washington's Birthday !
Memorial Day !
Independence Day !
Labor Day !
Columbus Day !
Election Day !
Veteran's Day !
Thanksgiving Day !
Christmas Day !

Employees who are eligible to observe holidays are granted a compensatory day off when a holiday falls on a Saturday. An employee who is required to work on a holiday shall be granted a compensatory day off, which shall be scheduled at a time that is mutually convenient to the employee and the college within three (3) months from the day granted. Specific holiday entitlements are described in more detail in various collective bargaining agreements.

B. Holiday Staffing: "Minimal Staffing" is maintained when classes are in session. This level of staffing generally provides for telephone coverage in administrative offices; those areas related to the academic program may require greater staffing. Appropriate staffing is determined by each dean or vice president. When classes are not in session, only "essential services" are maintained. This generally means only university police, heating and emergency operations. Any additional staffing requires the approval of the Vice President for Administrative Services.

8.5 TUITION ASSISTANCE PROGRAMS

A. **STATE UNIVERSITY OF NEW YORK PROGRAM:** Up to 100% of the cost of tuition and certain fees for eligible courses may be waived or be reimbursed to employees out of college budget allocations. A waiver is generally provided to permit taking courses at other campuses of the University. More information on specific program requirements is available from the Human Resources Office. Early application is encouraged; the demand for tuition assistance traditionally exceeds the available resources.

B. **UUP COURSE REGISTRATION PROGRAM:** Article 46 of the UUP Agreement provides for a tuition assistance program using a "space available" concept. When space is available, unit members may enroll in a course on a tuition-free basis at any state-operated unit of the University, subject to the following requirements:

1) The determination of space availability and credit bearing courses will be made in consultation with the college registrar and the Office of Continuing Education. Registration dates will be announced at the beginning of the semester. The Office of Continuing Education and Community Service will maintain usage and interest records and compile periodic statistical reports as appropriate.

2) Employees must meet course prerequisites and may enroll for a maximum of one course per semester.

3) Employees must pay any college fees at the time of registration and are responsible for the purchase of their own books.

C. **CROSS-REGISTRATION - ASSOCIATED COLLEGES:** Full-time professional employees may register for courses in the Associated Colleges without payment of tuition on a "space-available" basis. The normal course maximum is two courses per academic year, but may be waived for an approved plan of study with the approval of the Vice President for Academic Affairs of the college and the instructing institution. Credits earned in this manner are entered on a transcript by the instructing institution. Further information is available in the Human Resources Office.

D. **M/C TUITION REIMBURSEMENT PROGRAM:** Employees are eligible to receive tuition reimbursement for courses taken at colleges or other educational institutions or workshops offered by professional associations. The current rate of reimbursement is 75% with a yearly maximum of \$750. Employees are expected to apply for alternate sources of tuition assistance before applying for this program. Further information is available in the Human Resources Office.

8.6 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Employee Assistance Program (EAP), established through the joint efforts of labor and management, is designed to help troubled employees and their families find assistance to cope with personal problems affecting their job performance, health or family life. Drugs, alcohol, physical or mental health, finances, legal matters and family relationships are some of the kinds of problems with which EAP is designed to deal.

Such assistance is readily available on a strictly confidential basis by contacting the EAP Coordinator. As an alternative, Coordinators at Potsdam College, St. Lawrence County, St. Lawrence Psychiatric Center and the St. Lawrence Correctional Facility may be contacted for assistance. Posters throughout the campus provide the necessary contact information.

A free, confidential counseling and referral service, EAP is endorsed and supported by the State of New York, all the public employee unions, the State University, the college and the College Association. The Coordinator is strongly motivated to help people, committed to confidentiality, and trained and backed by the broad-based committee which organized the program on campus, the SUNY Canton Employee Assistance Program Committee.

The Committee is composed of representatives of all bargaining units, the College Association, and management. The Committee has no direct involvement with clients or access to client information. It serves in an advisory and supportive capacity to the Coordinator.

9.0 PERSONNEL FILES

The official personnel file for each employee is maintained in the Human Resources Office. It contains official employment records and those records required by Article 31 of the UUP Agreement; copies of personnel transaction forms, official correspondence with the employee, formal written performance programs and evaluations. Employees should receive a copy or notification of all new material placed in their personnel file. They may also place on record in their personnel file, a response to any material contained therein.

Personnel files may be examined by the individual employee, appropriate college officials, or a designated UUP official with written authorization by the employee, if the examination relates to a grievance or disciplinary action. Unless prohibited by law, the employees will be notified of any request for access to their personnel file not directly related to official university purposes.

Any statements solicited in connection with the employee's appointment, evaluation, reappointment or promotion shall not be available for examination by employees or their authorized representative, except those written evaluations or recommendations referenced in Article 31 of the UUP Agreement.

Access to personnel records is the responsibility of the Director of Human Resources. Records may be examined during normal business hours in the presence of a representative of the Human Resources Office. Employees, or their representatives, may not remove material from the file. However, materials may be copied and provided to employees or their authorized representatives. A copying charge at the established rate may be charged.

10.0 WORK RELATED INJURIES AND MEDICAL EMERGENCIES

Work related injuries are covered by Workers' Compensation for the cost of treatment and lost time.

A. **REPORTING:** Employees should report all work related injuries, even though apparently not serious, to their supervisor and receive appropriate first aid treatment. It is the supervisors responsibility to render or obtain first aid for an injured employee and to complete a "Supervisor's Report of Accident or Injury" and submit it to the Office of Public Safety by the end of the work day or shift.

B. **FIRST AID AND THE COLLEGE HEALTH SERVICE:** First Aid treatment may be administered at the work area or injured employees may be referred for treatment at College Health Services in the Campus Center during their established hours. If the College Health Center is closed or if the injury or illness is serious, call University Police (7777) for assistance. If unable to contact University Police, phone the rescue squad (9-386-4545). Medical care available at the College Health Center is limited to emergency and first aid treatment, assistance in the event of sudden serious illness on the job, advice on appropriate follow up and referral to a physician or health care facility.

C. **MEDICAL CARE:** Treatment of a work related injury may be administered by any physician, podiatrist or chiropractor authorized by the Workers' Compensation Board to render medical care. In order to assure Workers' Compensation coverage, employees are reminded to insure their medical practitioner is so authorized and informed at the outset that the injury is work related. The medical practitioner will file a claim for service directly with the Workers' Compensation Board. In order to be processed, the college must have an accident report on file.

D. **COLLEGE PHYSICIAN:** The college physician is employed by the college for the care and treatment of students. Scheduled hours on campus are designed for that purpose. Employees wishing to see the college physician for personal health care of a work related injury should make an appointment to see him off campus. When on campus, the college physician is available to assist in treating a serious emergency.

11.0 SAFETY

New York State's Public Employees Occupational Safety and Health Act provides for the same safety and health standards which apply to workers in the private sector also apply to employees in the public sector. It is the intent of the State University and the college to comply with these safety and health standards by furnishing its employees with a job and workplace free from recognized hazards and by providing responsible and adequate protection for their lives and safety. The college also complies with the provisions of the "Right to Know" law regarding chemical hazards and the OSHA Bloodborne Pathogen Standards.

In an effort to maintain a safe working environment, the college provides several safety oriented programs. General safety concerns are coordinated by University Police which inspects and maintains fire extinguishers, investigates work-related accidents, provides training in the use of basic fire fighting equipment, and coordinates inspections by other agencies.

The college encourages employee participation in the safety process and relies on the safety consciousness of each member of the college community to make safety work.

11.1 CAMPUS SAFETY COMMITTEE

A. **PURPOSE:** To identify and evaluate campus safety problems and potential problems, to prioritize and recommend solutions, and to promote greater awareness and knowledge of safety policies, procedures and precautionary measures.

B. **MEMBERSHIP:** The Safety Committee is comprised of Presidential appointed representatives from campus departments. Student representatives are selected by the Student Government Association. Each representative is tasked with:

- Providing input to resolve campus safety issues
- Bringing safety issues to the safety committee for resolution
- Contributing to help meet the annual goals set by the safety committee

C. **REPORTING OF SAFETY PROBLEMS:** Safety and Health Inquiry Report forms (SH-1) are available from University Police and Human Resources or at (<http://www.canton.edu/forms/SH-1.pdf>). Safety concerns can be sent by e-mail to Patricia Todd, Chair of the Safety Committee, toddpa@canton.edu.

11.2 SUPERVISION OF CHILDREN

Direct supervision by a parent or parent designee (another adult) shall be provided for all children for the duration of their campus visit. Anyone who does not provide appropriate supervision may lose the privilege of allowing their child/children on campus. Employees and students are discouraged from

bringing children on campus during their working or class hours. The college assumes no liability for safety of children on campus.

12.0 TERMINATION OF SERVICE

In accordance with Article XIV of the Policies of the Board of Trustees, employment may be terminated at will, may be automatically terminated at the end of a temporary or term appointment, may be terminated for physical or mental incapacity, may be terminated for cause or by reason of retrenchment. In the event of such termination, several provisions of the current UUP agreement may apply.

12.1 RETIREMENT POLICY AND PROCEDURES

It is expected that all professional staff will give at least thirty (30) days notice of their retirement from their position. Upon retirement, employees will receive payment for up to thirty (30) days accrued vacation. Retirements should be submitted in writing to the immediate supervisor with a copy sent to the Human Resources Office. All financial obligations to the college should be paid prior to the effective date of retirement. In addition, college equipment, keys and library books should be returned before departure from the campus. Employees should also consult with the Human Resources Office regarding their benefits as a retired employee.

A. ! Persons with ten (10) or more years of service to the college:

- 1) ! The Director of Human Resources shall notify the President's Office of pending retirement of those college employees with ten (10) or more years of service to the college.
- 2) ! The President's Office will arrange for a reception whereby retirees can be honored by the entire campus community. The retiree shall be presented an appropriate plaque at this reception.
- 3) ! Each retired person shall be issued a courtesy identification card which will permit his/her taking advantage of campus facilities and programs.

B. ! Persons with five (5) to ten (10) years of service to the college:

- 1) ! The Director of Human Resources shall notify the President's Office of pending retirement of those college employees with five (5) or more years of service to the college.
- 2) ! The President shall present a certificate of appreciation to the person upon his/her retirement.
- 3) ! Each retired person shall be issued a courtesy identification card which will permit his/her taking advantage of campus facilities and programs.

C. A current list of all retired persons, with current addresses, shall be maintained by the President's Office. These persons shall receive all official college publications.

It is recognized that each constituency may wish to honor their own retirees and may not wish to include the entire campus community.

12.2 RESIGNATION

It is expected that all professional staff will give at least thirty (30) days notice of their resignation from their position. Upon resignation, employees will receive payment for up to thirty (30) days accrued vacation. Resignations should be submitted in writing to the immediate supervisor with a copy sent to the Human Resources Office. All financial obligations to the college should be paid prior to the effective date of resignation. In addition, college equipment, keys and library books should be returned before departure from the campus. The college may hold an individual's last paycheck to insure compliance.

13.0 TOBACCO POLICY

SUNY Canton serves to protect the health, safety, and comfort of its students, employees, and visitors while fostering a respect for others and the environment. The College joins the American College Health Association (ACHA) in supporting the findings of the Surgeon General that tobacco use in any form, active or passive, is a significant health hazard. Moreover, SUNY Canton recognizes that environmental tobacco smoke is classified as a Group A carcinogen by the United States Environmental Protection Agency (EPA).

A. In the fall of 2012, the College began its transition to a tobacco-free campus. During this time, designated tobacco-use areas on campus were significantly reduced and tobacco-free areas significantly increased. As of January 1, 2014, SUNY Canton will continue this transition with a second reduction in tobacco areas:

Tobacco use **is only** allowed in the following areas:

- Heritage, Smith, Rushton, and Mohawk Gazebos
- Kennedy Hall Picnic Area

Tobacco use **is no longer** allowed in the following areas:

- Wicks and Nevaldine Gazebos
- College sidewalks, the campus plaza, building entrances and common areas, landscape areas, recreational areas, parking lots, and campus buildings on College property
- Interior of all buildings located on the College property and vehicles owned or operated by SUNY Canton and personally owned and rented vehicles when used to transport SUNY Canton faculty, staff, or students on any college-related business, academic, or student life activities.
- Residence hall facilities; smoking or the carrying of lighted cigars, cigarettes, pipes or any other form of smoking object is prohibited in all areas of the residence halls including hallways, bathrooms, lounges, laundry rooms, offices, and vestibules.
- Within 50 feet of any building entrance or exit, including immediate vicinity of all windows and air intakes.
- Covered walkways or building over hangs.

B. Some of the reasons for SUNY Canton's commitment to becoming tobacco free include:

- Promoting respect for others and the environment

- Reducing the health hazards posed by exposure to second-hand smoke on campus
- Preparing students for increasingly tobacco-free workplaces
- Helping prevent desecration of the campus environment by tobacco litter
- Supporting campus wellness

C. For the purposes of this policy, the following definitions apply:

- “Tobacco” is defined as all tobacco and tobacco-derived products intended for human consumption, including, but not limited to:

cigarettes, electronic cigarettes, cigars, hookah-smoked products, clove cigarettes, bidis, kreteks, synthetic marijuana, smokeless tobacco and snus. This definition does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco use cessation product.

- “College” is defined as SUNY Canton.
- “SUNY Canton property” is defined as any property owned, leased or operated by SUNY Canton.

D. Cessation

The College will make every reasonable effort to assist those employees and students who wish to stop using tobacco. The Campus will promote and provide evidence-based cessation resources. Students can access cessation treatment, including counseling and nicotine replacement therapy, at the Davis Health Center. Employees can access support through the Employee Assistance Program.

E. Compliance and Communication

This policy applies to all College employees, students, visitors, and vendors and is driven by respect for others and the environment. The entire campus is empowered to appropriately and civilly inform a violator of the policy and ask them to move to a designated tobacco use area. We anticipate that most instances of violation of this policy can be remedied through education and/or informal reminders. As tobacco regulations are college policy, serious or repeat violations may subject employees to disciplinary action as contained in the appropriate articles of the union contract. Students may be subject to disciplinary action as contained in the Student Handbook. Additionally,

- The sale of tobacco products or tobacco-related merchandise is prohibited on College property.
- The free distribution (sampling) of tobacco products and associated products is prohibited on the College properties.
- Sponsorship of campus events by organizations that promote tobacco use is prohibited.
- Advertisement of tobacco products at campus events is prohibited regardless of sponsorship.
- Organizers of public events on campus are responsible to communicate this policy to attendees.

F. SUNY Canton will maintain a broad-based Tobacco Advisory Committee to identify and address needs and concerns related to this policy, implementation, compliance, enforcement, and cessation. The Tobacco Advisory Committee will review this policy on a regular basis to ensure that it is sustained, effective, and up to date.

14.0 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

Canton College of Technology, as a constituent unit of the State University of New York system, endorses and adheres to the State University Board of Trustees' policy on Equal Employment Opportunity adopted on June 30, 1971.

It is the policy of Canton College of Technology to provide equal opportunity in all aspects of employment and personnel administration and to prohibit discrimination on the basis of race, religion, color, national origin, age, sex, marital status, sexual preference, veteran status, or disability. This policy governs all campus employment policies and practices including, but not limited to, recruitment, selection, compensation, promotions, appointments, terminations, layoffs, retrenchments, leaves of absence, training and all other employee benefits. This policy also extends the protection of equal opportunity to student employees.

It is the college's policy to take affirmative action to recruit, employ and promote qualified members of protected groups and to find and correct any discriminatory policies, practices or conditions within the college community. In support of this policy, Canton College of Technology affirms the intent to take appropriate action in the event that any applicable federal or state law or regulation is violated, or the implementation of this policy is willfully or habitually impeded.

It is also the college's policy to set appropriate staff composition goals and hiring timetables for minorities and women and to apply good faith effort to achieve them. College officials and administrative personnel are responsible for the achievement of those affirmative action goals and their success in implementing the college's affirmative action policy and goals is considered in the evaluation of their job performance. The active support and cooperation of the entire college community is important to the success of those efforts.

14.1 RESPONSIBILITY FOR IMPLEMENTATION

A. **Delegation of Authority and Responsibility:** Line authority and responsibility for the college's equal opportunity and affirmative action policy is assigned to the top administrator of each major functional area. Each vice president or dean is responsible for effective implementation of equal opportunity and affirmative action policy and goals through effective management and delegation of responsibility and authority to appropriate staff. The delegation of responsibility within each major functional area varies with the size and complexity of the organization and carries with it, within established campus guidelines, the corresponding authority for implementation. In general, responsibility for affirmative action programs, evaluation of progress toward employment goals remains primarily at the vice presidential level. However, program directors may be delegated the responsibility for developing and administering programs of affirmative action for their sphere of operations. Equal opportunity, non-discrimination and affirmative action in individual personnel transactions are delegated to the department head or committee chairperson, subject to committee charge and managerial review.

B. Any inquiries relating to employee disability should be directed to the Director of Human Resources (315-386-7325). Any other inquiries regarding discrimination or affirmative action should be referred to Lashawanda Ingram (315-386-7128) or Bill Jones (315-386-7063), Co-Affirmative Action Officers.

C. **The Office of Human Resources:** Staff authority and responsibility for coordinating the development, implementation, monitoring and evaluation of the college's affirmative action program is delegated by the President to the Affirmative Action Officer. It is not a program functioning office, but rather provides staff support, coordination, interpretation and communication linkage.

D. **The Affirmative Action Committee:** The primary responsibility of the Committee is to

recommend to the President and the Affirmative Action Officer, policies and procedures, to assure equal opportunity and affirmative action. The Committee monitors and evaluates, on an ongoing basis, administration of the college's Affirmative Action Plan, and recommends necessary revisions. The Committee also reviews search committee procedures and practices, rules on search waiver requests, coordinates appeal activities at the second step of the SUNY Discrimination Grievance Procedure and promotes campus affirmative action activities.

Composition of the Committee is representative of the college community. In addition to the Director of Human Resources, Affirmative Action Officer and the Coordinator of Multicultural Affairs, all of who serve as permanent members, the Committee is composed of a faculty member from each of the academic divisions, a non-teaching professional, two classified service employees (competitive and non-competitive class), one each from Management, University Police, and the College Association, and one student. The President is an ex-officio member. Employee members serve for two (2) year terms; students for one (1) year terms.

14.2 RECRUITMENT

Recruitment is centralized within the Office of Human Resources. Each professional position is evaluated for appropriateness and job relatedness of its academic, experience and skill requirements, and for the scope of recruitment required (regional, national, etc.). Substitution of non-traditional preparation is provided for whenever possible. The Office of Human Resources, in consultation with the search committee chairperson or department head, establishes the recruitment plan, giving attention to any applicable goals for minorities and women in determining the most effective recruitment process.

Advertising copy is developed by the search committee. All vacancy advertisements are free from race, gender, or age preferences or qualifications and are not placed in gender segregated listings. The phrase "Equal Opportunity / Affirmative Action Employer" or similar reference appears within each ad. Display advertisements also include the statement: "The State University College of Technology at Canton, a unit of the State University of New York, is an Affirmative Action, Equal Opportunity Employer. SUNY Canton is building a culturally diverse and pluralistic faculty and strongly encourages applications from minority and women candidates." The cost of advertising is charged to an affirmative action account administered by the Director of Human Resources. Except for those positions which may be filled by internal promotion, all professional vacancies are advertised at least locally. Permanent vacancies are more broadly advertised, usually nationally.

Vacancy announcements are posted on campus and on electronic web sites, and distributed to all the SUNY campuses via the University's professional vacancy announcement system. The college's recruitment mailing lists include the local four-college consortium, local colleges, colleges and universities which have substantial numbers of female and minority graduate students, many professional and community action oriented organizations and groups representing women and minority interests, and general professional organizations. In addition, specific professional associations and departments of graduate schools are informed of vacancies in their disciplines. Faculty and staff are encouraged to identify institutions, organizations or individuals who should be informed of position vacancies. The New York State Job Service is also notified, and places the college's professional vacancies on its state-wide job bank and interstate network.

In addition, unsolicited resumes and resumes of recent applicants are reviewed, and the resumes of those who might qualify for a position vacancy are sent to the search committee for their consideration.

Adequate lead time is requested of any functional area anticipating a position vacancy. With a minimum of three months, advertisements can generally be placed in professional journals and magazines as well as in high-circulation and local area newspapers. Special attention should be given to utilizing such publications whenever the position vacancy is in an underutilized occupational category. Five weeks lead time is required for the SUNY vacancy distribution system. Action should be taken as early as possible to expedite the advertising and announcement distribution process to give potential candidates sufficient time

to apply.

Reimbursement of travel expenses to candidates for professional vacancies is available upon the authorization of the appropriate vice president. Candidates should be informed about reimbursement when invited for an interview. Further details are contained in Sec. 401.2-7 of the Policies and Procedures Manual.

14.3 SELECTION STANDARDS AND PROCEDURES

A. **SEARCHES:** Full searches (national or regional) provide the opportunity for a wide variety of qualified candidates to be considered for the college's teaching and professional vacancies. Full, open affirmative action searches are the college standard, and search and selection committees are established for each announced vacancy. More limited searches are considered appropriate only for temporary or emergency situations. Upon authorization for recruitment a recruitment plan should be developed with the Director of Human Resources. Such plan will include recruitment and network sources, plans for paid advertising, a list of search committee members and a timetable for review of applicants.

B. **SEARCH WAIVERS:** In accordance with University policy, the college's Affirmative Action Committee must act on search waiver requests before any professional vacancy can be filled without a search. Waivers may be granted, for example, to accommodate promotions, reorganize, respond to an emergency, or achieve affirmative action goals. Search waiver requests should be directed to the Human Resources Office. Such requests must be submitted in writing not less than five working days in advance. They should include a brief description of the duties, job qualifications, salary, appointment type, length of commitment, hiring date, justification and appropriate signatures and organizational approvals. In considering such applications, the Committee will weigh the impact of the proposed transaction on the college's Affirmative Action status.

C. **REVIEW:** Before a job offer is made, recommended appointments are subject to review for compliance with these policies and procedures. Questionable procedures or results may result in closer scrutiny in some aspects of the candidate selection process, and may lead to recommendation against appointment of the recommended candidate.

D. **SEARCH COMMITTEES:** For faculty and professional positions, representative formal search committees and committee chairpersons are selected by the President, functional vice president, or academic dean. Committee members are selected to represent a wide diversity of the campus community relative to race and gender. Committees will have at least five members, including at least two members from outside the area in which the search is taking place, one of whom should be a member of the Affirmative Action Committee. The committee composition should be made to avoid a conflict of interest. The committee chairperson provides the leadership and direction to the committee and liaison with the Human Resources Office in the development of committee procedures, recruitment programs, selection devices and screening and interviewing processes. Search committee members participate in the entire recruitment, application screening and interview process, and make an appointment recommendation to the position's supervisor.

E. **SEARCH GUIDELINES:** Specific guidelines are provided each search committee to insure uniformity and equality. Committee chairpersons are instructed in affirmative action requirements and required to abide by established policies and procedures. The Affirmative Action Officer will meet with each search committee at its first meeting. The President of the College will meet with each faculty search committee early on in the process.

F. **RATING INSTRUMENTS:** Candidate screening devices used by search committees should assure job-relatedness and absence of any bias with regard to race or sex. No factor or question which might have the potential of screening out minority or female applicants is permitted in the rating, ranking or interview process. Consideration may not be given to a candidate's marital, parental or family status, age, pregnancy or related factors. A guide to unacceptable pre-employment inquiries is furnished to each committee chairperson. It is the responsibility of the committee chairperson to share the information with the

committee members and to assure that no interviewer uses techniques or questions which discriminate or reflect racial or gender stereotypes. The objectives of rating instruments are to collectively predetermine job-related selection criteria and assign appropriate values to each, to make candidate evaluation as objective as possible, and to document the process. Rating instruments are used to screen all candidates, or those who meet the minimum qualifications, select finalists, and evaluate and rank the candidates' abilities to perform the particular job following a personal interview. Rating instrument samples are available from the Office of Human Resources. The use of rating instruments by all search committees is required. Individual members shall dispose of their rating instruments after completion of the search process.

14.4 SELECTION PROCEDURES FOR TEMPORARY APPOINTMENTS

The following policies and procedures govern the recruitment, selection and hiring of temporary faculty and professional employees:

A. Full-time: Temporary full-time appointees accrue service credit toward continuing or permanent appointment, earn sick leave and vacation credits, as appropriate to their professional obligation, are eligible for enrollment in the various retirement, health insurance and other benefit programs in accordance with the negotiated Agreement. A search is required for each such vacancy, although not as extensive a search as conducted for permanent vacancies.

B. ! Part-time: Search requirements for part-time vacancies in ongoing or continuing budgeted lines is the same as noted above for full-time vacancies.

C. Part-time replacements: When replacement of staff on a leave of absence is required, selection is to be made from an established pool of at least four (4) qualified candidates for part-time consideration. When the part-time applicant pool falls below four (4), the next following vacancy in that discipline must be advertised to create a new applicant pool.

Temporary incumbents may be reappointed to part-time status without consideration for external candidates if there is no break in service of one semester or more. Selection between internal candidates must be based upon demonstrable, job-related considerations.

Irrespective of the size of the part-time applicant pool for a discipline or department, the next vacancy following four (4) semesters without a search must be advertised.

The applicant pool is always open to new candidates, and all qualified candidates should be encouraged to apply. The applicant pool is comprised of past part-time staff and all other qualified candidates who, as a result of a query to all candidates, indicate a willingness to consider part-time appointment. The pool includes unsolicited applications and enquiries as well as those generated from periodic advertising and announcement vacancies, referrals, personal contacts, etc.

Selection for temporary, part-time openings must be based on the comparative qualifications of the applicant pool, using strictly job-related criteria. For any temporary, part-time appointments at an annual salary rate of \$10,000 or more, the University requires certification by the President that campus affirmative action procedures were followed. Appointments at lower salary rates are permitted without an individual search report so long as they comply with these policies. Compliance will be monitored by the Affirmative Action Officer and the Affirmative Action Committee.

Responsibility for documenting and defending the selection process or the selection itself in the event of a discrimination charge or procedural challenge rests with the department selection committee chair. An application form, letter of application, resume, unofficial transcripts and affirmative action search report, rating instrument sample and alphabetical list of candidates should accompany the Report of Personnel Change form (C-2) appointing the candidate.

Temporary employees have no right to any continuation of employment beyond their current

temporary appointment. No commitments or implied assurances for further employment should be given to any temporary employee until compliance with the provisions of these policies and procedures. Further employment, whether in temporary or term appointment status, is subject to open competition following an appropriate search and/or consideration of all candidates in the existing applicant pool, in accordance with these policies. Committee selections or recommendations for appointment at any level are considered to be tentative until approved by the President and communicated by letter of appointment. An affirmative action review will precede each appointment offer or letter of appointment. Missing documentation or failure to comply with these requirements will result in delay or rejection of the recommended appointment.

14.5 REPORTING AND RECORDS RETENTION

A. **THE SEARCH REPORT:** As indicated in the "Selection Committee Guidelines", all committees must report applicant flow data on the Affirmative Action Search Report for each faculty or professional appointment and retain all records for documentation of committee procedures. The search report is a summary of the selection process. The form is prepared by the responsible department head or selection committee chairperson for each professional vacancy. It documents the number of applicants by race and sex who applied, were invited for interviews and appeared for interviews. Those figures are to be ascertained by examination of the applications and by observation. In accordance with University policy, all members of the search or selection committee either receive a copy of the report or sign off on it.

B. **APPLICANT RESPONSE CARDS:** Information on applicant response is also obtained by the affirmative action office from a separate postcard system. This affirmative action applicant response card asks candidates for sex and race/ethnic identification and source of knowledge about the vacancy. The position applied for is filled in by the department before sending the card to each candidate, generally with a position description and an acknowledgment of application or invitation to apply. Used only for reporting and evaluation purposes, this card is anonymous and can be returned postage-free to the affirmative action office.

C. **THE RECOMMENDATION:** The search report, application, official transcripts, any letters of recommendation, correspondence, samples of interview rating devices and an alphabetical list of all candidates, indicating finalists and semifinalists, are submitted together with committee recommendations and Report of Personnel Change (C-2) for appropriate approvals. The Office of Human Resources reviews these submissions prior to acceptance by the President. The President may require additional information before making an offer of employment. The Office of Human Resources provides a final link between the President's Office and the committee chairperson and recommending vice president.

D. **RETENTION OF RECORDS:** The remaining job applications, interview and rating sheets, etc. are retained for three (3) years by the respective functional vice president or designee, in order to facilitate affirmative action review and departmental reference for subsequent vacancies. The location of those files is reported in the Search Report. If any materials are removed from the search file, their disposition should be referenced in the file.

E. **AFFIRMATIVE ACTION PROGRESS:** Progress in meeting affirmative action goals is monitored by the Office of Human Resources and reported annually, or as otherwise required, to the Affirmative Action Committee and to the President.

15.0 SEXUAL HARASSMENT

Sexual harassment is not treated lightly. It is a serious offense. It is the college's intent to eliminate any such degrading treatment of employees or students whether thoughtless or deliberate, general or specific. Such activities will not be condoned or tolerated by the college. Supervisors and managers at all organizational levels are to take strong corrective action to end any questionable activities which come to

their attention. Substantiated charges against any employee for sexual harassment will result in appropriate disciplinary action, including possible termination.

Sexual harassment is an unlawful employment practice under Section 703, Title VII of the Civil Rights Act of 1964, which bans job discrimination on the basis of sex. These regulations protect all employees. Sexual harassment is also an abuse of authority and a violation of the Code of Ethics subscribed to by all employees. The University extends protection to any students, applicants or other non-employees subjected to treatment by its faculty or staff.

A. ! **DEFINITION:** Sexual harassment is defined in the regulations as:

"Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature...when

- 1) ! submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- 2) ! submission or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or,
- 3) ! such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment".

Although the regulations clearly apply to the treatment of employees by their supervisors or others in positions of authority, similar conduct by fellow workers can also create an "intimidating, hostile or offensive working environment" for an employee, requiring immediate and appropriate corrective action if discovered.

B. **COMPLAINT:** Any employees who feel that they have been sexually harassed can file a complaint under the appropriate grievance procedure. Sexual harassment complaints may also be filed externally with state or federal agencies. Should an aggrieved employee decide to file a grievance or formal complaint, there is legal protection against retaliation. However, if a way can be found to resolve the problem short of such adversary measures, that is generally the best option.

16.0 DISCRIMINATION GRIEVANCE PROCEDURE

Any employee who believes himself/herself discriminated against on the basis of race, color, religion, national origin, veteran status, age, sex, marital status or disability, may file a complaint with the Director of Human Resources or the Affirmative Action Officer within 45 calendar days following the alleged discriminatory act. References, information and advice, as well as forms for filing a grievance are available from the Affirmative Action Officer or the Human Resources Office. The college encourages informal settlement of any discrimination complaint but also recognizes the need for an appeal process, which is part of the *SUNY Grievance Procedure for the Review of Allegations of Illegal Discrimination*.

Initial review of the complaint is conducted by the college's Affirmative Action Officer who seeks to resolve the complaint informally.

If satisfactory resolution is not achieved, the grievant may request that the campus Grievance Chairperson (or UUP Grievance Chairperson, if the grievant is represented by UUP) arrange for further review by an ad hoc tripartite committee. This committee's first two members are selected by the grievant and the President, and the third by those two designees. Following its review, the committee submits its opinion to the President for his action. Should the parties be unable to form a tripartite committee, the grievant may request that an outside hearing officer review the charge. The SUNY Executive

Assistant to the Chancellor for Affirmative Action will assign an affirmative action officer from another campus to hear the grievance and render an opinion to the campus President. Specified time limits are built into each step of the procedure.

If dissatisfied with the President's response, the grievant may wish to file a formal complaint with the appropriate state or federal agency. The grievant may, of course, opt for external agency review in lieu of the informal internal process at any time. Information about external complaint procedures is available from the affirmative action office.

17.0 STATEMENT ON CONSENSUAL RELATIONSHIPS

It is in the interest of SUNY College of Technology at Canton to provide a clear statement to the college community about the professional risks associated with consensual romantic and/or sexual relationships where a definite power differential between the parties exists. These relationships are inappropriate for two primary reasons.

1. **Conflict of Interest:** Conflicts of interest may arise in connection with consensual romantic and/or sexual relationships between faculty or other instructional staff and students, or between supervisors and subordinates. University policy and more general ethical principles preclude individuals from evaluating the work or academic performance of others with whom they have intimate familial relationships, or from making hiring, salary or similar personnel decisions concerning such persons. The same principles apply to consensual romantic and/or sexual relationships, and require, at a minimum, that appropriate arrangements be made for objective decision-making with regard to the student, subordinate or prospective employee.

2. **Abuse of Power Differential:** Although many conflict of interest issues can be resolved, in a consensual romantic and/or sexual relationship involving a power differential, the potential for serious consequences for the college and the individual remains. Individuals entering into such relationships must recognize that:

- the reasons for entering into such a relationship may be a function of the power differential;
- even in a seeming consensual relationship, where power differentials exist there are limited after-the-fact defenses against charges of sexual harassment;
- the individual with the power in the relationship will bear the burden of accountability; and
- such a relationship, whether in class or work situation, may affect the educational or employment environment for others by creating an appearance of improper, unprofessional, or possibly discriminatory conduct.

It should also be noted that should any complaint be lodged regarding a conflict of interest, abuse of power or sexual harassment, that a consenting relationship is no defense, and appropriate disciplinary action, including termination, may follow.

18.0 POLICY ON ROMANTIC RELATIONSHIPS

Staff at SUNY Canton will not engage in sexual and/or romantic relationships with any student over which they have direct authority in terms of employment or educational decisions. Direct authority over a student includes, but is not limited to, the following situations: Students enrolled in a faculty member's course; supervisors of work study or student assistants and the students they supervise; advisors to organizations or clubs and members of that organization or club; coaches or trainers of an athletic team and members of that team; resident hall directors and students in that residence hall; counselors and student clients; academic

advisors and their advisees.

19.0 POLICY ON WORKPLACE VIOLENCE

The State University of New York at Canton is committed to creating and maintaining a working, learning and social environment for all employees which is free from violence.

Civility, understanding, and mutual respect toward all individuals are intrinsic to excellence in teaching and learning, to the existence of a safe, healthy and workplace, and to the maintenance of a campus culture and environment which serves the needs of many constituencies which support it. Threats of violence or acts of violence not only impact the individuals concerned, but also the mission of the University to foster higher education through open dialogue and free exchange of ideas. The University prohibits violent acts or threats of violence, and any employee who commits a violent act or threatens to commit a violent act is subject to disciplinary action and/or civil or criminal prosecution as appropriate.

The State University of New York at Canton has zero tolerance for violence against any member of the workforce, other persons in the workplace, or property. Any person who makes a substantial threat, exhibits threatening behavior, or engages in violent acts on university property shall be subject to removal from the premises as quickly as safety permits, pending the outcome of an investigation. All individuals who apply for or obtain a protective or restraining order which lists university locations as being protected areas must provide the University Police Department with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

For the purpose of this policy, violence and threats of violence include but are not limited to:

- any act that is physically assaultive, or
- any physical or verbal threat, behavior, or action which is interpreted by a reasonable person to carry the potential !
 - to harm or endanger the safety of others; !
 - to result in an act of aggression; or !
 - to destroy or damage property. !

Established personnel and public safety procedures will serve as the mechanism for resolving situations of violence or threats of violence. Each allegation of violence or threat of violence will be taken seriously. Individuals are encouraged to report acts of violence, threats of violence, or any other behavior, which by intent, act or outcome harms another person or property, to their supervisor and the University Police Department.