Accident Reporting Policy

This document outlines the policies and procedures for the reporting of accidents or incidents resulting in illness and/or injuries (including fatalities) to employees, students and visitors of SUNY Geneseo, which occur on campus, or while off-campus and engaged in official college activity. Observing the requirements outlined in this policy will ensure that the necessary offices and agencies receive notification of accidents resulting in injuries and/or illnesses with an overarching emphasis to promote a safe and healthy campus environment.

A. Any person involved in, witness to, or happens across an accident resulting in injury or illness shall contact 911 or University Police at 5222, if it is determined that immediate medical attention is required.
B. Employees must report on-the-job accidents to both their supervisors and the Accident Reporting System (ARS) at 1.888.800.0029 within 24 hours of the accident, regardless of severity.
C. Students and visitors shall report serious accidents to the University Police Department. Although there are varying degrees of seriousness, a common sense approach is necessary when determining which incidents should be reported.
D. All reported accidents must be documented on the SUNY Geneseo Accident Report Form: http://go.geneseo.edu/WCForm.
E. Environmental Health and Safety will review all Accident Reports to help implement appropriate corrective action whenever trends, unsafe conditions, or unsafe behaviors are identified. Unsafe behavior may be reported to an employee’s supervisor and/or Human Resources for further action. Environmental Health & Safety will also complete regulatory surveys as necessary for accidents involving injuries and illnesses.

Background Investigations

The State University of New York at Geneseo is committed to maintaining a safe environment for its faculty, staff, students, volunteers and the general public that use our facilities. Therefore, in order to ensure the hiring of employees of the highest integrity and to maintain a safe campus community, SUNY Geneseo will conduct pre-employment background investigations on all individuals for whom employment is to be tendered.

The College will perform pre-employment background checks on final candidates (part-time and full-time.)

Applicants will be notified of our background checking policy authorizing SUNY Geneseo to conduct a background investigation which may include: identification, educational credential(s) confirmation, criminal conviction verification, sexual offender registry status, driving records, and employment background. Inconsistency, omission, or falsity of information provided by the candidate versus that obtained by the background investigation may disqualify the applicant from further consideration in the search process. Those applicants who are discovered to have past criminal convictions will be evaluated for employment. If there is a direct relationship between the criminal offense and employment, whereby the granting of employment would involve an unreasonable risk to property, safety, welfare of specific individuals or the general public, the applicant may be denied employment. Factors that will be considered in determining employment consideration include:

- Specific duties and responsibilities related to employment.
- The bearing, if any, the criminal convictions will have on ability to perform job duties.
- The time that has elapsed since the criminal offense.
The age of the applicant at the time of the criminal offense.
- The seriousness of the offense.
- The legitimate interest in protecting property.
- The safety and welfare of individuals and the general public.
- Any information produced by the applicant, or produced on his behalf, in regard to his rehabilitation and good conduct.
- Overall public policy of New York State to encourage the employment of persons previously convicted of one or more criminal offenses.

Candidates invited to campus for an on-site interview will be asked to sign an authorization form, separate from the employment application, allowing SUNY Geneseo to conduct a background investigation. Failure of an applicant to sign the authorization form will disqualify the applicant from further consideration in the search process.

All information received in the background investigation process will be maintained in confidential, secure files, separate from employee personnel files, with access allowed only to those who have a legitimate business related reason to review the information.

**Leave for Blood Donation**

In accordance with Section 202-j of the New York State Labor Law, the State University of New York at Geneseo shall provide employees with the following options for the purpose of blood donation:

All employees are entitled to either: (a) One three-hour unpaid leave of absence per calendar year to donate blood at an off-premise location OR (b) Paid leave two times per year to donate blood at a blood drive at the employer's place of business or at a time and place set by the employer.

**Class Cancellations and Extreme Weather Conditions**

It is College practice to continue normal hours of operation and maintain a regular work and class schedule for faculty, staff members, and students during periods of severe weather to the extent that it is possible. Notwithstanding this practice, it is understandable that in certain extraordinary situations it may not be possible for employees to get to work or students to attend classes without jeopardizing their personal well-being. In situations such as these, College faculty, staff, and students should make their own decisions about reporting to work or classes with due consideration for travel safety.

**Classified Time and Attendance**

It is very important to maintain a good attendance record. SUNY Geneseo attaches considerable importance to reliable attendance and it is a significant factor in appointment and promotion decisions and important to the College’s daily operations. When employees present themselves for appointment they do so with the implied or specific understanding that they are ready, willing and able to perform their duties and responsibilities on a regular basis. All employees in the Classified Service are required to submit an authorized bi-weekly timesheet that corresponds to each pay period in the New York State fiscal year.

Falsification of an employee’s attendance or time record constitutes a very serious violation and is basis for disciplinary action under the applicable bargaining unit agreement.

The workweek for state employees begins on Thursdays and ends at close of business the following Wednesday. Classified timesheets are due in Payroll by the Friday following payday. Failure to submit timesheets in a timely manner may affect the distribution of an employee’s paycheck on a subsequent payday. Employees record, on a daily basis the accurate hours worked, including arrival and departure times, both at the beginning and end of the workday and meal period.

Employees may not leave their job without supervisor approval unless an emergency health/safety issue exists.
Accruals may be charged in increments as little as 15 minutes. Accruals must be earned before they can be used for time off.

Employees will accrue leave credits for the pay period only when in a paid status (i.e. working/charging accruals) for 7 out of 10 days each biweekly pay period.

Employees shall forward their signed time sheets to their supervisors for review and certification.

**Discrimination Complaint Procedure**
The State University of New York (University), in its continuing effort to seek equity in education and employment and in support of federal and state anti-discrimination legislation, has adopted a complaint procedure for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of race, color, national origin, religion, age, sex, sexual orientation, disability, veteran status or marital status. Harassment is one form of unlawful discrimination on the basis of the above protected categories. Conduct that may constitute harassment is described in the Definitions section.

This procedure may be used by any student or employee of a state-operated campus of the University. Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards and any other procedures defined by contract will continue to operate as before. Furthermore, this procedure does not in any way deprive a complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the United States Department of Education and the Office of Federal Contract Compliance of the United States Department of Labor. However, after filing with one of these outside enforcement agencies, or upon the initiation of litigation, the complaint will be referred to University’s office of University counsel for review. Contact information for these agencies is listed in the Other Related Information section below. More detailed information may be obtained from the campus affirmative action officer.

This procedure provides a mechanism through which the University may identify, respond to, and prevent incidents of illegal discrimination. The University recognizes and accepts its responsibility in this regard and believes that the establishment of this internal, non-adversarial grievance process will benefit student, faculty, staff, and administration, permitting investigation and resolution of problems without resorting to the frequently expensive and time-consuming procedures of state and federal enforcement agencies or courts.

All campuses must use this procedure unless the campus has made application for an exception. Requests for an exception, along with a copy of the requesting campus’s discrimination complaint procedure must be filed with the office of the University counsel. The request for an exception will be acted upon by the office of University counsel after a review of the campus’s complaint procedure. The affirmative action officer on each University campus shall receive any complaint of alleged discrimination, assist the complainant in the use of the complaint form, and provide the complainant with information about various internal and external mechanisms through which the complaint may be filed, including applicable time limits for filing with each agency.

The complainant is not required to pursue the University internal procedures before filing a complaint with a state or federal agency. In addition, if the complainant chooses to pursue the University internal procedure, the complainant is free to file a complaint with the appropriate state or federal agency at any point during the process. Upon filing with an external agency, however, the University internal complaint procedure will be terminated and the matter referred to the office of University counsel for review, defense, or if deemed appropriate by counsel, involvement in mediation, conciliation or settlement with the external agency where the complaint was filed, or such other actions as may be in the interests of the University.

During any portion of the procedures detailed hereafter, the parties shall not employ audio or video taping devices.
**Domestic Violence and the Workplace**

Domestic violence permeates the lives and compromises the safety of thousands of New York State employees each day, with tragic, destructive, and often fatal results. Domestic violence occurs within a wide spectrum of intimate and interpersonal relationships. Domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and may result in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover.

The State University of New York at Geneseo (SUNY Geneseo), to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations or collective bargaining agreements, will take all appropriate actions to promote safety in the workplace and respond effectively to the needs of victims of domestic violence.

**Drug and Alcohol**

In compliance with the Drug-Free Workplace Act of 1988 and the New York State Policy on Alcohol and Controlled Substances in the Workplace, the Omnibus Transportation Employee Testing Act of 1991, and in keeping with its mission, the State University of New York College at Geneseo (SUNY Geneseo) will not tolerate the unlawful possession, manufacture, use, purchase, distribution, or dispensing of a controlled substance by employees while in the workplace or while performing in a work-related capacity. It is also the policy that employees are prohibited from on-the-job use of alcohol or impairment from alcohol. This prohibition does not apply to official college functions that are approved by senior officers of the College. However, the consumption of alcohol at an official college function should never cause an employee to be impaired at the worksite. This policy applies to all College employees and volunteers.

According to the State of New York, "Use and abuse of alcohol and drugs has a detrimental effect on the productivity, attendance, and health of our workforce. As a public employer, we must be vigilant in protecting the safety and welfare of the public with whom we interact and the employees with whom we work."

Prevention and treatment, together with protecting the safety and welfare of our employees, are the College's highest priorities regarding substance abuse. The College disseminates drug and alcohol awareness information.

The Employee Assistance Program, available to all employees, provides programming and appropriate referrals to chemical dependency services.

The longstanding policy of the State of New York is that employees will be subject to criminal, civil, and disciplinary penalties if they distribute, sell, attempt to sell, possess or purchase controlled substances while at the workplace or while performing in a work-related capacity. Such illegal acts, even if engaged in off duty, may result in disciplinary action. It is also the policy that employees are prohibited from on-the-job use of, or impairment from alcohol. This prohibition does not apply to official college functions that are approved by senior officers of the College. However, the consumption of alcohol at an official college function should never cause an employee to be impaired at the worksite. Employees who violate the policy of Alcohol and Controlled Substances in the Workplace may be the subject of disciplinary action which can include termination from College employment. Represented employees will be disciplined in accordance with the Disciplinary Articles of collectively negotiated agreements.

In cases where SUNY Geneseo has a reasonable suspicion that an employee is not able to perform his or her duties as a result of a disability which may be caused by alcohol or a controlled substance, the College may proceed under the provisions of Section 72 of the Civil Service Law and require that the employee undergo a medical examination to ascertain whether they are able to perform their job duties.

SUNY Geneseo will assist faculty and staff who have a drug or alcohol problem in their recovery provided the employee seeks and/or accepts assistance. However, SUNY Geneseo will take appropriate formal disciplinary action, which can include penalties up to, and including termination of employment in order to resolve drug or alcohol related performance and/or misconduct problems.
Employees may be referred to the Employee Assistance Program (EAP) to aid in dealing with drug and/or alcohol problems. EAP is a confidential information assessment and referral program that provides employee requested services. Services include assessment for referral to the most appropriate community resource provider related to the emotional or physical illness, alcohol or drug related problem. Information provided to EAP is kept confidential.

Employees who have drug and alcohol problems who would like to seek rehabilitative services through EAP or any other recognized rehabilitation program are encouraged to pursue help before they are determined to be in violation of the Drug-Free Workplace Act or fail the testing requirements of the Omnibus Transportation Employee Testing Act.

**Essential Services Personnel**

Essential Services are services that relate directly to the health, safety and welfare of our campus. During campus emergencies/events, such as cancellation of classes due to inclement weather, essential services personnel will be required to provide continued support to maintain SUNY Geneseo properties and services to the campus community.

It is the policy of SUNY Geneseo that employees designated as essential services personnel will perform essential functions falling within the scope of their responsibility when called upon to do so. Some services may be deemed essential when the College is in session than when it is not, however, needs for the specific number of essential service personnel will vary depending on the seriousness, nature and scope of the emergency/event.

**FMLA - Family and Medical Leave Act**

The Family and Medical Leave Act (FMLA) is intended to balance the demands of the workplace with the needs of families. The FMLA became effective on August 5, 1993 and is a federal law that requires certain employers to allow eligible employees to take up to 12 (under some circumstances 26) weeks of unpaid, job-protected leave during a 12-month period for various health and family-related reasons which are described in this policy. Although FMLA leave is unpaid, employees may elect to charge appropriate leave credits in order to continue income during such an absence. FMLA may be taken in consecutive “blocks” of time or intermittently as needed.

Amendments to the FMLA by the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181, expanded the FMLA to allow eligible employees to take up to 26 weeks of job-protected leave in 12 month period to care for a covered service member with a serious injury.

FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), and private-sector employers who employ 50 or more employees in 20 or more workweeks in the current or preceding calendar year. SUNY Geneseo is a covered employer.

**Eligibility**

1. Employee must have completed 52 cumulative weeks of State service (does not have to be consecutive), and
2. Employee must have worked a minimum of 1250 hours during the 52 weeks immediately prior to the leave, and
3. Employee works at a location where at least 50 employees are employed by the employer within 75 miles.

**Leave Entitlement**

1. For the birth and care of a newborn child of the employee;
2. For placement with the employee of a son or daughter for adoption or foster care;
3. To care for a spouse, son, daughter, or parent with a serious health condition;
4. To take medical leave when the employee is unable to work because of a serious health condition; or
5. For qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.
Mandatory Reporting of Child Sexual Abuse

Consistent with the provisions and applicable definitions of New York State Penal Law Articles 130, 260 and 263, and the SUNY Polices of the Board of Trustees, any employee, student or volunteer for the State University of New York College at Geneseo (“Geneseo”) who witnesses or have reasonable cause to suspect any sexual abuse of a child (defined as a person under the age of 17) occurring on college property or while off campus during official college business or college sponsored events shall immediately report such conduct to the Geneseo University Police Department. Such report should include the name of the alleged victim and alleged assailant (if known), other identifying information about the alleged victim and alleged assailant, the location of the activity and the nature of the activity.

Upon receiving such a report, the Chief of the Geneseo University Police Department (“Chief”) shall immediately notify Geneseo’s President, the Provost, the Vice President of Administration and Finance and the Vice President for Student and Campus Life. Additionally, the Chief shall notify the Commissioner of the SUNY University Police (“Commissioner”) of any such report. The Commissioner shall promptly report such incidents to the Chancellor of the State University of New York for periodic reporting to the SUNY Board of Trustees.

In furtherance to this policy, Geneseo shall, on an annual basis notify all college employees of the existence of this policy, and train employees on the provisions of this policy and the attendant reporting obligations.

Any employee found in violation of the provisions of this policy shall be subject to discipline up to termination of his/her employment, consistent with the terms and conditions of the applicable collective bargaining agreement, if any, as well as subject to any applicable criminal prosecution. Nothing contained in this policy precludes mandated reporters from completing their obligation to report suspected child sexual abuse.

Retaliation against a person acting in good faith, in accordance with this policy, who reports an incident or suspicion of child sexual abuse, is strictly prohibited. SUNY Geneseo will take appropriate formal disciplinary action, which can include penalties up to, and including termination of employment in accordance with existing collective bargaining unit agreements for those found responsible for retaliatory action.

Nursing Mothers Policy

In accordance with Section 206-c of the New York State Labor Law, the State University of New York at Geneseo shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow her to express breast milk for her nursing child for up to three years following child birth. The College shall make reasonable efforts to provide a room or other location (other than a bathroom), in close proximity to the work area, where an employee can express milk in privacy. The room or other location shall not be accessible to the public or other employees at the time a nursing employee is using the room for this purpose. Geneseo shall not discriminate in any way against any employee who chooses to express breast milk in the workplace. In no event is the benefit available beyond three years from the date of birth of the child.

Overtime

The subject of overtime compensation is covered by Federal Fair Labor Standards Act (FLSA) as well as in collective bargaining agreements. The FLSA deals with issues of minimum wage and overtime for hours worked in excess of 40 per week. The College can be held liable by the Department of Labor if we are not adhering to the provisions of the FLSA in compensating employees for any hours worked over 40 hours per work week.

This policy and procedure applies to classified service employees in CSEA and PEF bargaining units. Employees in the University Police Department follow a separate overtime policy based on operational needs of the police function on campus.
Classified employees who work more than 40 hours per week must be compensated at time and one half. Classified service employees who work 37.5 hours per week earn compensatory time at straight time for overtime worked between 37.5 and 40 hours and shall be paid time and one half for weekly hours worked in excess of 40.

Classified employees need to work their assigned work schedule and may not deviate from that schedule without prior supervisor’s approval. Employees may not work hours beyond their work schedule without a supervisor’s explicit written permission.

All employees who work 6 or more hours per day must have a minimum of a 30 minute unpaid meal break. Employees may not work through or skip their meal break to shorten the work day or receive additional compensation.

According to the FLSA, employers are required to pay overtime for hours worked over 40 in any given week if the supervisor knew or should have known the employee was performing his/her duties. Classified service employee should not work through their lunch break, before or after regularly scheduled work hours unless these hours are pre-approved by the supervisor. All hours worked must be documented on the time sheet and factored into the total hours worked for the day/week. Classified staff may not “volunteer” their time to complete tasks, duties and responsibilities before or after their standard work hours.

Classified employees must submit a biweekly timesheet. The employee and supervisor must sign the timesheet indicating that the hours reported are correct. Disciplinary action may be taken if individuals violate this policy.

**Request for Reasonable Accommodation**

The State University of New York at Geneseo (SUNY Geneseo) is committed to assuring equal employment opportunity and equal access to services, programs and activities for persons with disabilities. Reasonable accommodations will be provided to qualified employees with disabilities to enable performance of the essential functions of the positions for which they are applying or in which they are employed. This policy is based on the New York State Human Rights Law, Sections 503/504 of the Federal Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act (ADA), Executive Order 6, and Executive Chamber Memorandum, entitled *Equal Access to State Agency Employment, Programs and Services for Individuals with Disabilities*, issued in 1996, as well as *Executive Chamber Memorandum Technology Policy 96-13--Accessibility to Technology*, issued November 1996 and *Technology Policy 99-3: Universal Accessibility for New York State Web Sites*, issued September 1999.

This policy applies to all employment practices and actions. It includes, but is not limited to, recruitment, employment application, hiring, training, disciplinary actions, rates of pay or other compensation, advancement, classification, transfer and reassignment, and promotions. The provision of reasonable accommodation assists the agency, as an employer, to:

- overcome otherwise exclusionary employment practices, policies and consequences;
- provide equal opportunities for participation in education and training programs;
- enhance the retention and upward mobility of qualified employees with disabilities; and
- ensure the accessibility of procedures for swift and judicious resolution of complaints with this policy and other already existing policies and procedures.

**Sexual Harassment**

Sexual harassment is a form of illegal discrimination. It is any unwanted verbal, written, or physical sexual advance, request for sexual favor, sexually explicit statements, or sexually discriminating remarks made by someone in the workplace or classroom, which

- are offensive or objectionable to the recipient, or
- cause the recipient discomfort or humiliation, or
- interfere or results in interference with the recipient’s job or academic performance, or
- creates or intimidating, hostile, or offensive work environment.
It is the policy of Geneseo to maintain an academic and work environment free of sexual harassment. Harassment on the basis of sex is a violation of the law (Sec. 703 of Title VII of the Civil Rights Act as amended, Title IX Education Amendments of 1972, and the New York State Human Rights Law) and will not be tolerated. The College will not condone actions, writings, publications, and words which a reasonable person would regard as sexually harassing. It is the responsibility of every administrator, supervisor, and faculty member to create and maintain an environment that is free of discrimination and allows full access and opportunity for participation to all members of the College Community.

Further, SUNY Geneseo does not condone retaliation. Retaliation is against the law and will subject the perpetrator to sanctions.

**SUNY Geneseo Campus Security and Fire Safety Report**

The Student Right-to-Know and Campus Security Act was signed into law in November of 1990. Title II of this act was amended and renamed in 1998 as the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act.

This law mandates that educational institutions receiving federal funds must disseminate crime statistics for certain serious offenses which occur on campus and in adjacent areas for the current and previous two calendar years.

The purpose of this report is to provide current and prospective students, faculty and staff with campus safety information including crime statistics and procedures to follow when reporting a crime.

This document was compiled by the Chief of University Police after consultation with the Dean of Students, the Village of Geneseo Police Department, the Livingston County Sheriff’s Office and New York State Police.

The College will not retaliate or allow any retaliation toward a person(s) who reports alleged violations of this act.

**Title F Leave**

In accordance with the SUNY Board of Trustees Policies, the purpose of a Title F leave may be for professional development, acceptance of assignments of limited duration with other universities and colleges, governmental agencies, foreign nations, private foundations, corporations and similar agencies, as a faculty member, an expert, consultant or in a similar capacity or for other appropriate purposes consistent with the needs and interests of the University.

**Unclassified Time and Attendance**

It is very important to maintain a good attendance record. SUNY Geneseo attaches considerable importance to reliable attendance and it is a significant factor in appointment and promotion decisions and important to the College’s daily operations. When employees present themselves for appointment, they do so with the implied or specific understanding that they are ready, willing and able to perform their duties and responsibilities on a regular basis.

Falsification of an employee’s attendance record constitutes a very serious violation and is basis for disciplinary action under the applicable bargaining agreement.

Professional staff are those employees appointed under the authority of the Policies of the Board of Trustees of the State University of New York at SUNY Geneseo (Unclassified, M/C employees, Academic employees, and Professional employees) and they are required to certify the fulfillment of their professional obligation and record their accruals and charges against them on forms provided by the College.

Such forms shall be submitted to the College President, or designee, for review on a monthly basis by the 10th day of the month following the month of obligation being reported. Such forms must be certified as accurate by the employee and their immediate supervisor or department chair (academic employees). Failure to submit timesheets in a timely manner may create a hold on an employee’s paycheck pending submission of their attendance report.
Academic year obligation Faculty and College Year Obligation Professional Employees are required to submit accurate attendance reports during their academic year or defined college year obligation (generally September through May for academic year obligation and as specified in the appointments for college year obligation employees).

Employees appointed in the coach or assistant coach role are required to submit accurate time records for the month of their respective athletic obligation.

**Workplace Violence Prevention**
The State University of New York at Geneseo (SUNY Geneseo) is committed to providing a work environment free from threatening behavior and acts of violence. SUNY Geneseo will not tolerate violence or threatening behavior of any type, from any source. Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the College community.

It is the policy of SUNY Geneseo that each of our employees has the right to a workplace free from violence. Threats, acts of violence and acts of aggression by employees or against employees by co-workers, members of the public, or others will be responded to promptly. For purposes of this policy, violence is defined as any physical assault, actual threat, or threatening behavior occurring in the work setting. This includes actions of employees, supervisors, visitors, vendors or any other person. As an institution of higher education, SUNY Geneseo expects and encourages robust discussions among members of the College community. This policy does not cover speech or expressive activity that is protected by the United States Constitution and the Constitution of the State of New York.

Employees who commit a violent act or threaten to commit a violent act may be subject to corrective or disciplinary action, up to and including termination, in accordance with existing collective bargaining unit agreements and shall be prosecuted to the full extent of the criminal laws. Any individual who makes a substantial threat, exhibits threatening behavior or engages in violent acts on College property shall be subject to removal from the premises as quickly as safety permits. An investigation will subsequently be conducted as promptly as possible.

The unlawful possession or use on campus of firearms, knives (except non-spring pocket knives), or other weapons, explosives, or fireworks is prohibited. Workplace violence should be reported promptly to the appropriate College official (see below). Additionally, all members of the College community are encouraged to report behavior they reasonably believe poses a potential for workplace violence in order to maintain a safe working and learning environment.