

<h1>POLICY</h1>	<b>9310</b>
	<b>Adopted: August 22, 2006</b>
	<b>Revised: June 7, 2011</b>
	<b>Revised: June 4, 2013</b>
	<b>Revised: October 7, 2014</b>
	<b>Revised: July 5, 2016</b>
	<b>Revised: June 6, 2023</b>
<b>Personnel &amp; Negotiations</b>	

**SUBJECT: ATTENDANCE OF NON-UNIT EMPLOYEES**

The Board hereby establishes the following expectations for and provides the following leaves of absences to its non-unit employees:

*Workday and Work Year*

Non-unit employees shall work the workday and work year established by the Board or District Superintendent or designee. Such employees working in component school districts shall generally follow the district calendar.

*Emergency Closings and Delays*

The District Superintendent or his designee will determine delays or closings at the Bush, Coopers and Wildwood campuses. Non-unit employees working in component school districts shall generally follow the delay or closing schedule of the district.

*Holidays*

The BOCES calendar will provide non-unit employees with fifteen sixteen (15 16) paid holidays per fiscal year.

*Vacation*

The BOCES shall provide vacation to its non-unit employees as follows:

Vacation time shall accrue on a monthly basis, from July 1<sup>st</sup> to June 30<sup>th</sup>.

Allotment:

Full-time supervisors who supervise staff will earn 2.08 vacation days per month, up to twenty-five (25) days per year. Effective July 1, 2006, labor Labor relations specialists will earn 2.08 vacation days per month, up to twenty-five (25) days per year.

Full-time coordinators who do not supervise staff and other specialists will earn 1.66 vacation days per month, up to twenty (20) days per year.

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After the completion of five (5) years of service, all full-time coordinators and specialists will receive 2.08 vacation days per month, up to twenty-five (25) days per year.

All other non-unit staff will earn 1.25 days per month, up to fifteen (15) days per year for work years 1-5; 1.66 days per month up to twenty (20) days per year for years 6-10; and 2.08 days per month, for up to twenty-five (25) days per year for 11+ years of service with the BOCES.

Usage:

Employees may only use vacation days earned from the prior fiscal year. Newly-hired employees may use vacation days during their first year of employment with their supervisor's approval. Employees may use vacation days earned during the current fiscal year for extraordinary, unexpected circumstances with the approval of their supervisor and the Superintendent or designee. Arrangements for use of vacation days must be made with one's immediate supervisor.

Rollover:

Default rule: Up to five (5) unused vacation days will automatically roll over to next year's allocation. The next five (5) unused vacation days (after the first five (5) have rolled to next year's vacation allocation) will automatically be converted to sick days, which will be added to one's sick leave account.

In lieu of the default rule above, a non-unit employee may notify the Human Resources Office that s/he elects one of the options below. Such election must be made by June 30 of the prior fiscal year (e.g., by June 30, 2016 for vacation days to roll over into the 2016-2017 fiscal year).

Option 1: Up to ten (10) unused vacation days will roll over as vacation days into the next year's vacation day allocation.

Option 2: Up to ten (10) unused vacation days will roll over as sick days into the next year's sick day allotment.

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Regardless of whether an employee carries over up to ten (10) days of vacation leave as vacation and/or sick leave as provided above, an employee may be paid for up to five (5) unused vacation days at any time during the fiscal year. To exercise this option, an employee must notify the Human Resources Office in writing. To receive such payment in the final paycheck of June, an employee must notify the Human Resources Office in writing by June 1. Unused All other unused vacation days in excess of ten (10) that are not rolled over or “bought back” will be lost, unless otherwise approved in writing by the supervisor and the Superintendent or designee.

Vacation time can be taken in thirty fifteen (30 15) minute increments. Vacation time will be prorated for 10 and 11-month employees.

*Sick Leave*

Effective July 1, 2010, the The BOCES will provide non-unit employees with 15 sick leave days per fiscal year, given on July 1st, for 12-month employees. Such leave will be pro-rated for non-unit employees who work less than 12 months per year. Such leave may be used for personal illness, illness in the immediate family, or for doctor appointments for self or immediate family. Effective July 1, 2010, the The term “immediate family” is defined for either the employee or the employee’s spouse as: spouse, parent, child, sibling, grandparent, grandchild and other member of the household. Such leave may be taken in thirty fifteen (30 15) minute segments. Any remaining sick time as of June 30<sup>th</sup> will roll over to the next fiscal year.

*Sick Leave Bank*

The BOCES will maintain a sick leave bank for non-unit employees. The Superintendent shall designate three (3) non-unit employees to serve on the Non-Unit Sick Leave Bank Committee. To request leave from the bank, such staff must apply to the sick bank committee in writing. To be eligible for leave from the bank, such staff members must: (1) use up all their sick, personal and vacation time; (2) provide satisfactory medical documentation of the reason for such leave is required, which indicates the illness or disability and the date the employee is expected to return to work; and (3) be anticipated to or must be absent for more than five (5) consecutive workdays. Once such information is submitted, the committee will determine whether such staff member will be granted such leave. Sick leave bank time may only be taken on behalf of the non-unit employee him or herself. The sick leave bank committee will request voluntary contributions if the number of available days drops below 260 days on a yearly basis.

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*Personal Leave*

Non-unit employees are not provided with personal days except for employees who work a ten (10)-month school calendar. Such employees will receive two three (2 3) personal days per year. If requested, 10-month non-unit employees shall be granted two (2) additional personal leave days per year from their annual sick leave allotment for that year. If the sick leave allotment for that year has been used, no additional personal leave days may be taken.

*Bereavement Leave*

**Allocation.** A non-unit employee may be entitled to five (5) days leave, non-deductible and non-cumulative, if a death occurs in the family.

**Family Defined.** The term family shall mean the following for either the non-unit employee, the non-unit employee’s spouse or domestic partner: spouse, mother, father, children, sister, brother, grandparents, grandchildren, step-parents, sister-in-law, brother-in-law, son-in-law, daughter-in-law, foster brother, foster sister, half-brother, or half-sister, or any person who was permanently residing with the non-unit employee.

**Death Outside Immediate Family.**

A non-unit employee shall be entitled to three (3) days of paid leave for the death of an aunt, uncle, niece, nephew or other similar relative.

A non-unit employee may, with consent of the District Superintendent or designee, be granted one (1) day paid leave to attend the funeral of a non-unit employee or other BOCES employee.

A non-unit employee may request additional bereavement leave to be deducted from his accumulated sick leave. The granting of additional bereavement leave days is subject to the approval of a non-unit employee’s immediate supervisor and the District Superintendent or designee.

*Jury Duty Leave*

Non-unit employees selected for jury duty shall be granted leave and shall receive full salary. Such employee shall pay the BOCES any fees received for the jury duty service, excluding mileage fees.

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*Unpaid Leave*

Unpaid leave must be based on a written request in advance of the leave. Unpaid leave is only granted at the discretion of the District Superintendent or designee. Such leave may be provided for medical or educational purposes or to care for a spouse, child or parent who has a serious health condition. Such leave may be granted up to one year at a time.

*Parental Leave*

As permitted by the federal Family and Medical Leave Act (FMLA) and at the discretion of the District Superintendent or his designee, up to a one-year leave may be granted to a non-unit employee without pay or benefits to care for a child, adopted or foster child during the pre-school years. A non-unit employee must apply for such leave.

*Part-Time Benefits*

The BOCES will provide prorated leave benefits to part-time non-unit employees who work more than a fifty percent (50%) full-time equivalent (FTE) basis. For example, an eighty percent (80%) twelve (12) month employee will be provided with twelve (12) sick days. A sixty percent (60%) twelve (12) month employee will be provided with nine (9) sick days.

*Telecommuting*

Employees may be permitted to telecommute (i.e., work from home) when such an arrangement is approved by their supervisor and the Superintendent or designee.

*Summer Work Schedule*

From the first day in summer after the teachers' work year ends to the day before the teachers' work year begins, employees may be permitted to work four (4) days in a week and daily hours that would be determined by taking the employee's normal workweek and dividing it by four when approved by their supervisor and the Superintendent or designee.