



# **Torrington Public Schools Employee Handbook**

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# NOTICE

This Handbook is designed to acquaint you with Torrington Public Schools and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand and comply with all provisions of this Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Torrington Public Schools to benefit employees. One of our objectives is to provide a work environment that is conducive to both professional and personal growth.

No employee handbook can anticipate every circumstance or question about policy. This Handbook is prepared for informational purposes only. It does not constitute a contract between the Torrington Public Schools and its employees and should not be construed as such. The policies and practices referenced in this Handbook may be changed or amended at any time as necessary. Most policy statements in this Handbook have been paraphrased for brevity. Should any question arise regarding a policy issue, please refer to the full text of the referenced policy in the Torrington Board of Education Policies, and/or consult the Human Resource Office. Employment by the Torrington Public Schools is not for a definite term and may be terminated by the Torrington Public Schools or by the employee at any time, pursuant to law or in accordance with any labor agreement currently in force.

Each employee is responsible for the contents of this document and the Board policies. Please note, however, this handbook is the property of Torrington Public Schools, and you must return it upon separation from employment or upon request.

A copy of the Torrington Public Schools' Policies are available on the website [www.torrington.org](http://www.torrington.org).

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# **SECTION I** ***TORRINGTON PUBLIC SCHOOLS***

## **SUPERINTENDENT'S WELCOME**

Welcome to Torrington Public Schools!

Thank you for joining the Torrington Public Schools team! You have a great contribution to make to the education of children and we sincerely hope that you will find your employment at Torrington Public Schools to be a professionally rewarding experience. We look forward to working together to create opportunities for children becoming successful lifelong learners. You have joined an organization that has established an outstanding reputation for quality. Credit for this has gone to everyone involved in this organization and we hope that you, too, will find satisfaction and take pride in your work here.

As a member of Torrington Public Schools team, you will be expected to contribute your talents and energies to help us realize our goal of helping make our schools “world class” educational institutions in the coming years. This Employee Handbook should provide answers to most of the questions you may have about our benefit programs, policies, and procedures. You are responsible for reading and understanding this Employee Handbook. If anything is unclear, please discuss the matter with your supervisor or a member of Human Resources.

I extend to you my personal best wishes for your success and happiness at Torrington Public Schools.

Sincerely,



Susan M. Lubomski  
Superintendent of Schools  
Torrington Public Schools

## MISSION OF THE TORRINGTON PUBLIC SCHOOLS

Through engaging instruction that is relevant, rigorous, and personalized to student needs, Torrington Public Schools will successfully prepare all students to be productive 21st Century citizens by ensuring that they can think critically and creatively to solve problems and construct arguments based on evidence.

## JOB CLASSIFICATION

The educational program of the Torrington Public Schools requires that a wide variety of activities be undertaken to accomplish many tasks. Similar tasks requiring similar qualifications are typically grouped together into a single classification and designated by a descriptive job title.

There are two broad categories of job classifications within the system: certified and noncertified. The law further requires that all persons teaching in public schools and/or holding supervisory or certain administrative positions must have valid certificates for the position they hold. These certificates ensure that employees in those positions meet certain State-mandated educational and experience requirements.

Copies of job descriptions/classifications and collective bargaining agreements are available in the Human Resource Office.

## **SECTION II**

### **EMPLOYMENT CONDITIONS**

#### **EQUAL EMPLOYMENT OPPORTUNITY**

Torrington Public Schools is committed to equal employment and advancement opportunities for all present employees as well as for applicants in all phases of the employment process (recruitment, hiring, assignment, conditions of employment, compensation, benefits, training, promotion, transfer, discipline and termination). Therefore, except in cases of bona fide occupational qualification or need, Torrington Public Schools will act without regard to race, color, religion, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability or physical disability, genetic information, status as a veteran, or other protected class status under applicable law (unless it is shown by supervisory personnel that a disability prevents performance of the work involved or may result in undue hardship), in all aspects of the employment process and relationship. This policy is based on the understanding that the applicant is able to handle the job requirements. Employment decisions will be based on merit, qualifications and abilities.

All personnel policies and practices of the Torrington Public Schools will be in accordance with equal employment opportunity practices as determined by state and federal legislation. A job description and required qualifications will be made available for each position to be filled. Equal employment opportunity will be available to all protected groups.

The Torrington Board of Education recognizes that the State of Connecticut has determined that the educational interests of the state require efforts by each school district to provide educational opportunities for its students to interact with teachers from other racial, ethnic, and economic backgrounds in order to reduce racial, ethnic, and economic isolation. Further, the Torrington Board of Education appreciates that the increasing diversity of individuals and cultures is a growing characteristic of our state and nation which should have a significant bearing on the activities of the school district.

#### **EMPLOYMENT AND ADVANCEMENT**

##### *Recruitment and Selection*

The Superintendent of Schools shall be responsible for the selection and assignment of all personnel in the Torrington Public Schools except as noted below. Such decisions shall be determined on the basis of potential contribution to the educational program and/or the best interests of the school system. It is the policy of the Board of Education to employ and retain the best qualified administrators, teachers, and other personnel. This shall be accomplished through careful consideration of credentials, references, interviews, and evaluation of previous performance. Personnel shall be considered on



the basis of his/her effectiveness without discrimination as defined by law. (cf. 2111-Equal Employment Opportunity)

The Superintendent or designee is authorized to employ all non-certified personnel. All certified personnel shall be approved by the Board of Education upon the recommendation of the Superintendent, and shall be handled in accordance with applicable law.

#### *Standards/Conditions for Employment*

State law requires criminal records check of job applicants under final consideration for positions. This records check is through the Connecticut Bureau of State Police and/or the Federal Bureau of Investigation. The records check is performed at the applicant's expense, and any employment offer is contingent upon the satisfactory completion of the check.

Employees of the Torrington Public Schools must disclose all pertinent information about convictions for felonies and misdemeanors. Failure or refusal to disclose such information is grounds for termination.

Decisions regarding the effect of a conviction upon an applicant/employee, if disclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including, but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.

- Additionally, there is a zero tolerance policy for DCF substantiations for district employees.

#### *Probationary Period*

All classified employees must complete a probationary period as defined by the individual's bargaining unit contract. All non-bargaining classified employees are subject to a probationary period of at least ninety working days (excluding any authorized or unauthorized leaves).

For information regarding the probationary period for a specific job classification, refer to the most recent collective bargaining agreement or contact the Torrington Public Schools, Human Resource Office, at (860) 489-2327 extension 1636.

Teachers should refer to Connecticut General Statutes § 10-151 for information regarding the statutory probationary period.

#### *Performance Evaluation*

The Administration expects employees to perform their duties competently. To assist employees in achieving performance levels consistent with their capabilities, supervisors

evaluate the performance of most employees, as needed, subject to the terms of any applicable collective bargaining agreement.

### *Employment Status*

The granting of tenure is an important decision having long-term consequences for the Torrington Public Schools. For this reason, tenure status is not awarded to Torrington teachers whose performance in their probationary years has been no more than adequate. Rather, tenure will generally be achieved only when there is evidence of high quality in a teacher's professional performance and promise of continued distinction following the award of tenure. Additionally, a teacher generally must exhibit excellence or potential for excellence to be awarded tenure.

Continuing contracts, as the name implies, remain in force as long as the employee's performance remains satisfactory. Unless otherwise specified, teachers' contracts are for one school year or for the unexpired portion of a school year following the effective date of the appointment.

Torrington Public Schools has several types of work years, which include: calendar year 12 months, 11-month, school year (10 months), and per diem (as needed). The duration of the appointment relates to the nature of the work involved. Questions regarding the status of employment can be addressed to the employee's immediate supervisor or the Human Resource Office.

### *Employment Records*

Personnel files are maintained at the work site and/or at the Torrington Public Schools central administration office.

Employees are expected to inform the Human Resource Office of any change in status that could affect employment or benefits, such as marital status, educational attainment, certifications, or similar changes. Changes (even unlisted telephone numbers) must be recorded on a Change of Address Form (available at the Human Resource Office and the Principal's office or online through MUNIS self-service) and submitted to the Human Resource Office. Emergency cards must also be updated should there be a divorce, marriage, death, change in emergency contact's phone number or address, or other major change in family status.

## WORKING CONDITIONS

### *Hours of Work*

For many Board employees, the normal work week begins on Monday and ends on Friday. Hours of work and reporting times vary from building to building and are governed by the individual collective bargaining agreements or contract. Overtime payment is governed by state and federal wage and hour laws and by individual collective bargaining agreements. Questions about work hours or overtime can be addressed to the employee's immediate supervisor or the Human Resource Office.

### *Attendance and Tardiness*

To promote a safe and productive work environment, the Torrington Public Schools expect employees to be reliable and punctual in reporting for scheduled work. Absenteeism and lateness are disruptive and place a burden on other employees, management, and in many cases students. Therefore, the Torrington Public Schools does not recognize an “acceptable” number of absences or tardiness, and either of these practices may lead to disciplinary action, up to and including discharge from employment.

It is imperative that all employees of the school district be at work, on-time, every scheduled workday. Employees contribute to achieving the school district’s mission, educating children. The success of the school district depends upon each employee’s doing what is expected, including maintaining an acceptable attendance record.

Employees should make every effort to notify a building administrator, a grade level colleague, a department colleague, a department chair, or the person responsible for attendance in the building, as soon as possible in advance of an anticipated lateness or absence. This notification may be via text, e-mail or phone (leave a voicemail if there is no answer).

#### *Seeking approval for Leaves of Absence*

Employees who are or will be absent for an extended period of time, with or without pay, should obtain an approved Leave of Absence from the Superintendent or his/her designee. Employees should review their collective bargaining agreement for more information.

Each employee should obtain authorization for extended leaves, or leaves that require Superintendent approval, on a Confidential Leave Request Form, attaching an adequate medical note where appropriate.

Employees are required to enter absences through our online absence management system (Kelly Educational Staffing (KES)) no later than one hour prior to the beginning of their shift so that a substitute can be secured, when applicable. If an employee needs to be absent additional days not recorded in the automated system, he/she must notify the school before the end of the day prior to the day he/she was scheduled to return. If assistance is needed when using the automated system, an employee can call the KES Scheduling Center at 1-866-535-5998, Monday through Friday, 5:00am – 8:00pm. The KES branch telephone number is 203-288-3564.

For more information on permissible leaves of absence, employees should review the “Leave Provisions” section of this handbook.

#### *Pay Practices*

Employees are paid according to the individual collective bargaining agreements. Any questions regarding pay schedules can be addressed by the Payroll Department.

Record keeping of attendance for pay purposes varies. Employees may be asked to sign in to a log sheet, punch a time clock, submit a written time sheet, or report their attendance orally to their supervisor. Methods of time reporting used have no reflection on employment status.

#### *Equipment and Supplies*

The Torrington Public Schools provides all tools, equipment, and supplies, including safety equipment that is reasonable and necessary for the performance of duties.

#### *Communicable Disease Control*

Because of employees' close association with children, the control of communicable diseases is of great importance.

An employee identified as having a communicable disease will be temporarily excused from work. If the employee has sick leave accrued, it may be used to keep the employee in pay status. Employees so identified and excused from work may be readmitted to employment upon presentation of a physician's certificate stating that they are free of communicable disease.

#### *Emergency Closings*

Occasionally severe, inclement weather conditions may warrant the closing of the school district.

During severe, inclement weather conditions, if the Torrington Public Schools close buildings, you will be notified through Torrington Public Schools notification system. In cases where a closing is not authorized by the Torrington Public Schools, employees who fail to report for work or who choose to leave work early, will not be paid for the time off. However, absent any statutory, employment or collective bargaining agreement to the contrary, employees may request the use of either available vacation time or a personal day.

### HARASSMENT

It is the policy of the Torrington Board of Education that all faculty, staff and students, parents and all other members of the school community treat each other with dignity and respect. No form of harassment will be tolerated whether related to race, ancestry, color, religious creed, national origin, age, sex, sexual orientation, gender identity or expression, disability, marital status, present or past history of mental disorder, intellectual disability, learning disability or physical disability, genetic information, or any other protected classification.

#### *Training*

The anti-harassment policy shall be part of the ongoing education and training of students and staff as determined by the Superintendent. Such education and training shall address not only the provisions of this policy and regulation, but also stereotyping, cultural sensitivity, diversity, and mutual respect.

In addition, all managers of employees shall receive this and other training and education in accordance with the requirements of Connecticut law.

### *Publication*

All staff is responsible for ensuring compliance with this policy and regulation and procedures at their school site and ensuring an atmosphere free of harassment for all individuals, staff, and students alike.

### *Sexual Harassment*

Harassment of an employee by a supervisor or co-worker on the basis of sex creates a harmful working environment and is illegal under state and federal law. It is the policy of the Board to maintain a working environment free from harassment, insults, or intimidation on the basis of an employee's sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex, which has the effect of creating an intimidating, hostile, or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any 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 to or rejection of such conduct by an individual is used as the 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 work environment.

Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

1. Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;
2. Unwelcome attention of a sexual nature, such as degrading, suggestive, or lewd remarks or noises;
3. Dirty jokes, derogatory or pornographic posters, cartoons, or drawings;
4. The threat or suggestion that continued employment advancement or assignment of earnings depends on whether or not the employee will submit to or tolerate harassment;
5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature; or

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

It is the express policy of the Torrington Public Schools to encourage victims of sexual discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any infraction of this policy by supervisors or co-workers should be reported immediately to the Human Resources Office. If the Title IX Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent, who shall investigate or appoint a designee to do so.

Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sexual harassment may also be subject to civil and criminal penalties.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible and reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

Any employee who believes that he or she has been harassed in the workplace in violation of this policy may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Suite 2, Hartford, CT 06103, telephone number (860) 541-3400; and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA, 02203 telephone number 1800-669-4000. Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities 180 days from the date when the alleged harassment occurred.

*Harassment Complaint Procedures*  
*Student/Student and Student/Staff Complaints*

All school staff and students are responsible for reporting potential violations of this policy. Reports made by staff or students relating to student/student harassment may be made to a building administrator or a central office administrator, as appropriate. Such reports may be made verbally or in writing, and may be made anonymously.

Upon receipt of any report or other information concerning student/student harassment, the administrator shall evaluate the information received and report that information to the Superintendent or her/his designee. The Superintendent or her/his designee will determine what further action will be taken.

Such further action may include investigation, counseling, referral to other persons of agencies, notification of other agencies, or other appropriate action. All incidents involving significant physical contact shall be referred for further investigation. If such physical contact involves allegations of abuse or neglect of children, or of adults with intellectual disabilities, all Torrington Public Schools employees are Mandated Reporters and should report the incident to Department of Children and Families (DCF) or Department of Social Services (DSS) per the required timeline and protocol. In the case of student offenders, such investigation shall be conducted by individuals deemed appropriate by the Superintendent. In the case of non-student offenders, including visitors and vendors, such investigation will be conducted by the Director of Human Resources or his/her designee. It is the responsibility of the Superintendent to appoint proper investigators in each instance and to assure that the investigation is completed in a timely manner.

If further investigation is required, the Superintendent or his/her designee shall conduct the investigation.

#### Staff/Student and Staff/Staff

Incidents involving Torrington Public Schools employees that involve allegations of abuse or neglect of children, must be reported to DCF. All Torrington Public Schools employees are Mandated Reporters and should report the incident to the Department of Children and Families (DCF) per the required timeline and protocol (CGS 17a-101). If DCF accepts the case, the Director of Human Resources will work collaboratively with DCF to conduct the investigation. If DCF does not accept the case, proceed below for District-level steps.

Building administrator or designated investigator shall meet with both the complainant and the alleged offender (in cases involving staff and other non-students) and all appropriate witnesses in order to give all parties involved the opportunity to provide information concerning the incident in as non-threatening an environment as possible. The investigator will maintain a record of his/her investigation.

Once the investigation is complete, the Superintendent or his/her designee, shall review the report and take appropriate remedial action, if applicable.

Staff members and students and their parents who are subject to remedial action shall have the right to review the decision.

#### Other Forms of Harassment

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is an Act that prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. For the purposes of Section 504, the term “disability” with respect to an individual means:

1. A physical or mental impairment that substantially limits one or more major life activities of such individual;
2. A record of such an impairment; or
3. Being regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Torrington Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents and members of the public who participate in school sponsored programs. In this regard, the Torrington Public Schools will not knowingly permit discrimination against any person with a disability in any of the programs operated by the school system. Persons who feel that they may have been discriminated against on the basis of disability should contact the Torrington Public Schools' Section 504 Coordinator.

The school district also has specific responsibilities under Section 504 with respect to providing access to appropriate educational services for students who qualify under Section 504. These responsibilities include the obligation to identify, to evaluate, and to afford access to appropriate educational services. If the parent or guardian disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation, or educational placement of their child, he/she has a right to an impartial hearing. Additional written information about an impartial hearing is available on request from the Section 504 Coordinator.

Please contact **Laura Klimaszewski, Executive Director of Student Services**, the Section 504 Coordinator for the Torrington Public Schools, at phone number (860) 489-2327 with any additional questions or concerns about this policy.

Other types of harassment also are prohibited by federal or state law, such as harassment on the basis of sexual orientation, gender identity or expression, race, color, religious creed, marital status, national origin, ancestry, present or past history of mental disorder, intellectual disability, learning disability or physical disability or age. Torrington Public Schools will address any alleged harassment on these bases in the same manner as sexual harassment, and employees should follow the policy and procedure outlined above if they believe that they have been harassed.

Therefore, employees of the Torrington Public Schools must report situations involving any of these other forms of harassment through the complaint and investigation procedure set forth above. Any questions should be directed to **Kimberly Schulte, Director of Human Resources** at phone number (860) 489-2327 extension 1637. As with sexual harassment, employees may make inquiries of, or file complaints with, the Connecticut Commission on Human Rights and Opportunities.

#### *Vendors and Other Visitors*

All persons engaged in business with and/or visiting the Torrington Public School System must abide by this policy. Therefore, if an employee receives a reported incident involving



vendors or visitors, such employee must be immediately report the incident to the Human Resources Office for investigation.

## SEPARATIONS

### *Voluntary Resignation*

Employees who wish to terminate their employment with the District are requested to notify their immediate supervisor as early as possible and in no case later than two weeks in advance of the date they anticipate leaving. Such notice will expedite an orderly transfer of responsibilities and will provide time to secure a suitable replacement, if necessary.

A teacher under contract with the Board may resign for good reason by submitting written notice at least 30 days prior to such resignation, except during the month of August. In so far as possible, a teacher planning to resign at the close of the current school year should give written notice to the Superintendent as early as possible in the school year.

### *Involuntary Termination -- Layoff*

Whenever it becomes necessary to reduce the number of employees in a job classification, employees in that classification are laid off in accordance with the respective collective bargaining agreement. Recall procedures vary according to the collective bargaining contract involved.

### *Involuntary Termination*

Termination for cause may be based on a variety of reasons, including poor performance or behavior problems. The procedure for involuntary termination for cause varies according to the law and the respective collective bargaining agreement or individual labor contract involved.

Probationary employees may be terminated at any time during the probationary period, at the supervisor's discretion.

Teacher termination and non-renewal procedures are described in Connecticut General Statutes § 10-151.

### *Retirements*

Employees who are retiring should contact the Human Resource Office at (860) 489-2327, to complete all necessary paperwork. Employees who plan to retire should refer to applicable law for retirement eligibility and limitations. All retirement/resignations must be submitted to the Human Resource Office.

Please note that resignations and notices of intent to retire, once submitted in writing, may not be rescinded.

The Torrington Public Schools will generally schedule exit interviews for separating employees. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the Torrington Public Schools or return of property owned by the Torrington Public Schools. Suggestions, complaints and questions may also be voiced at this time.

Employee benefits will be affected by employment separation in the following manner:

- All accrued, vested benefits that are due and payable at separation will be paid.
- Some benefits may be continued at the employee's expense, if the employee so chooses.
- The employee will be notified in writing of the benefits that may be continued and of the terms, conditions and limitations of such continuance.

## **SECTION III**

### ***EMPLOYEE RIGHTS & DISTRICT EXPECTATIONS***

#### **EXPECTED BEHAVIOR**

##### *Standards of Conduct*

All employees are expected to conduct themselves in a professional manner in the performance of their duties. As an educational institution, the Torrington Public Schools and its employees establish behavioral standards that influence the development of students. Employee behavior is expected to model rational and constructive adult conduct. Employee behavior that does not reflect positive social values will have a negative influence on the students and fellow employees and is unacceptable.

The Administration has clear expectations for personal conduct. For the most part, common sense, professionalism, and one's interest in effectively contributing to the educational process are adequate guides for behavior. Supervisors can provide more specific work rules related to each employee's function. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following behaviors illustrate major interference in the educational process and represent the kinds of conduct that may result in immediate corrective action up to and including termination of employment with the Torrington Public Schools:

- any falsification of employment records, information, or other records;
- any substantiation of neglect or abuse or otherwise from the Department of Children and Families;
- any failure to comply with an investigation, to provide consent for a criminal background check at any time, or to provide consent for DCF to share investigation results with the Administration;
- theft of Torrington Public Schools' property, another employee's property, or a third party's property while on the Torrington Public Schools' premises;
- insubordination/failure to follow a directive of any kind, including refusal to perform work requirements as assigned by the supervisor;
- the use of threatening or abusive language to supervisors, colleagues, students, parents, or community members;
- failure to follow proper procedures;
- provoking a fight or fighting during working hours or on Torrington Public Schools' property;
- participating in horseplay in the workplace or with students, or the deliberate destruction of Torrington Public Schools' property or the property of an employee or student;
- unexcused absence for scheduled work day(s) or parts thereof;
- inappropriate, unnecessary, or excessive force with a student;
- carrying, possession, or sale of firearms, explosive devices, or other dangerous weapons on Torrington Public Schools' property or while at work;

- a serious chargeable accident while operating a Torrington Public Schools' vehicle;
- unauthorized use of Torrington Public Schools' equipment, including computers, servers, devices, telephones, etc.;
- punching the time card/signing in for another employee;
- sleeping on the job;
- deliberate or excessive waste of materials or abuse of equipment;
- mistreatment or abuse of students, staff, or other individuals;
- negligence or carelessness in the performance of work;
- posting, altering, or removing any matter on bulletin boards or Torrington Public Schools' property unless specifically authorized by a department representative;
- failure to report on-the-job accidents or injuries promptly;
- leaving the work station or Torrington Public Schools' property during working hours without prior permission from supervisor;
- using work time to conduct personal matters (e.g. personal telephone calls, personal email) or any use (whether before or after work) of Board equipment (telephone, email, internet) for non-work reasons;
- threatening, intimidating, coercing, or interfering with fellow employees and/or students;
- distributing written or printed matter of any description on Torrington Public Schools' time unless approved by management;
- violating any Torrington Public Schools' or Board of Education's policy, practice or expectation or City Ethics obligations or any applicable federal, state or local law;
- violating student confidentiality;
- inappropriate relationships with students or staff, including through social media;
- improper use of the internet, email, telephone, or other equipment/property\* or other Board property/resources;
- possession, distribution, sale, transfer or use of alcohol or drugs in the workplace, while on duty or while operating district owned vehicles or equipment;
- or any inappropriate or unprofessional conduct.

The above list is not meant to be an exhaustive description of inappropriate conduct.

\*Note – telephone, internet, email, etc. may be monitored for appropriate work related use.

### *Corrective Action*

It is the Administration's intention to operate the Torrington Public Schools as efficiently and as effectively as possible. Supervisors are expected to take action to correct situations or conduct inconsistent with that intent. The corrective action process generally follows the provisions of the various labor agreements and legal requirements between the Torrington Public Schools and its employees. Notwithstanding any steps taken to correct an employee's behavior, the Torrington Public Schools retains the right to the immediate discharge from employment where justification exists.

### *Chemical and/or Substance Abuse – Alcohol and Drugs*

It is the goal of the Torrington Public Schools to provide a learning environment for students and a working environment for employees that is free from the negative effects of drug abuse.

In order to comply with the Drug Free Schools and Communities Act and the Drug Free Workplace Act, the Torrington Board of Education notifies all employees of the Torrington Public Schools that the unlawful manufacture, distribution, dispensing, possession, or use of illicit drugs and alcohol is prohibited on school premises and during any school sponsored activities. Further, being under the influence of alcohol or drugs on district grounds or during district sponsored events is strictly prohibited.

Employees experiencing problems related to drug use, including the misuse of alcohol, should ask for confidential rehabilitation assistance before the problem leads to either misconduct or a lack of productivity. Each employee of the Torrington Public Schools should be aware of the fact that each year a small number of staff members seek and obtain rehabilitation through this process with the help of the Board provided health insurance policies. No disciplinary sanctions are taken against employees who seek assistance before the problem negatively affects their productivity.

Employees of a school system are held to higher standard of conduct due to their contact with students. Therefore, drug-related activities, including the misuse of alcohol, during the hours away from school may be considered serious misconduct and may lead to termination.

An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Torrington Public Schools business, to the Superintendent or his/her designee within five (5) days after the conviction. The Torrington Public Schools will notify any agency awarding a grant to the Torrington Public Schools of such conviction, within ten (10) days thereafter.

Employees who violate these standards of conduct will be subject to disciplinary action, consistent with applicable state and federal laws, Board policy and contractual obligations. Disciplinary action may include termination.

Members of the staff shall report any suspected violation of these standards of conduct directly to the Superintendent who will, through the Human Resource Office, and in accordance with the investigative procedures of that department, immediately investigate the allegation.

### *Publishing/Copyrights and Patents*

Professional staff members shall be encouraged to write and publish educational materials whether it be for local use, periodicals, or books.

Staff members are encouraged to contribute professional articles and news items to local, state and national agencies. As a matter of professional ethics, all professional articles

should be cleared through the office of the Superintendent of Schools in the event that the school system or any of its separate departments is mentioned.

Materials created by staff at the instigation and/or direction of superiors and/or during work time shall be considered “work made for hire” under §§ 201(b) and 101 of the Copyright Act and shall be solely the property of the school district.

It is also understood that educational materials created by an employee during the employee’s leisure hours when the employee is not fulfilling his/her contractual duties to the school district are the property of the employee.

The Torrington Public Schools has proprietary rights to publications, instructional materials, and devices prepared by district employees during their paid work time.

When employees or staff committees develop original materials during work time or as part of regular or special assignments for which they are paid, the Torrington Public Schools has sole rights in matters of publication or reproduction. However, the Torrington Public Schools will clearly recognize and note the identity of the employee(s) who created the material.

#### *Acceptable Computer Network Use*

Computers, tablets, smartphones, computer networks, Internet access, and e-mail are effective and important technological resources in today’s work environment. The Board of Education has provided computers, local area, and wireless networks that allow for Internet access and an email system (referred to collectively as “TPS Network”), in order to enhance both the educational opportunities for our students and the business operations of the district. These computer systems are business tools. As such, their use is encouraged to communicate with others, share information, and conduct educational research.

The Torrington Public Schools has and will continue to comply with the requirements of the Children’s Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), “CIPA”. The district is committed to assuring the safe conduct of all students while online and has a comprehensive policy about the proper use of our technological resources. At the beginning of each school year, students and staff are made aware of the district’s Acceptable Use Policy. Staff members are expected to understand and enforce the Student Acceptable Use Policy in their area. All state, federal and local laws and district policies and guidelines should be followed. It is the district’s intent to preserve network bandwidth and improve network response times by limiting Internet access to education and work-related sites.

The district’s technology will support innovative teaching and learning.

### *Scope*

The Board expects that employees learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources for purposes related to their employment. Computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or District operations without authority.

All visitors who choose to use the TPS network must abide by the terms of this policy in the same way that students and staff do.

### *TPS Network*

The TPS Network includes wired and wireless computers and peripheral equipment, files and storage, e-mail and Internet. The district reserves the right to prioritize the use of, and access to, the network.

All use of the TPS Network must support education, research, or business operations and be consistent with the mission of the district.

### *Review of System Use*

It is important for all users of the systems to understand that the Torrington Public Schools, as the owner of the systems, intends to review their use to ensure that only appropriate, District related work and messages are being performed and transmitted. The Torrington Public Schools intends to review the use of the systems in a limited fashion, but will do so as needed to maximize utilization of the systems for business purposes and according to appropriate protocols that may apply in different divisions or departments.

This review will be performed in a fashion that will permit the Torrington Public Schools to obtain an adequate sampling of system uses and messages, on an ongoing basis, to confirm that the systems are functioning properly, and without misuse. Such sampling will also allow the Torrington Public Schools to continually reassess the utility of the systems, and whenever appropriate, make such changes to the systems as deemed fit. Thus, the administrative review process by the Torrington Public Schools should serve to increase the value of the systems to the Torrington Public Schools, our employees and students, on an ongoing basis.

### *Examples of Specific Prohibited Uses*

Unacceptable network use by district staff includes but is not limited to:

- Accessing, uploading, downloading, storage and distribution of any personal files, including offensive, obscene, pornographic or sexually explicit material;

- Downloading, installation and use of games, audio files, video files or other applications (including shareware or freeware) without permission or approval from Torrington IT Department;
- Personal gain, commercial solicitation and compensation of any kind;
- Support or opposition for ballot measures, candidates and any other political activity;
- Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software, and monitoring tools;
- Using another person's account password, folder, work, or files;
- The use of profanity, abusive, impolite, or inappropriate language;
- Harassing phone calls, voice mails, e-mails, and use of social media in violation of the Social Media policy;
- Use of social media that interferes with the work of the school district, creates a hostile work environment, harms the goodwill and reputation of the school district, or violates the law, Board policy, and/or school rules;
- E-mail messages addressed to all employees or large groups of employees without the prior approval of the sender's Department Head; and
- Personal use (non TPS business use) of district resources (hardware, software or systems) at any time.

#### *Personal Use Generally Prohibited*

In order to prevent abusive use of the systems, the Torrington Public Schools will review their use and any personal use will be restricted to the extent permitted by law.

Therefore, in general and to avoid the possibility of observation of personal uses or monitoring of private personal messages, you should not engage in such uses or send such messages at any time during working hours. This means that all users of the systems should restrict themselves to appropriate, business related uses only.

#### *No Expectation of Privacy*

The district provides the network system, e-mail and Internet access as a tool for education, research, and business in support of the district's mission. The district reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of:

- The TPS Network;
- User files and disk space utilization;
- User applications and bandwidth utilization;
- User document files, folders and electronic communications;
- E-mail;
- Internet access; and
- Any and all information transmitted or received in connection with network and e-mail use.

No staff user should have any expectation of privacy when using the district's network. The district reserves the right to disclose any electronic message to law enforcement



officials or third parties as appropriate. As part of monitoring and reviewing, the district will retain the capacity to bypass any individual password of a student or other user. The system's security aspects, such as personal passwords and the message delete function for e-mail, can be bypassed for these purposes. The district's ability to monitor and review is not restricted or neutralized by these devices. The monitor and review process also includes oversight of Internet site access and of document downloading and printing.

### *Social Media Policy*

The Torrington Public Schools recognize the importance and utility of social media and networks for its employees. The laws regarding social media continue to evolve and change. Nothing in this policy is intended to limit an employee's right to use social media under applicable law, as it may evolve. The Torrington Public Schools acknowledge, for example, that employees have the right under the First Amendment, in certain circumstances, to speak out on matters of public concern. The Torrington Public Schools will resolve any conflict between this policy and applicable law in favor of the law.

Ordinarily, the use of social media by employees, including employees' personal use of social media, will not be a legal or policy issue. While a policy cannot address every instance of inappropriate social media use, employees must refrain from social media use that:

- interferes, disrupts or undermines the effective operation of the school district;
- is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
- creates a hostile work environment;
- breaches confidentiality obligations of school district employees; or
- violates the law, board policies and/or other school rules and regulations

For additional information, employees are encouraged to review the Board of Education's Policy on social media use.

### *Conflict of Interest/Code of Ethics*

Upon acceptance of a position with the Board, employees must read the City of Torrington Code of Ethics Policy and sign a Statement of Compliance, which will be placed in their personnel file. A copy of the Torrington Code of Ethics is available for review at the Human Resource Office.

Employees will be held to the standards set forth in the City of Torrington Code of Ethics Policy. Generally speaking, however, employees have an obligation as Torrington Public Schools employees to avoid actual or potential conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of that employee's affiliation with the Torrington Public Schools. For the purposes of this policy, a relative is any person who is related by blood or marriage or

whose relationship with the employee is similar to that of persons who are related by blood or marriage.

If an employee has any influence on transactions involving purchases, contracts or leases, he or she is required to disclose to an appropriate official or administrator of the Torrington Public Schools, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in an entity with which the Torrington Public Schools does business, but also when an employee or relative receives any kickback, bribe, substantial gift or special consideration as a result of any transaction or business dealings involving the Torrington Public Schools.

#### *Nepotism and Hiring of Relatives*

Board members and school administrators in order to avoid both the reality and appearance of nepotism should make public any relationship they have to Board members or administrators have with any possible candidate for a position for which the Board members, or administrators must give approval or has influence in such appointment.

It is widely accepted that employment of relatives in the same area of an organization can cause serious conflicts and problems concerning favoritism and employee morale. In these circumstances, all parties, including administrators and supervisors, leave themselves open to charges of inequitable consideration in decisions concerning work assignments, transfer opportunities, time off privileges, training and development opportunities, performance evaluations, promotions, demotions, disciplinary actions and discharge from employment. In addition, should the related parties have any conflict outside the workplace they may bring that problem to work with them, thereby creating additional concerns within the organization.

While relatives of personnel currently employed by the organization may be hired, the Torrington Public Schools reserve the right to prohibit a direct working relationship between family members (i.e. supervisor/employee relationship; coworkers within the same department, or any other working relationship which the district administration determines may cause potential conflict). So far as possible, no administrator shall have a supervisory relationship to any member of his/her family.

In cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the related parties may be separated by reassignment or discharged from employment at the discretion of the Torrington Public Schools, consistent with the requirements of individual contracts and/or applicable collective bargaining agreements.

For the purposes of this provision, a relative is defined to include: spouses, parents, children, brothers, sisters, aunts, uncles, nieces, nephews, brothers and sisters-in-law, fathers and mothers in law, stepparents, stepbrothers, stepsisters, or stepchildren. This

provision also applies to individuals who are not legally related but who reside with another employee.

#### *Gifts*

No employee of the Torrington Public Schools shall accept any costly or ethically inappropriate gift from any person or business as a consequence of his/her employment by the Torrington Public Schools. Such gifts may compromise or inappropriately influence the employee's judgement.

#### *Solicitation and Selling*

No Torrington Public Schools funds, including school activity funds, shall be used to support charity contributions or personal gifts or any non-school activities. Approval by the Superintendent, or designee, shall be required for participation by schools in collections, contests, and drives. Every effort shall be made to keep collections, contests, and drives at a minimum to avoid interference with the regular school program.

#### *Solicitation of Staff Members*

Unless otherwise permitted or required by law, outside groups shall not be permitted to solicit among the staff for any purpose.

#### *Dress Code and Personal Appearance*

As a professional organization, Board employees must act, dress, and work in a professional manner. Teachers, as well as other Board employees, are expected to dress appropriately for their assignment. If an administrator believes that an employee is not meeting the expectation of professional dress, he/she may address the issue with the employee individually and ask that the employee conform to the professional standard of dress.

#### *Use of Telephones*

Telephones are provided on Torrington Public Schools properties to conduct school business. Brief, local calls may be made during non-instructional time. In cases of emergency, personal messages may be taken for an employee.

#### *Smoking and Tobacco Use*

The Torrington Public Schools is committed to maintaining and improving the health and wellbeing of students and employees.

Consistent with state law, smoking is prohibited at all times in all buildings under the jurisdiction of the Board and in all facilities where Board activities transpire. The burning of tobacco products is expressly prohibited, including cigars, cigarettes, pipe tobacco or any other matter or substance containing tobacco, and also including "e-cigarettes" or any "vaping" device.

### *Gambling*

Gambling, wagering, solicitation of bets and the sale of chances in office pools are forbidden.

### *Activities*

The Torrington Public Schools sponsored participation of employees in community sponsored activities is encouraged during non-working hours. However, employees of the Torrington Public Schools must remain cognizant of the fact that they are representatives of the Torrington Public Schools. To the extent that employees of the Torrington Public Schools engage in such non-work related activities, they are not permitted to participate in such activities in their capacity as employees of the Torrington Public Schools unless they first obtain approval by the Superintendent or her/his designee.

### *Other Employment*

Personnel of the schools may receive compensation for activities outside of the compensated work time as long as these activities do not interfere with the proper discharge of their assigned duties, do not constitute a conflict of interest, or do not cause poor public relations within the community. It is expected that any outside activity should be carried on in a business-like and ethical manner.

All employees shall notify the Superintendent of outside activities that may interfere with the performance of normal duties.

## CIVIL AND LEGAL RIGHTS

### *Non-Discrimination*

The conditions or privileges of employment in the school district, including the wages, hours, terms and benefits, shall be applied without regard to race, color, religious creed, national origin, ancestry, age, sex, sexual orientation, gender identity or expression, genetic information, disability, marital status, present or past history of mental disorder, intellectual disability, learning disability or physical disability, abilities unrelated to the performance of the duties of the position, or other protected characteristics. The Board of Education seeks to extend the advantages of public education with full equality of educational opportunity to all students and personnel. The Board, any employee or any other person may not aid or compel the performance of an unfair labor practice as defined by law.

The Board will not make employment decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and terminations on the basis of race, color, religion, age, sex, marital status, sexual orientation, gender identity or expression, national origin, ancestry, disability or genetic information, except in the case of a bona fide occupational qualification.

For the purposes of this policy, “genetic information” means the information about genes, gene products, or inherited characteristics that may derive from an individual or family member.

*District Section 504, Title IX, and Safe School Climate Coordinators*

**Section 504 Coordinator**

The District 504 Coordinator is **Laura Klimaszewski**, Executive Director of Student Services, (860) 489-2327. Ms. Klimaszewski’s address is 355 Migeon Ave., Torrington, CT 06790.

**District Title IX Coordinator**

The District Title IX Coordinator is **Kimberly Schulte**, Director of Human Resources, (860) 489-2327 extension 1637. Ms. Schulte’s address is 355 Migeon Ave., Torrington, CT 06790.

**Safe School Climate Coordinator**

The District Safe School Climate Coordinator is **Hilary Sterling, Assistant Principal at Torrington Middle School**. Ms. Sterling’s phone number at Torrington Middle School is (860) 496-4050. Torrington Middle School address is 200 Middle School Drive, Torrington, CT 06790.

*Freedom of Speech*

Employees enjoy certain freedom of speech protections as provided under the First Amendment of the United States Constitution and applicable law. In accordance with these protections, all employees of the Torrington Public Schools have the right to speak out on matters of public concern. Nonetheless, the Torrington Public Schools may regulate an employee’s speech in appropriate circumstances and to the extent permitted under applicable law, including, but not limited to, speech that causes a serious disruption to the operation of Torrington Public Schools or is related to job responsibilities other than official dishonesty, serious wrongdoing, or threats to health and safety.

*Record*

The Torrington Public Schools will abide by the requirements of the Freedom of Information Act.

## **SECTION IV**

### ***COMPENSATION & BENEFITS***

#### **COMPENSATION**

Salaries and wages paid by the Torrington Public Schools are highly competitive with other major metropolitan areas for teachers, administrators, and other staff member. Salary schedules for all employees are carefully reviewed to ensure that the system can attract and maintain the kind of talent required to achieve its educational objectives, within the constraints of the budget and other funding sources.

##### *Wage and Salary Schedules*

Schedules of base wages, salaries, and step increments are published as a part of each collective bargaining agreement or by individual contract. Questions about compensation may be addressed to each employee's supervisor or the Human Resource Office.

##### *Overtime Pay*

When operating requirements or other needs cannot be met during regular working hours, employees may be requested to work overtime. All overtime work must receive the supervisor's prior authorization.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based upon actual hours worked. Time off for sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations, unless an individual contract or collective bargaining agreement specifies otherwise.

Questions about overtime for a specific classification should be addressed to the Human Resource Office or the employee's collective bargaining unit representative.

##### *Compensatory Time*

There is no compensatory time for TPS employees; however, the supervisor can modify an employee's schedule during the same pay period to avoid exceeding scheduled hours, subject to any collective bargaining agreement provisions.

#### **BENEFITS**

Salary is one part of an employee's total compensation package. Many Torrington Public Schools employees are also eligible for additional benefits, which may include: insurance, pensions, leaves of absences, vacations, and/or holidays. Employees are encouraged to check with the Human Resource Department for applicable benefits.

Please note that information on employee benefit plans or programs contained in this Handbook is for descriptive purposes only; the actual terms and conditions of such benefit plans are contained in plan documents. The plan documents control, in the event of any

conflict with this Handbook. The Torrington Public Schools reserve the right to change, modify or eliminate any employee benefit plans or programs at any time, subject to the requirements of applicable law.

## ELIGIBILITY

Benefit eligibility is dependent upon a variety of factors, including employee classification. TPS Benefits Specialist can identify the programs for which you are eligible.

Generally, but not exclusively, non-teaching employees are eligible for benefits if they have a regular assignment (or are rostered) and work full-time. Such benefits will not generally apply to certain positions and any employees utilized on a substitute basis or for short-term assignments such as summer employment. Employees should refer to their respective collective bargaining agreement or consult with the Human Resource Office to determine eligibility.

Certified personnel are generally, but not exclusively, eligible for benefits if they are employed on a limited or continuing contract and scheduled to work at least 50 percent of the time during the school year. Again, employees should consult their collective bargaining agreement or Human Resource Office for details.

## INSURANCE

### *Workers' Compensation*

All employees of the Torrington Public Schools are protected under the State Workers' Compensation Act of Connecticut in cases of injury or death incurred in the course of and arising out of their employment. If an employee sustains an injury in the course of pursuing his/her job duties, he/she must immediately notify his/her supervisor, or as soon as practicable under the circumstances. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or if the employee is hospitalized immediately.

Work-related injuries must be reported to the Workers' Compensation Specialist in the Payroll Department via the *Report of Injury Form* within 24 hours from date of injury.

Workers' compensation matters are now handled under managed care; therefore, initial treatment (with the exception of life or death matters) needs to be handled by Concentra Medical Centers located at 333 Kennedy Drive., Torrington, CT 06790. Any concerns regarding a claim should be addressed to the Payroll, (860) 489-2327 X 1613.

Neither the Torrington Public Schools nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off duty recreational, social or athletic activity, even when such activity was sponsored by the Torrington Public Schools.

### *Health Insurance*

A Group Medical Insurance plan is offered to all regular, full time employees. Regular, full time employees are eligible to participate in the medical insurance on the first day of the month following their first day of employment. Eligible employees must complete an enrollment or transfer form upon employment, reemployment, or recall. **Coverage is not automatic.** Employees should consult their collective bargaining agreement or the Human Resource Office for a complete description of each plan.

Eligible employees who want to add newborn infants to their health insurance need to understand that infants are covered by insurance for the first thirty days of life if the appropriate paperwork is submitted to Human Resources within those thirty days. Otherwise, coverage retroactive to birth is waived.

### *Dental Insurance*

Currently, the Torrington Public Schools provides a dental insurance program to eligible employees. Employees should check their respective collective bargaining agreement for further information.

### *Life Insurance*

Accidental death and dismemberment policy may be provided to eligible full-time employees at no cost. Employees should check their respective collective bargaining agreement for further information.

Insurance forms are required in order to begin the payroll process. Group life insurance is effective simultaneously with health insurance. Employees should contact the Employee Benefits Specialist (860) 489-2327 X1633 for the health package offered in their contract and should check with their respective collective bargaining agreement for further information.

## VACATIONS AND HOLIDAYS

### *Vacations*

Eligible employees accumulate vacation at a rate based on the agreed upon provision of their respective collective bargaining agreement with the Torrington Public Schools.

Employees must have their vacation schedule approved by the appropriate administrator(s) before vacation time may be taken.

Unless required by an employee's collective bargaining agreement or otherwise required by law, 12-month employees are the only district employees who accrue paid vacation time. 10-month and 11-month employees are expected to work the student school year plus additional days as designated by the collective bargaining unit agreement or by individual contract. Unpaid days/leaves of absences that are requested, beyond the contractual or legal benefit that the employee is entitled to, must be submitted to the Superintendent for approval. Requests of this nature should generally be for extreme circumstances, and should not be for recreational purposes.



### *Holidays*

The Board designates the holidays or days the Central Office is closed annually through the Board approved calendar. Generally, a winter break is designated for twelve month employees as a vacation period. Exceptions are covered by collective bargaining agreements.

## LEAVE PROVISIONS

The Administration recognizes that certain absences are necessary because of illness or personal emergencies. Further, it recognizes that some absences in the pursuit of personal development and growth can be beneficial to the system. Employees are eligible for leaves only as specified by their collective bargaining agreements or as otherwise required by law. The following are examples of circumstances where the Administration may provide leaves of absence for eligible employees:

### *Sickness*

Regular employees may generally accrue sick leave credit up to a maximum as per the collective bargaining agreement. For specific information regarding the sick leave accrual rate for an employee's job classification, he/she should consult the most recent union agreement or contact the Human Resource Office. Substitute employees do not receive sick leave, unless otherwise specified by the collective bargaining agreement.

Employees may use accumulated sick leave for absence with pay due in accordance with the terms of their respective collective bargaining agreements. If an employee exhausts paid sick leave benefits, he/she is not entitled to further leave unless required by an applicable law, and will not be paid for further time off due to illness unless eligible for short or long term disability coverage.

Unless a collective bargaining agreement provides otherwise, as an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or employer provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unless a collective bargaining agreement provides otherwise, employees will not be paid for unused sick leave benefits while they are employed or at the termination of employment, and unused sick leave may not be carried forward into the next fiscal year.

Employees absent from work because of illness may be asked to submit a written statement to justify the use of sick leave.

For consecutive days of illnesses/absences as noted in the individual collective bargaining agreements, or when excessive absenteeism or pattern of use has been identified to the employee, written, medical verification from the attending physician may be requested and upon request, should be submitted to the employee's Principal/Supervisor who will forward the information to the Human Resource Office.

NOTE: The employee's physician must identify the nature of the illness/injury and give two dates: (1) the employee's first date of absence, and (2) the anticipated date of return to work or next doctor's visit. The projected date of return can be shortened or extended. If shortened, the employee's physician must submit, in writing, a new date of release. If extended, a subsequent medical verification statement should be submitted.

#### *Family and Medical Leave Act (FMLA)*

The Family and Medical Leave Act provides that employees that meet the eligibility requirements may take up to twelve weeks of unpaid leave within a rolling twelve-month period.

Leaves under the FMLA may be taken for the following reasons:

- the birth and/or care of the employee's newborn child;
- the placement of a child with the employee by adoption or for foster care;
- to care for the employee's spouse, child or parent who has a serious health condition;
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of his or her position;
- to care for an injured or ill service member (see below – Length of Leave – for further information);
- a qualifying exigency arising out of a family member's military service, including one or more of the following reasons (note – more detailed information on the following categories is available from the Human Resources office):
  - short notice deployment;
  - military events and related activities;
  - childcare and school activities;
  - financial and legal arrangements;
  - counseling;
  - rest and recuperation;
  - post-deployment activities;
  - additional activities that arise out of the active duty or call to active duty status of a covered military member, provided that the Torrington Public Schools and the employee agree that such leave qualifies as an exigency, and agree to both the timing and the duration of such leave.

For further information regarding the application requirements of the leave, please contact the Human Resource Office. (Refer to Torrington BOE FMLA Policy and attached Form WH-1420 entitled, "Your Rights Under the Family and Medical Leave Act")

### *Jury Duty*

The Torrington Public Schools encourage employees to fulfill their civic responsibilities by serving Jury Duty when required. Unless a collective bargaining agreement states otherwise, regular, full time employees are allowed up to five days of paid jury duty leave under Connecticut Law. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. The Torrington Public Schools will continue to provide health insurance benefits for the full term of the jury duty absence.

If an employee is required to serve jury duty beyond the period of paid jury duty leave, he or she may use any available paid time off (i.e., vacation benefits) or may request an unpaid jury duty leave of absence.

Accrual for benefits calculations such as vacation, sick leave or holiday benefits, will not be affected during unpaid jury duty leave.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence. Of course, the employee is expected to report for work whenever the court schedule permits.

### *Personal Days*

A personal day with pay is defined by the applicable collective bargaining agreement. Usually, it is used for emergencies beyond the employee's control, or days of religious observance, as defined by a recognized religion. Except in extreme emergencies, employees must request a personal day with pay or a personal day without pay in advance by submitting a *Confidential Leave Request Form* to the Principal/Supervisor. A personal day may be used in order to extend school vacations or holidays. The Payroll Office and the Human Resource Office must be notified of all approved personal days without pay.

### *Funeral/Bereavement Leave*

Employees may take funeral/bereavement leave in the event of the death of an immediate family member, generally part of the personal leave allotment, unless otherwise provided for in the applicable collective bargaining agreement.

### *Victim of Domestic Violence Leave*

"Family violence" is an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault between family or household members. Verbal abuse or arguments generally will not constitute "family violence" unless there is a present danger and the likelihood that physically violence will occur.

A victim of family violence may take up to 12 days of leave during any calendar year in which the leave is reasonably necessary to:

- seek medical care or counseling for physical or psychological injury or disability,
- obtain services from a victim services organization,
- relocate due to the family violence, or
- participate in any civil or criminal proceeding related to or resulting from such family violence.

If the need for leave is foreseeable, the employee should give at least seven days' notice to the Torrington Public Schools. If the need for leave is not foreseeable, the employee should notify the Torrington Public Schools as soon as practicable.

An employee is required to provide a signed, written statement certifying that the leave is for a purpose authorized by this law. Further, the Torrington Public Schools is entitled to request that an employee provide a police or court record related to the family violence or a signed written statement that the employee is a victim of family violence from an employee or agent of a victim services organization, an attorney, an employee of the office of the Judicial Branch's Office of Victim Services or the Office of the Victim Advocate, a licensed medical professional or other licensed professional from whom the employee has sought assistance with respect to the family violence.

Such documentation will be kept confidential and not further disclosed except as required by law or as necessary to protect the employee's safety in the workplace, but in these situations the employee will be given notice before the disclosure.

Victim of Domestic Violence Leave does not affect any other Leave provided under state or federal law.

#### EXTENDED LEAVES OF ABSENCE

##### *Professional Study Leave*

Pursuant to the terms of the collective bargaining agreement, teachers with the requisite amount of current continuous employment in the district may apply for a leave of absence without pay for the professional study or foreign teaching for one year.

Final approval for all leaves of absence for certified staff rests with the Superintendent and the Board of Education.

##### *Military Leave of Absence*

Pursuant to the individual collective bargaining agreement, employees may request a Military Leave of Absence for extended tours of military service. A copy of the military orders must accompany the *Confidential Leave Request Form*. The Torrington Public Schools will follow all applicable laws regarding military leaves of absence. Employees should contact the Human Resource Office for more information.

### *Childbearing (Maternity) and Child-Rearing Leaves of Absence*

Employees should review their collective bargaining agreement for information regarding childbearing and child-rearing leave.

There are no restrictions as to the number of childbearing leaves that a teacher may request. Teachers returning from maternity leaves are assigned to the position they held at the time the said leave began, if possible, or to an equivalent position. Teachers returning from childbearing leave or any other unpaid leave are entitled to an increment if one was granted for an academic year in which they were in pay status 120 school/workdays or more.

Non-teaching employees may be granted a child-rearing leave of absence of up to six months' duration without pay where provided for in their collective bargaining agreement.

Employees must be on active payroll for at least 120 work days of the 12 months immediately preceding any step movement in order to be eligible for step unless the collective bargaining agreement states otherwise.

### *Sabbatical Leave of Absence*

Pursuant to the collective bargaining agreement, teachers with seven years of continuous teaching service in the district who hold continuing contracts may apply for a sabbatical leave with reduced pay for one school year to pursue a course of academic study.

To apply, teachers must submit the request no later than February 1<sup>st</sup> of the year preceding the school year for which the sabbatical leave is requested. The request must be approved by the Superintendent and the Board of Education. Teachers on sabbatical continue to accumulate seniority within the system. However, they do not accumulate service credit toward retirement.

## RETIREMENT PROGRAMS

Employees should review their applicable collective bargaining agreement, contact the Human Resource Office, or review applicable law for information regarding retirement programs.

## TAX-DEFERRED ANNUITIES

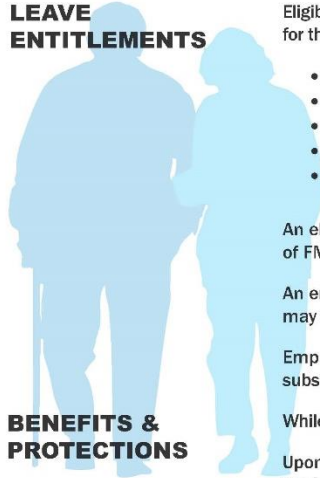
Employees may choose to defer portions of their current income for retirement purposes through the purchase of tax-deferred annuities. Such deferrals may reduce current income taxes.

The Payroll Department maintains a list of companies authorized to sell annuities to employees. Interested employees may inquire at the Payroll Department. This opportunity is purely voluntary and the Board assumes no responsibility for the outcome of any investment.

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

## ELIGIBILITY REQUIREMENTS

## REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

## EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

## ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

# 1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

## www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division

