

# Employee Information 2022– 2023



Parking • Emergencies  
Public Safety • Holiday Schedule  
Health & Wellness  
Non-discrimination Commitment  
Sexual Harassment Prevention  
Family & Medical Leave  
Alcohol & Drug Regulations  
Employee Assistance Program  
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## **Introduction**

The Right to Know and Campus Security Act of 1990 and the Drug Free Schools and Communities Act Amendment of 1989 require colleges to implement and enforce policies as outlined by law, including safety and illegal drug use prevention programs and policies. This legislation and other legal mandates stipulate that employees have a right to information about campus safety and campus policies, procedures and services regarding health, safety and overall operations. This annual publication has been developed to fulfill that obligation. Additional information of general assistance to employees also has been included.

For additional information regarding material included in this booklet, contact Human Resources at ext. 5319.

## **Disclaimer**

This Handbook is a guide only and not a contract. Nothing in this handbook should be construed as a contract.

## **Key Telephone/Pager Numbers**

Affirmative Action - ext. 5213

Emergency Services - 911 from any campus office phone or any cell phone

Health Services - ext. 5181

Human Resources Office - ext. 5319

Information & Assistance - 0

Maintenance Office - ext. 5007

Maintenance (after 3:30 p.m.) – contact the 2<sup>nd</sup> shift custodian at 607-239-9316 or Public Safety ext. 5083

Public Safety Office (Health & Safety) - ext. 5083

## **Civility Statement**

SUNY Broome is committed to providing an environment which is conducive to learning and civility. Civility is a commitment to respect one another and encourage professional and academic growth with open communication, honesty, and empathy. Civility is a dedication to provide these values to everyone within this community. The college wishes to promote civility through these core values in every aspect of campus affairs:

- Respect one another and property
- Significance of every person's right to be heard
- Help one another to succeed
- Be accepting of all people
- Open communication between; administration, faculty, staff and students
- Honesty
- Personal integrity
- Acting with kindness and consideration towards others
- Safety
- Promoting social responsibility

- Professional and Academic growth
- Non-violence
- Pride of institutional and collegiate community
- Promotion of Shared Governance

SUNY Broome commits to producing well rounded students who are not only educated, but skilled and prepared for challenges of the future. While this civility statement cannot guarantee the principled and considerate conduct we all would hope for, it can serve as a guideline for all members of this academic community.

All members of the SUNY Broome community are expected to uphold the above outlined commitments to promote civility amongst one another.

## **Vision, Mission, and Values**

### **Vision**

Learning today, transforming tomorrow.

### **Mission**

SUNY Broome Community College supports all members of the learning community by creating access to inclusive, diverse educational experiences. Success is achieved through the provision of innovative academics, transformative student support, and meaningful civic & community engagement.

We realize our mission by fostering an environment that exemplifies the college's institutional goals to the highest quality.

### **Values**

All members of the campus community will demonstrate:

- **Inquiry:** We embody an environment that promotes critical and creative thinking.
- **Respect:** We demonstrate courtesy and tact.
- **Integrity:** We act with honesty and fairness.
- **Trust:** Our relationships and interactions are based on mutual understanding and good faith.
- **Equity:** We embrace diverse and inclusive practices.

## **Policies**

### **Non-Discrimination Statement**

In all of its activity, the College adheres to its non-discrimination commitment:

SUNY Broome Community College does not discriminate on the basis of race, sex, color, creed, religion (religious attire, clothing or facial hair), age, national origin, disability, marital status, sexual orientation, gender identity, transgender status, pregnancy, predisposing genetic characteristics, domestic violence victim status, military status, or status as a disabled veteran or veteran of the Vietnam era in the recruitment of students; the recruitment and employment of faculty and staff; or the operation of any of its programs and activities. In this context sexual discrimination includes sexual harassment and sexual violence. State and federal laws apply where relevant.

The designated coordinator for compliance with Title VI and VII of the Civil Rights Act of 1964, as amended, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, and

Section 402 of the Vietnam Era Veterans Readjustments Assistance Act of 1974, as amended, is the Affirmative Action/Equal Opportunity Officer. Students/employees may obtain information on SUNY Broome's discrimination complaint procedure at [www.sunybroome.edu](http://www.sunybroome.edu) – About –Our Values and Vision, Policies and Procedures – 5.0 Procedures Related to Campus Administration – 5.18 Discrimination Complaint Procedure.

For further information, contact the Affirmative Action Officer at 607-778-5213.

SUNY Broome Community College is an Affirmative Action/Equal Opportunity Employer.

## **Discrimination Complaint Procedure Commitment**

SUNY Broome Community College is committed to maintaining a learning and work environment that is free from discrimination and harassment. As such, SUNY Broome Community College does not discriminate on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, sexual orientation, gender identity, transgender status, pregnancy, domestic violence victim status or veteran status in the recruitment of students, in the recruitment and employment of faculty and staff, or in the operation of any of its programs and activities. In this context sexual discrimination, includes sexual harassment, sexual assault, and sexual violence. State and federal laws apply where relevant.

## **Discrimination Complaint Procedure**

In accordance with SUNY Broome Community College's non-discrimination commitment and applicable law, SUNY Broome Community College maintains a Discrimination Complaint Procedure. This procedure provides for prompt investigation and resolution of allegations of discrimination, including allegations of sexual harassment, sexual assault and sexual violence.

Sexual harassment is conduct of a sexual nature including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, the conditioning of decisions about employment conditions or benefits, or the conditioning of access or educational advancement upon sexual favors. This includes conduct of a sexual nature that interferes with an employee's work performance or a student's academic performance, or creates an intimidating, hostile or offensive work or academic environment. Sex discrimination here includes sexual harassment as well as sexual assault and sexual violence. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Inability to give consent may be due to a victim's disability that limits informed sexual decision making, impairment due to drugs or alcohol, lack of consciousness, being involuntarily restrained or any of the parties being under the age of 17. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.

The Discrimination Complaint Procedure is non-adversarial and fact-finding in nature. It does not supplant any other complaint or grievance procedures provided for by collective bargaining agreement or the student code of conduct. A complainant using this procedure retains the right to file a complaint with the appropriate state and/or federal agency in accordance with their respective filing requirements and deadlines. A complainant is not required to pursue the SUNY Broome Community College procedure before filing a complaint with a state or federal agency. Further, if a complainant chooses to pursue the SUNY Broome Community College procedure, the complainant is free to file a complaint with the appropriate state or federal agency at any point during the process. Except in the case of complaints of sexual violence, upon filing with an external agency, the SUNY Broome Community College internal complaint procedure will be terminated and the matter referred to the Broome County Law Department for review, defense or, if deemed appropriate by counsel, involvement in mediation, conciliation or settlement with the external agency where the complaint was filed, or such other actions as may be in the interests of the College.

## **Retaliation**

Anyone who participates in the Discrimination Complaint Process has the right to do so without fear of retaliation. Individuals who file a sex discrimination complaint under Title IX and those persons who assist in or cooperate in the investigation of a complaint will not be subject to retaliation by any member of the college community for submitting and pursuing a complaint under this procedure.

## **Confidentiality**

To the extent possible, the complaint procedure will respect the confidentiality of the parties involved. A discussion concerning potential discrimination may remain confidential with no action taken when an individual wishes only to make an inquiry and does not disclose any identifying information about herself or himself or about the other party (ex: name, department, and unit). Please note – lack of information can limit the type of effectiveness of our response. However, even in the absence of a written complaint, the College has an obligation to make reasonable efforts to investigate and address instances of sex discrimination when it knows or should have known about such instances, regardless of complainant cooperation and involvement.

## **Scope**

The Discrimination Complaint Procedure may be used by SUNY Broome Community College students, faculty, staff, campus organizations, and other individuals who believe they have been victims of discrimination in violation of federal, state, or local laws, or in violation of SUNY Broome's non-discrimination commitment. The procedure will be published in the Employee Information Booklet and in the Student Handbook for Safety, Health, and Code of Conduct.

The Affirmative Action Officer is a resource person for information concerning discrimination and for people who believe they have been subjected to discrimination. SUNY Broome's Affirmative Action Officer and Deputy Title IX Coordinator is Paige Sedlacek, in the Human Resources Office, room 103 in the Wales Building, at 778-5213 and [sedlacekpm@sunybroome.edu](mailto:sedlacekpm@sunybroome.edu). SUNY Broome's Title IX Coordinator is Marquis Bennett, Associate Vice President of Student Development and Dean of Students, located in the Science Building room 226, at 778-5681 and [bennettml4@sunybroome.edu](mailto:bennettml4@sunybroome.edu). Contact information about the Affirmative Action Officer and Title IX Coordinator will be posted in each campus building along with the name, office location, e-mail address and phone number. Additionally, people who have been subjected to discrimination should feel free to contact and seek the assistance of College officials including among others, chairs, deans, directors, counselors, advisors and supervisors.

## **Responsibility**

Any employee who receives a report or complaint of harassment, discrimination or sexual violence should contact the AAO or Title IX Coordinator.

President, executive vice president, vice president, deans, directors, department heads, officers, chairs, and supervisors

- Must report sexual harassment, discrimination or sexual violence that they observe or learn about to the AAO or Title IX Coordinator.
- Be proactive in preventing discrimination and harassment when possible.

Faculty, staff, and students

- Understand and refrain from behavior that violates this policy or otherwise creates a hostile environment for others. Remember that it is not the intent of the individual's behavior rather the perception of the individual that the behavior is hostile or discriminatory that gives rise to a claim under this policy.
- Talk to the person involved if you feel you can do so safely. You might explain why you were offended by what occurred. Sometimes a clearing of the air is all that is necessary.

- Keep a record of what occurred. Include direct quotes, witnesses, and patterns to the harassing behavior. Save any relevant cards, letters, or e-mail messages sent, however harmless they may seem.
- Do not ignore the situation. Take action. Seek out assistance of your supervisor, professor, advisor, and/or report directly to the AAO or Title IX Coordinator.

## Definitions

*Sex Discrimination* – behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex. This includes but is not limited to sexual harassment, sexual assault, sexual violence by employees, students, or third parties.

*-Sexual Harassment* - is conduct of a sexual nature including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, the conditioning of decisions about employment conditions or benefits, or the conditioning of access or educational advancement upon sexual favors. This includes conduct of a sexual nature that interferes with an employee's work performance or a student's academic performance, or creates an intimidating, hostile or offensive work or academic environment.

*-Sexual Assault* – a physical sexual act or acts committed against a person's will and consent or when a person is incapable of giving consent, incapable of appraising the nature of the conduct, or incapable of declining participation in, or communicating unwillingness to engage in, a sexual act or acts. Sexual assault is an extreme form of sexual harassment. Sexual assault includes rape, date rape, and acquaintance rape.

*-Sexual Violence* – physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.

*Consent* – Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- A) Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- B) Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- C) Consent may be initially given but withdrawn at any time.
- D) Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- E) Consent cannot be given when it is the result of coercion, intimidation, force, or threat of harm.
- F) When consent is withdrawn or can no longer be given, sexual activity must stop.

*Title IX* – Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programs and activities. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

*Informal Complaint* - An informal complaint may take the form of an inquiry or discussion with the Affirmative Action Officer, Title IX Coordinator or another college representative. An informal complaint need not be in written form. It may or may not involve the complainant disclosing identifying information about him or herself or about a respondent.

**Please note:** Complaints of sexual violence may not be processed through informal complaint, but must go immediately to the formal complaint process or to the appropriate employee or student disciplinary process. The College must also take immediate steps to protect a student complainant and may not wait for the conclusion of a pending criminal investigation or proceeding.

*Formal Complaint* - A formal complaint is a written, dated, and signed document which alleges a violation of federal, state, or local anti-discrimination laws or regulations, or of SUNY Broome's non-discrimination commitment, and details the facts that the complainant believes support that complaint.

*Complainant* - An individual or organization that submits a complaint under this procedure.

*Respondent* - The respondent is the person the complainant claims is responsible for violations alleged in a complaint. The term may be used to designate persons with direct responsibility for a particular action, or persons with supervisory responsibility for procedures and policies in the areas covered in the complaint.

*Affirmative Action Officer and Title IX Coordinator* - Resources for those who believe they have been subjected to discrimination. The Affirmative Action Officer and Title IX Coordinator are charged with making recommendations to the President to insure that SUNY Broome complies with federal, state, and local anti-discrimination laws and with SUNY Broome's non-discrimination commitment.

*College Representative* - A counselor or someone who works in an administrative or supervisory capacity at the college, such as a department chair, a dean, advisor or a supervisor.

*Day* - A business day, i.e., a day when the college is officially open.

## **Discrimination Complaint Procedure for Review of Allegations of Unlawful Discrimination**

### **Informal Complaint**

Anyone may seek advice, information, or assistance in dealing with matters related to discrimination without having to file a formal complaint. With the exception of sexual violence, such matters frequently can be resolved on an informal basis.

Persons who feel they are being subjected to discrimination, or who are uncertain as to whether what they are experiencing is discrimination, are encouraged to talk to the Affirmative Action Officer, Title IX Coordinator, to another college representative, such as a counselor, advisor, or someone who works in an administrative or supervisory capacity at the college, to the Human Resources Officer, a director, a department chair, a dean, or a supervisor. A college representative who receives an informal complaint should seek the assistance of the Affirmative Action Officer or Title IX Coordinator in responding to an informal complaint.

The aim of informal complaint resolution is to ensure that the alleged offending behavior ceases and that the matter is resolved as expeditiously as possible. During the informal resolution process, the person seeking information and advice will be counseled as to the options for action available to her or him. In matters of sexual violence, the matter must move to the formal complaint procedure and the college must pursue an investigation.

There are several ways of resolving most matters informally. For example, the Affirmative Action Officer, Title IX Coordinator, or the college representative working with the person bringing an informal complaint might offer advice on how the individual might resolve the matter directly with the other party, or might serve as an informal mediator, working with both parties to assure that the offending behavior stops. The college representative responding to an informal complaint should maintain a file about the situation and the outcome of the informal complaint.



It is important to note that informal resolution procedures will only be used if the parties voluntarily agree to use this mechanism. The complainant is not required to resolve the problem directly with the respondent and there are instances which the informal resolution mechanism may be inappropriate (ex. Sexual assault or a student complaint of sexual harassment against an employee in a position of authority over the student). The complainant has the right to end the informal process at any time and begin the formal stage of the complaint process.

## **Formal Complaint**

- A. Any party who chooses to file a formal complaint alleging unlawful discrimination, or discrimination in violation of SUNY Broome's non-discrimination commitment, shall file the complaint with the Affirmative Action Officer or Title IX Coordinator. Any complaint of sexual violence in violation of Title IX must be handled as a formal complaint. Formal complaints are written, dated and signed by the complainant (SUNY Broome Community College Discrimination Complaint form, Appendix A). The Affirmative Action Officer or Title IX Coordinator shall provide assistance to any complainant needing help to prepare his/her complaint. The Affirmative Action Officer or Title IX Coordinator shall also inform the complainant of their Title IX rights, additional internal and external resources, their right to file a complaint with a local law enforcement agency, and additional avenues through which a complaint may be filed, including the applicable time limits for filing with each agency.
- B. The Affirmative Action Officer or Title IX Coordinator shall seek to resolve the complaint (except for any complaint of sexual violence) through informal mediation. (In the case of a complaint of sexual violence, the Affirmative Action Officer or Title IX Coordinator must continue the formal complaint and investigation process.) She/he shall have the right to conduct an investigation and shall have access to all information relevant to the case. It should be noted that rights and allowances (ex. to have representation, to present witnesses or other evidence) must be available to both parties.

If within 30 days from the date of the filing of the complaint, (except for any complaint of sexual violence) the Affirmative Action Officer or Title IX Coordinator is able to resolve the complaint by informal mediation, she or he shall close the case, sending a written notice to the complainant and respondent.

- C. Both complainant and respondent are entitled to prompt, adequate, reliable and impartial investigation of all complaints including the opportunity for the parties to present witnesses and other evidence.

Within 3 days after receiving a formal complaint, the Affirmative Action Officer or Title IX Coordinator shall give a copy of the complaint to the respondent.

- D. *There will be available interim measures to the complainant during the College's investigation of possible sexual harassment. For example, how to obtain counseling and academic assistance, and/or interim measures to be taken should the alleged perpetrator live on campus near or attend classes with the victim.*
- E. *The preponderance of the evidence standard will be used for the investigation of alleged sexual discrimination and sexual harassment. Preponderance of the evidence is defined as the amount of evidence which demonstrates that it is more likely than not the conduct occurred.*
- F. If the evidence supports a finding that there is no basis for a complaint alleging discrimination, the Affirmative Action Officer or Title IX Coordinator shall recommend, in writing, to the President, the complainant, and the respondent that the case be closed. The President may accept that finding and may direct the Affirmative Action Officer or Title IX Coordinator to close the case. If the complainant is dissatisfied with a decision to close a case, the complainant may file a

formal complaint with the appropriate state or federal agency in accordance with the agency's filing deadlines.

- G. After investigating the case and in consultation with the Human Resources Officer and the college attorney, the Affirmative Action Officer or Title IX Coordinator shall make a recommendation to the President as to the resolution of the case. The recommendation shall include a synopsis of the case and evidence collected with an analysis of such evidence and rationale for the recommendation.
- H. Within 30 days after receiving the complaint, the President shall make his or her determination as to whether or not unlawful discrimination or discrimination in violation of the College's non-discrimination commitment occurred. This timeframe can be extended, due to complexity of the investigation, timing of the reporting, availability of witnesses, etc. The need for an extension of time will be communicated in writing to the parties. The action of the president shall be final. Within 7 calendar days following the issuance of determination by the president, The President or designee shall send a notice of outcome of the investigation to both the complainant and respondent. The Affirmative Action Officer or Title IX Coordinator will receive a copy of the letter.
- I. Upon conclusion of the investigation there are several potential outcomes of a formal complaint. Each situation is unique and is reviewed in the context of applicable laws and policies and within the standard of preponderance of the evidence presented. Below is a list of possible outcomes (this is not an exhaustive list):
- The matter is able to be resolved informally by the parties and there are no other issues requiring the AAO or Title IX Coordinator involvement (this option is not appropriate for sexual violence complaints).
  - The complainant elects to withdraw the complaint and/or requests that there be no further investigation, and there are no other factors which require continuation of the investigation.
  - There is insufficient evidence to support a finding of a violation of the College's policies against discrimination and/or harassment.
  - There is sufficient evidence for the AAO or Title IX Coordinator to recommend appropriate action:
    1. For Students – The Dean of Students, in consultation with the AAO, the college attorney and in some cases the Director of Health & Safety, will determine the specific charge(s) and apply corrective or disciplinary actions as outlined in the student handbook.
    2. For Employees in a Collective Bargaining Agreement – The AAO or Title IX Coordinator in consultation with the Human Resources Officer, the college attorney and Union Representatives will determine specific charges(s) and follow the discipline procedures in the appropriate union contract.
    3. For Employees not in a Collective Bargaining Agreement – The AAO or Title IX Coordinator in consultation with Human Resources, the college attorney and the appropriate Vice President may make recommendations to the President as to the specific charges and corrective or disciplinary action.
- J. If the applicable campus disciplinary mechanism allows for an appeal, both parties will be given the opportunity to appeal the decision. Any appeal will be conducted in an impartial manner by an impartial decision maker.
- K. If the complainant is dissatisfied with the President's response, the complainant may file a formal complaint with the appropriate state or federal agency, in accordance with agency filing requirements.

Employees may seek relief through the following:

- Equal Employment Opportunity Commission, Buffalo Local Office, Olympic Towers  
300 Pearl Street, Suite 450, Buffalo, NY 14202 [www.eeoc.gov](http://www.eeoc.gov)
- New York State Division of Human Rights, 44 Hawley Street, Room 603,  
Binghamton, NY 13901 <https://dhr.ny.gov/>
- Court action

Students may seek relief through the following:

- Office for Civil Rights, New York Office, New York State Education Department,  
89 Washington Avenue, Albany, NY 12234  
<https://www2.ed.gov/about/offices/list/ocr/index.html>
- New York State Division of Human Rights, 44 Hawley Street, Room 603,  
Binghamton, NY 13901 <https://dhr.ny.gov/>
- Court action

#### **Time Frame for Reporting and Further Provisions**

- A. Timely reporting is encouraged as the College must take steps to prevent discrimination and harassment, prevent the recurrence of discrimination and harassment and to remedy the discriminatory effects on the victim(s) and others. Time limits in each step of the procedure may be extended by written notification to the complainant and respondent.
- B. If the Affirmative Action Officer or Title IX Coordinator or the President fails to review or respond within the time limits provided, the complainant may proceed to the next step.
- C. If the complainant fails to pursue an action within the time limits provided, except in the case of sexual violence, the complaint shall be deemed to have been withdrawn, unless evidence is provided to the Affirmative Action Officer or Title IX Coordinator to show good cause for the delay.
- D. The College will comply with law enforcement requests for cooperation and such cooperation may require the College to temporarily suspend the fact-finding aspect of a Title IX investigation while the law enforcement agency is in the process of gathering evidence. The College will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. The College will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the victim(s) and the campus community and the avoidance of retaliation.
- E. The statute of limitations for filing with the Equal Employment Opportunity Commission (EEOC) is 300 calendar days, with the Office for Civil Rights of the U.S. Department of Education is 180 calendar days, and with the New York State Division of Human Rights is 365 calendar days from the date of the alleged discriminatory behavior.
- F. In the event that the complaint is against the President of the College, the Affirmative Action Officer or Title IX Coordinator will contact the Chairperson of the SUNY Broome Community College Board of Trustees to discuss the situation. In consultation with the Board of Trustees and/or the college attorney, an external hearing officer may be appointed. The external hearing officer will perform the actions of the Affirmative Action Officer or Title IX Coordinator. The external hearing officer shall make his or her recommendation to the Chairperson of the Board of Trustees. The President will not be involved in any aspect of the case, except as respondent.

- G. In the event that the complaint is against the Affirmative Action Officer or Title IX Coordinator, the complainant should contact the President, who will then appoint an external hearing officer. The external hearing officer will facilitate the complaint through this complaint procedure, performing all of the functions of the Affirmative Action Officer or Title IX Coordinator. The Affirmative Action Officer or Title IX Coordinator will not be involved in any aspect of the complaint, except as respondent.

For more information on the Discrimination Complaint Procedure or for a copy of Appendix A please contact Human Resources at X5319. Or go to <https://mycollege.sunybroome.edu/web/www/policy> – 5.0 Procedures Related to Campus Administration – 5.18 Discrimination Complaint Procedure.

## **Uniformed Services Employment and Reemployment Rights**

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA, 38 U.S.C. §§ 4301 – 4335) is a federal law intended to ensure that persons who serve or have served in the Armed Forces, Reserves, National Guard or other “uniformed services:” (1) are not disadvantaged in their civilian careers because of their service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated against in employment based on past, present, or future military service. The federal government is to be a “model employer” under USERRA. See 38 U.S.C. § 4301.

[osc.gov/Services/Pages/USERRA.aspx](https://osc.gov/Services/Pages/USERRA.aspx)

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Rights and Protections:

- Reemployment rights
- Health Insurance Protection
- Right to be free from discrimination and retaliation
- Enforcement

<https://www.dol.gov/vets/programs/userra/aboutuserra.htm>

## **Confidentiality**

An employee of SUNY Broome Community College may become aware of confidential information on students and/or other employees. It is the responsibility of all employees to understand and to comply with the laws regarding disclosure of such confidential information.

Broome County Charter and Code, Code of Ethics, Chapter 53 prohibits employees from disclosing confidential information acquired in the course of employment or from using such information to further personal interest. The Family Educational Rights and Privacy Act of 1974 (Buckley Amendment) establishes specific rights for students and/or their parents and prevents the release of certain information without the written consent of the student. Copies of these laws are available in the Human Resources Office, W103.

Any internal or external requests for employee information should be referred to the Human Resources Office at ext. 5319. Requests for student information should be directed to the appropriate department (Admissions, Financial Aid, Registrar, etc.) where the information can be provided according to the appropriate laws and the department’s guidelines.

## Smoking, Tobacco and Related Products Policy

To promote campus health, SUNY Broome Community College prohibits the use of tobacco products and smoking devices on campus, except for two designated outdoor smoking gazebos. This ban covers all smoking and/or tobacco products, including chewing tobacco, smokeless tobacco, cigars, cigarettes, pipes, electronic cigarettes and personal vaporizers.

Individuals are prohibited from smoking or using any of the above listed products on College property except in the designated gazebos. This policy for off-campus locations shall be dictated by the property owners except in SUNY Broome owned, leased or rented space.

SUNY Broome asks the campus community to be considerate of others in regard to the use of tobacco products and smoking devices.

## Conflict of Interest

### Statement of the Policy:

All campus members are expected to observe standards of ethical conduct in order to fulfill the mission of SUNY Broome Community College and avoid any and all circumstances which could reasonably be interpreted as a conflict of interest. Such circumstances are those which would interfere with the unbiased and objective performance of one's professional duties. Officers and employees are required to comply with the county code of ethics and Article 18 of the General Municipal Law.

### Purpose:

In keeping with our position of public trust, it is essential that all members of the College community avoid any and all circumstances which could reasonably be interpreted as conflict of interest. Members of the College community include employees, student employees, Officers of the College, and Board of Trustees members. The purpose of this policy is to set forth the rules of ethical conduct, the procedures by which conflicts of interest are disclosed, and to raise awareness surrounding situations which could pose a conflict of interest to the College.

### Scope:

Any employee or Trustee of the College having an actual or potential conflict shall be responsible for announcing that conflict to their direct supervisor in order that appropriate action may occur. Further, all employees and Trustees of the College shall accept responsibility for investigating and conscientiously dealing with actual or potential conflicts of interest of which they have knowledge.

### Definitions:

**Conflict of interest:** any opportunity in which one's own interests or the interests of those with whom one has a relationship may be advanced, in any way, which may be potentially harmful to the interest of and in upholding the mission of the College. A conflict of interest exists when the duty or responsibility to the College may appear to be or is compromised by other rights, commitments, obligations, interests, or relationships. A conflict of interest exists when a person's independent judgment is or might appear to be impaired by a personal, financial, or other interest, or a familial, professional or personal relationship.

**Relationship:** familial, personal, or external business interests

**Undisclosed conflict of interest:** a known real or potential conflict of interest which has not been disclosed to the appropriate person. These include monetary, personal, or material benefits, and relationships which may include familial, romantic, personal associations, or business interests.

**Examples of Conflicts of Interest** (This list is not comprehensive and does not exhaust all potential conflicts of interest which may arise.):

1. Participating in the hiring, promotion, evaluation of, or termination of a person with which there exists a personal or business relationship.
2. Romantic involvement with a person with whom one has a reporting or supervisory relationship.
3. Inappropriate use of College funds, assets, resources, or personnel. Unauthorized use of College resources to carry out responsibilities external to the College, or for the benefit of a person with whom there is a personal relationship. Using College resources, funds, or personnel to carry out work for an enterprise in which the employee or a personal associate has a financial or other interest.
4. Accepting, soliciting, or offering of bribes, kick-backs, cash, or non-cash gifts, including goods, services, or travel for personal gain or for the gain of others with whom one has a relationship, at the expense of the College and as a result of one's professional obligations to the College. Accepting remuneration for performance of one's duties beyond what is contractually agreed upon by the College.
5. Any activity in which a third party outside of the College benefits at the expense of the College, including the influence of discussion, decision-making, and votes related to programs, services, purchases, or contractual agreements.
6. Influencing decisions, discussions of, or voting on College decisions related to purchases, lease or terms of lease, equipment, materials, contracts, programs, and services for the College that results in personal gain or benefit to another person with whom there is a relationship.
7. Inappropriate use of information for personal or professional gain, or for the gain of others with whom there is a relationship. Using for personal or other gain, information acquired as a result of one's activities with the College, and which are not authorized to be used outside of the scope of one's duties to the College. This may include information related to contract development and negotiations, release of College information to the public, or any information that may harm the College. This also includes the disclosure and use of confidential information obtained during performance of College duties for financial, personal, or other gain, or gain of others with whom there is a relationship.
8. Financial, economic, or other interests exist or may potentially exist which may impair or impede one's ability to perform their professional responsibilities.
9. Engaging in other employment which interferes with the performance of one's professional responsibility to the College, or participating as an officer, official, or board member of an organization external to the College in which there may be conflicting interests or benefits to the organization at the expense of the College.
10. Any activity which may result in personal gain or advancement at the expense of the College.

## **Children on Campus**

It is the College's responsibility to maintain an environment conducive to learning and the business of the campus for students, faculty, staff and visitors. This procedure takes into account the health, safety and productivity issues associated with children being brought onto campus. The procedure applies to students, faculty, staff and visitors who may bring children to campus for other than organized/scheduled activities such as open days, vacation or after school activities, special programs, performances or other such supervised visits.

The College recognizes that it may be necessary for parents/guardians to bring children to campus in limited emergency situations as when sudden and unexpected difficulties arise in childcare arrangements. However, it is expected that such children's presence on campus will be brief and transitional only in order for alternate arrangements to occur. At no time should ill children be brought to campus.

Children may not be brought to classes or any instructional area by faculty, staff or students. Nor are children permitted in risk areas such as lab or lab preparation areas, food preparation/service areas, gyms and fitness centers, maintenance and garage areas, fine and performing arts areas, or in or around college motor vehicles and equipment. While on campus children must remain fully under the supervision of their parent/guardian who is responsible to assure that no behaviors inconvenience, endanger, or disrupt the work activities of students, faculty, staff, or other visitors.

The College reserves the right to direct that a child be removed from campus where the presence of the child causes an unacceptable health or safety risk or an unreasonable level of disruption to others.

## **Commitment of College Resources**

No person may make a purchase or a commitment for services involving the use of college funds or resources unless he/she is authorized to do so. The booklet Purchasing and Contract Guidelines and Procedures concerning committing college resources is available from the Purchasing Office at ext. 5225.

## **Background Check Policy**

SUNY Broome Community College will conduct Standard Background Checks and verification of relevant information for the sole purpose of protecting the safety and security of the College's students, faculty, staff and its visitors in addition to the College's assets by reducing the likelihood of crime, injury/loss, to aid in the confidence in the College's workforce.

This policy shall apply to all new part-time and full-time faculty, staff, adjunct employees, and identified student employees upon Board of Trustees approval. This policy shall not apply to Campus Peace Officers as they are held accountable to a more stringent level of background investigation. Employees with a break in service over twelve (12) months will be subject to this policy if offered re-employment.

## **Amorous Relationships**

SUNY Broome Community College is committed to maintaining a safe, honest, and respectful environment for all members of the College community. The College recognizes that there are inherent risks in any romantic or sexual relationship, specifically between individuals of different levels of authority/power or perceived positions of unequal power. Such relationships, even when consensual, are problematic because they may result in conflicts of interest, misunderstandings and complaints of favoritism, supervision problems, morale problems, questions regarding academic achievement, and sexual harassment.

### **Relationships Between Members of the College**

Members of the College community, including employees as well as individuals who represent the College at off-site programs, are prohibited from engaging in a romantic, sexual, or otherwise inappropriate relationship with a person over whom they are in a position of direct, indirect, or implied power. This includes, but is not limited to, persons whom one teaches, advises, coaches, counsels, mentors, evaluates, schedules, or supervises in any way.

It is important to be aware of potential changes in responsibility. A relationship between two (2) members of the College community may begin as a permissible relationship, but due to changes in job duties or position, may become one that is prohibited under the above criteria.

### **Relationships Between Members of the College and Students**

A relationship between a College employee (or member of the community who may evaluate SUNY Broome students), and a student are always fundamentally unequal in nature. A personal relationship between them of a romantic or sexual nature, even if consensual, is inappropriate. Relationships between College employees (and qualifying members of the community), and students, are prohibited by the College. Individuals found to be in violation of this policy may be subject to disciplinary action, up to and including termination.

### **Reporting and Determination**

All members of the College community have an obligation to report known amorous relationships to Human Resources within a reasonable time after beginning, or learning of, the relationship. When there is a sexual or romantic relationship between faculty or staff members, where there is a supervisory or reporting relationship between the participants, each employee has the responsibility to inform the Human Resources Office of such relationship.

The College will make allowances for pre-existing relationships or marriages provided that the relationship is reported as required herein, by establishing alternative supervisory structure.

The College will determine the procedure necessary to ensure that the consensual relationship does not pose a conflict of interest. In some cases, this may involve making changes in the reporting structure or other changes necessary to preserve a comfortable and professional working and learning environment for all concerned.

All decisions made regarding amorous relationships under this Policy are made at the sole discretion of the College. Violations of this policy are case dependent and may be subject to progressive disciplinary action. College employees who violate the policy will be subject to appropriate disciplinary action according to their collective bargaining agreement.

In situations where the relationship is not consensual, all parties should refer to the SUNY Broome Title IX webpage (<http://www2.sunybroome.edu/dos/title-ix/>).

## **Nepotism Policy**

SUNY Broome Community College is committed to providing and maintaining a working and learning environment where every individual is evaluated on his or her performance without favoritism. Nepotism is favoritism by a person in an evaluative or supervisory position to a relative or to any person living in the immediate household of an employee. A **relative** is one connected to another by blood, adoption, marriage or living circumstances. This policy is to ensure that the College makes reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, refrain from placing immediate family or relatives in the same department, division or facility, or creating other potential conflicts of interest. Disclosure of such association must be made in writing to the employee's supervisor and Human Resources before such hiring is commenced.

For the purposes of this policy, "immediate family" shall be defined as those relatives or step-relatives including, but not limited to, the following relationships to the employee or the employee's spouse: Spouse, domestic partner, parents, grandparents, siblings, children, grandchildren, stepchildren, children for which the employee or spouse is a legal guardian, foster child, foster parent, uncles, aunts, nieces, nephews and in-laws or any other relative living in the employee's household. The College reserves the right to expand this definition in its discretion, depending upon the circumstances.

## **Hiring, Supervising and Instructing**

This policy is established to ensure that hiring, transfers, promotions, disciplinary action, supervision and all other aspects of the College's day-to-day operations are conducted in a manner which seeks to prevent partiality, preferential treatment, improper influence, or conflict of interest or the appearance thereof. This policy is necessary to ensure the efficient operation of the College and to increase public confidence that officials and employees of the College act with integrity to promote the goals and welfare of the College. This policy shall apply to all College employees and student employment.



SUNY Broome Community College prohibits an employee from evaluating, supervising, approving web-time entry, or making any employment decision whatsoever regarding a relative or any person living in the immediate household of the employee or who is an immediate family member of the employee.

SUNY Broome Community College prohibits any employee from providing academic instruction to or assessing the academic performance of a relative or any person who is living in the immediate household of the employee or who is an immediate family member of the employee, as those terms are defined above.

No official or employee shall use his or her authority or influence because of his or her position at the College to transfer, effect promotion for, give preferential treatment to, or to hire or cause to be hired any person closely related by blood, marriage, adoption, or other significant relationship to serve in any position of the College. Employees are prohibited from directly supervising a relative, as defined as above.

Employees have an obligation and responsibility to immediately disclose in writing to the appropriate supervisor and department head/director/Dean and the office of Human Resources that a conflict of interest may exist prior to making any employment decisions. Failure of the employee to notify SUNY Broome Community College of any association may lead to disciplinary action.

## **Policy Manual Access**

The Policy and Procedure Manual of the College is available electronically. Instructions for electronic access are available from Information Technology Services at ext. 5011.

## **Sexual Harassment Response and Prevention Policy**

### **Introduction**

In accordance with The State University of New York (SUNY), all state-operated campuses and community colleges shall adopt the uniform Sexual Harassment Policy Statement below to notify their respective community members of SUNY's **no tolerance policy** for behavior that violates the Sexual Harassment Response and Prevention Policy. Campuses and Administration must ensure that appropriate investigation is made into complaints of sexual harassment and that discipline is imposed for such founded behavior in accordance with each entity's policies and processes.

SUNY Broome Community College will present annual, mandatory training to all employees on preventing and addressing sexual harassment and sex discrimination including knowledge of whom to contact with questions regarding this policy and how to report violations of this policy. In addition, all SUNY campuses shall maintain records to ensure compliance with annual training, reporting, and alternative supervision requirements, as necessary.

## **Sexual Harassment Response and Prevention Policy**

Sexual harassment is a form of sex discrimination which is unlawful in the workplace under the Title VII of the Civil Rights Act of 1964, as amended, and the New York State Human Rights Law. Under Title IX of the Educational Amendments Act of 1972, sexual harassment also is prohibited in the provision of educational services and protects students and employees from sexual harassment.

Sexual harassment is prohibited and will not be tolerated at SUNY campuses, of which SUNY Broome Community College is an integral part. The College has implemented measures to address and prevent sexual harassment and is taking additional affirmative steps to increase awareness of, and sensitivity to, all forms of sexual harassment in order to maintain a workplace and learning environment free of its harmful effects.

Sexual harassment is a form of workplace discrimination and employee misconduct, as well as a form of discrimination in the academic setting, and all employees and students are entitled to work and learn in a campus environment that prevents sexual harassment. All employees and student employees have a legal right to a workplace and a campus free from sexual harassment, and employees and student employees can enforce this right by filing a complaint internally with the College or with a government agency, or in court under federal or state anti-discrimination laws, as detailed in the College's Discrimination Complaint Procedure.

In accordance with applicable law, sexual harassment is generally described as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic benefit; or
- Submission to or rejection of the conduct is used as the basis for an employment or academic decision affecting the person rejecting or submitting to the conduct; or
- The conduct has the purpose or effect of unreasonably interfering with an affected person's work or academic performance, or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment can include physical touching, verbal comments, non-verbal conduct such as leering or inappropriate written or electronic communications, or a combination of these things. Examples of sexual harassment may include, but are not limited to:

- Seeking sexual favors or a sexual relationship in return for the promise of a favorable grade or academic opportunity;
- Conditioning an employment-related action (such as hiring, promotion, salary increase, or performance appraisal) on a sexual favor or relationship; or
- Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes, and other forms of sexually offensive conduct by individuals in positions of authority, co-workers or student peers, that unreasonably interferes with the ability of a person to perform their employment or academic responsibilities;
- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against, or poking another person's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning a target's job performance evaluation, a promotion or other job benefits or detriments, or an educational benefit or detriment;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile environment;

- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look;
- Sexual or discriminatory displays or publications, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or cell phones and sharing such displays while in the workplace or classroom;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform his or her employment or academic duties;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

Such behavior can constitute sexual harassment regardless of the sex, gender, sexual orientation, self-identified or perceived sex, gender expression, status of being transgender, or gender identity of any of the persons involved. Sexual harassment is considered a form of employee and student misconduct which may lead to disciplinary action. Further, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Employees and student employees who believe they have been subjected to sexual harassment may use the College's Discrimination Complaint Procedure. More details on how to have allegations reviewed may be found at the following link: [www.sunybroome.edu](http://www.sunybroome.edu) – About, Our Values and Vision, Policies and Procedures – 5.0 Procedures Related to Campus Administration – 5.18 Discrimination Complaint Procedure.

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure, is unlawful, is strictly prohibited and may result in disciplinary action. Retaliation is an adverse action taken against an individual as a result of complaining about or providing information regarding unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Adverse action includes being discharged, disciplined, discriminated against, or otherwise subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Participants who experience retaliation should contact the campus Affirmative Action Officer (AAO) and may file a complaint pursuant to these procedures.

In accordance with the standards of SUNY campuses, the College shall take the necessary steps to ensure that this Sexual Harassment Response and Prevention Policy is distributed, implemented, and enforced in accordance with respective policies.

## **Public Safety**

### **Office of Public Safety**

SUNY Broome's Office of Public Safety provides 24 hour emergency response, crime prevention, traffic enforcement, hazard control, and parking management coverage for the main campus and the culinary events center. The Office of Public Safety is also available to address any other safety and security concerns of the students, faculty or staff.

The Public Safety Office staff consists of a Director, a Resource Compliance Officer (Investigator), an Environmental Health & Safety Coordinator, a Supervising Campus Peace Officer, Campus Peace Officers, Campus Safety Officers, and clerical support. The Director, Resource Compliance Officer, Supervising Campus Peace Officer and Campus Peace Officers are authorized to enforce the laws of the State of New York.

The Office of Public Safety is open Monday through Friday from 8:30 AM to 5:00 PM. After hours, Officers can be contacted for non-emergency assistance by calling +1(607)778-5083. For emergency assistance, call 911.

## **Contact Information**

- Office of Public Safety Main Office:  
Location: Public Safety Annex  
Non-emergency Phone: +1(607)778-5083

## **Emergency Calls**

- From a Cell Phone: Dial 911 or Text 911
- From a Campus Phone: Dial 911
- From a Blue Light Phone: Press the call button for direct access to a 911 dispatcher.

## **Additional Safety and Security Services**

In addition to providing a safe and secure environment at SUNY Broome Community College, the Office of Public Safety also provides the following support services:

- Registers vehicles and issues related parking permits for student, faculty, staff, and visitor vehicles.
- Maintains the College lost and found property system
- Assists in making emergency notifications.
- Provides guidance and written material on personal safety and property protection.
- SUNY Broome Alerting System - RAVE
- Issue campus ID cards
- Vehicle jump starts

## **SUNY Broome RAVE Alert**

SUNY Broome uses the Rave Mobile Safety system that enable us to provide emergency alerts through a variety of media. The system can deliver messages to you via personal e-mail, your cell phone and SUNY Broome's Facebook and Twitter accounts. Faculty, staff and students are automatically enrolled in the system through Banner. However, please check to ensure the system has the correct emergency contact information. Log in to your mycollege account and use the SUNY Broome RAVE Alert Site link to update your information as needed.

## **Security and Access to Campus Facilities**

Throughout the year, the campus is open for regularly scheduled classes and activities daily Monday through Friday, 7 a.m. to 10 p.m. The specific days and hours that classroom and support facilities are open to students for registration, counseling, classes, final examinations, and special events (meetings, seminars, workshops, or other activities) are advertised in various college publications. If this general schedule of access to the campus is adjusted temporarily during the year for holidays, inclement weather, power outages, etc., the new temporary schedule will be made known through RAVE-Alerts, SUNY Broome

website, announcements, campus switchboard operator/voice mail information, campus distribution bulletins, and/or notices posted at entrances to facilities.

During those hours when the campus or a specific building is not scheduled to be open, only maintenance/custodial staff and faculty and other staff with urgent work are allowed access to the campus or to that facility. Although students are expected to leave all college buildings at 10 p.m., an exception to this procedure exists if the students are with a SUNY Broome teacher/advisor/coach and engaged in a college activity. No student will be allowed to remain in any facility for any reason beyond 11:00 p.m., except the residence halls. Resident life students and their authorized guests are governed by the Housing License.

College employees with keys should contact the Office of Public Safety at +1(607)778-5083 before entering or departing from a campus building beyond scheduled open hours for their own safety. Employees without keys should have picture ID, i.e., SUNY Broome photo ID or NYS driver's license, ready to provide the responding officer for proper identification and access to facilities.

## **Crime Statistics**

In compliance with the Campus Safety Act of 1998 (Clery Amendment) and New York State Education law Article 129-A, SUNY Broome Community College maintains crime statistics related to crimes reported to campus safety and local law enforcement agencies. These statistics can be obtained by visiting the U.S. Department of Education Office of Postsecondary Education website at: <https://ope.ed.gov/campussafety/#/>

This site offers the statistics for colleges across the nation. You may search the web site for SUNY Broome Community College by name or by using our OPE ID. The OPE ID is an identification number used by the U.S. Department of Education's Office of Postsecondary Education (OPE) to identify schools. SUNY Broome's ID is 00286200. For more information or a hard copy of the report, contact the Director of Safety & Security at +1(607)778-5083.

## **Crime Prevention**

In order to successfully prevent crime, Public Safety needs the support, cooperation, and individual involvement of all members of the campus community. Taking several simple, common sense precautions should ensure your personal safety and the security of your property:

- Walk with someone whenever possible.
- At night, walk in well-lit areas.
- Have keys between fingers before leaving buildings and while walking to car.
- Park your vehicle in your assigned or designated lot and then lock your vehicle.
- Park your car in a well-lit area.
- Valuable items carried from your vehicle should be labeled or marked for easy identification.
- Do not leave purses, wallets, jewelry, or books out of your sight.
- Contact campus officer for an escort to or from various locations on campus at night.
- Lock all desks, lockers, file cabinets, and offices.
- Make sure your keys are in your possession at all times and are not loaned to anyone.
- Immediately report any non-emergency criminal or suspicious activity to the Office of Public Safety at +1(607)778-5083. If it is an emergency call 911. Reporting an incident or condition without delay helps the officer resolve the matter quickly and efficiently, and better protect campus personnel and property.

## **Crime Victims' Support for Students**

The SUNY Broome Counseling Center located in Science Building Room 102, +1(607)778-5210 and SUNY Broome Student Health Service located in Science Building Room 102, +1(607)778-5181 offer resource information and provide referrals to community agencies for any member of the campus community who has been a victim of a crime.

Any victim of a crime may also find assistance directly by calling the Crime Victims Assistance Center. Phone their office at +1(607)723-3200. In a crisis, phone the 24-hour crisis line at +1(607)722-4256. Additional information can also be found at their website: [www.cvac.us](http://www.cvac.us)

## **Emergency Procedures**

### **What is an emergency?**

The Federal Emergency Management Administration defines an emergency as any unplanned event or unforeseen combination of circumstances that can cause significant injuries or death to employees, customers, or the public; or that can disrupt operations, shut down our business, cause physical or environmental damage, or threaten our facility's financial standing or public image (Emergency Management Guide for Business and Industry).

### **In an emergency, what should you do?**

The response will depend on the emergency. You should become familiar with the emergency response procedures. The two basic responses are:

- Shelter-In Place

Shelter in Place means to seek immediate shelter and remain there during an emergency rather than evacuate the area. It is often referred to as a "lock-down" when dealing with an Active Shooter incident. Shelter-In-Place should only be used when an evacuation is not safe. In place sheltering usually lasts no more than a few minutes to a few hours and preparations, made in advance, can ensure that the event is as comfortable as possible. Consult with your Department head; they should determine its location prior to an incident occurring. In the absence of direction from your department, select a Shelter-In-Place location that would provide protection such as an interior room or hallway, with limited or no windows.

- Evacuate

Leave the affected area/building immediately using the closest available clear exit. If circumstances permit, notify your supervisor and others in the immediate area of the emergency. Those able to assist or direct others to evacuate should do so.

Notify Emergency Services by dialing 911 from any campus office phone, or any cell phone

- In case of fire, pull the fire alarm as you depart the building.

How can you prepare for an emergency?

Identify emergency exits, posted evacuation routes, and fire alarm boxes for your area. Know alternate exits in case the closest exit to you is blocked or unusable.

Participate in all scheduled evacuation/fire drills in cooperation with Public Safety/emergency personnel.

How to obtain more detailed information

For more detailed information concerning emergency preparedness, consult the SUNY Broome Community College Emergency Response Guide. The Guide is posted on the Public Safety website or is available in your Department Office, each classroom, or from the Director of Campus Safety and Security.

## **Continuity of Operations Plan for a State Disaster Emergency Involving a Communicable Disease**

### **A. Essential Personnel**

Essential shall refer to a designation made that a public employee is required to be physically present at a worksite to perform his or her job. Such designation may be changed at any time at the sole discretion of the employer.

Employees will be identified as essential on a case by case basis. Employees will be contacted by Human Resources, Public Safety, or a supervisor. Notification will be done by phone or other direct communication. Below is a list of positions/functions at SUNY Broome Community College that may be essential in responding to a disaster emergency involving a communicable disease:

<b>Mission Essential Position</b>	<b>Description</b>
<b>President</b>	<b>Executive Leadership</b>
<b>Vice Presidents &amp; Staff</b>	<b>Executive Leadership</b>
<b>Marketing &amp; Communications</b>	<b>Emergency Communications</b>
<b>Public Safety</b>	<b>Maintenance of order of SUNY Broome properties; ensuring safety of campus population. Implementation of the campus emergency response plan.</b>
<b>Information Technology Services</b>	<b>Web and network services, email, telephone, etc.</b>
<b>Facilities</b>	<b>Preserve buildings and grounds, provide cleaning services, provision of required energy resources.</b>
<b>Health Services</b>	<b>Deliver necessary services within a potentially expanded Scope of Practice (under the direction of the NYS Department of Education)</b>
<b>Housing – Student Village</b>	<b>Provide appropriate level of residence life and housing assistance/supervision.</b>
<b>Food Service</b>	<b>Ensure provision of food and water to campus residents.</b>
<b>Emergency Operations Center Staff</b>	<b>Appropriate Emergency Response Plan personnel as needed.</b>

### **B. Telecommuting**

Nonessential employees will receive guidance from their supervisors on if/when they must transition to a telecommute status. Supervisors will develop and implement remote work schedules as needed within their department. Requests for technology support and assistance must be submitted through a csr request. Please review SUNY Broome's "Remote Work Program

Policy” <https://mycollege.sunybroome.edu/web/www/policy> - 1.0 Institutional Policies – PA3016 Remote Work Program) for further guidance. SUNY Broome will periodically assess its technology needs for telecommuting and work with ITS to ensure that appropriate information technology resources are available.

### **C. Work Shifts/Schedules**

SUNY Broome will ensure that essential employees can continue to fulfill their work responsibilities within the confines of what is advisable by the Center for Disease Control (CDC) and/or required by New York State (NYS) or its Department of Health (DOH), which may include social distancing. In a future communicable disease event, current procedures and guidelines for workplace safety protocols will be adjusted to fit the specific threat and be distributed to all involved employees. To the extent possible, supervisors will stagger work shifts of essential personnel and staff staggering schedules may consist of alternating days or weeks and will be determined by the department supervisor.

### **D. Personal Protective Equipment**

SUNY Broome follows Infection Control Procedures in accordance with the Center for Disease Control, the New York State Department of Health and the Broome County Health Department (BCHD) in the development of all internal protocols and guidance relative to responding to communicable disease.

During a response to a communicable disease outbreak, procuring, distributing and inventory control will be centralized and prioritized. The Office of Public Safety will coordinate these activities and supplies will be procured via vendors and the BCHD.

SUNY Broome's PPE supply is stored pursuant to PPE storage requirements and is overseen and distributed by the Office of Public Safety.

Protocols for the cleaning, disposal, training and signage related to PPE will be coordinated by the Office of Public Safety Office and will follow the guidance established by the CDC and NYS Health Department.

### **E. Exposure Protocol**

SUNY Broome, with guidance from SUNY and NYS DOH, has created a series of procedures to ensure that all employees physically reporting to work are screened for any symptoms consistent with sickness/disease and that the individual screening will receive instant communication and instructions on how to proceed based on their screening results. These protocols follow all screening, testing, and tracing procedures as outlined in the applicable NYSDOH guidance, including instructions to employees on when to return home and when to return to work. Protocols are updated as circumstances change.

SUNY Broome has implemented a testing program designed for the current COVID-19 pandemic. Testing programs and procedures will be altered as needed depending on emergency circumstances.

Employees who are reporting to work must complete the CampusClear COVID Screening before physically reporting to the workplace. This includes employee's coming into the building only for a brief period.

SUNY Broome will utilize engineering controls, safe work practices and PPE in order to minimize exposure in a future state disaster emergency caused by a communicable disease which will be dependent on the communicable disease that causes such disaster emergency.

SUNY Broome will provide periodic updates, as information becomes available, on the



communicable disease and its transmission as part of its exposure protocols in order to assist with reducing transmission.

Procedures have been developed to comply with directives from SUNY and NYS on cleaning and disinfecting protocols including daily thorough disinfection of common areas and other high-touch areas. including but not limited to:

- o Building and elevator lobbies.
- o Restrooms
- o Hallway light switches, turnstiles, and waste receptacles.
- o Building entrances, stairwell doors and handrails.

More information on the above subjects can be found in the SUNY Broome Reopening Plan .

#### **F. Protocol for Contact Tracing**

The Public Safety office will maintain trained contact tracers, with the assistance of the BCHD , for investigations. Contact tracers will interview any person who may have had a suspected exposure. They will determine if there were other individuals that may have been exposed and what areas may have been contaminated. Identified exposed individuals will also be interviewed. Working within the BCHD and New York State Department of Health guidelines, determinations will be made regarding isolation, quarantine, or other notifications. Maintenance will be notified of areas that require disinfection and cleaning.

#### **G. Protocol for Emergency Housing for Essential Employees**

SUNY Broome will work with the Broome County Director of Emergency Services to facilitate the temporary housing of essential employees as needed.

#### **H. Other**

SUNY Broome will also comply with all executive orders and emergency regulations related to the state disaster emergency.

### **Environmental Health and Safety**

#### **Hazard Communication Program**

SUNY Broome Community College has developed a compliance program to meet the requirements of the Federal Hazard Communication Standard and the New York State Right-to-Know Law. The law requires that your employer make you aware of the hazards and provide you with the information you need to work safely. Under the federal Occupational Safety and Health Administration (OSHA) and Hazard Communication Standard (HazCom), your employer must develop a comprehensive program to inform you of hazards you may encounter in the workplace and also provide you with training in the use and handling of products containing hazardous chemicals. Additionally, public sector workplaces in NYS must meet the requirements of the NYS Right-To-Know law.

The SUNY Broome program provides a framework for training employees to work safely with the hazardous materials in their workplaces. They learn how to obtain further information about hazardous materials, and how to handle emergency situations. Initial training is provided immediately to newly hired employees. Supervisors' train their people on new procedures and new materials during the year, and all employees are required to complete annual HazCom/Right-To-Know training. Individual departments should provide Lab Safety training for their employees. Records of this training are maintained and available to employees and to NYS DOL-PESH.

In addition to providing training, the College is required to compile a campus-wide inventory of hazardous substances, establish a file of Safety Data Sheets (SDS) relating to the campus inventory, ensure that safety is a top priority in all laboratory activity, and document the SUNY Broome Hazard Communication/Laboratory Safety Programs through written plans. The written Hazard Communication Plan and the written Chemical Hygiene Plan are available for review by employees at the Office of Public Safety (Public Safety Annex Building). SDS's should be kept in your work area by your department head and are also available online through the Health and Safety website - Environmental Health & Fire Safety - Workplace Safety - SDS.

## **Bloodborne Pathogens Exposure Control Program**

The OSHA Standard on Occupational Exposure to Bloodborne Pathogens requires the College to have in place a program to control and minimize exposure to employees. OSHA estimates that the standard will protect more than 5.6 million workers and prevent more than 200 deaths and 9,200 bloodborne infections each year.

Methods of compliance with the standard include the use of universal precautions - "employers and employees must treat blood and certain body fluids as if infectious..." The standard mandates engineering controls, work practices, personal protective equipment, and employee training to reduce on-the-job risks for all employees exposed to blood. All NYS public employees with occupational exposure must receive initial and annual training. In addition, training must be provided when changes (e.g., modified/new tasks or procedures) affect a worker's occupational exposure.

The OSHA Bloodborne Pathogens Standard further requires the SUNY Broome Exposure Control Program to ensure:

- 1) Hepatitis B vaccinations are made available, free of charge, to all employees who have occupational exposure to blood.
- 2) Post exposure evaluation and follow-up be made available, free of charge, to all employees who have had an exposure incident.
- 3) Warning labels or color coding is used to identify containers that are used to store or transport blood or other potentially infectious materials.
- 4) Training is conducted initially upon hire and annually thereafter.
- 5) Records of training and medical assistance are maintained and available to employees and to NYS DOL-PESH.

The standard requires that the College establish a written exposure control plan that identifies those tasks and procedures which entail occupational exposure to blood and other potentially infectious material. The plan must specify how SUNY Broome will protect and train its employees. The SUNY Broome Exposure Control Plan, which includes a copy of the OSHA Bloodborne Pathogens Standard, is available for employee review at the Office of Public Safety (Public Safety Annex Building).

## **Stormwater Management Program**

Stormwater is water caused by precipitation (rain or snow melt) that doesn't soak into the ground but runs off into waterways. The quality of runoff is affected by a variety of factors and although the amount of pollutants from a single residential, commercial, industrial or construction site may seem unimportant, the combined concentrations of contaminants threaten our lakes, rivers, wetlands and other water bodies.

To address certain stormwater issues, the EPA's existing Phase II Stormwater Rule regulates owners or operators of small Municipal Separate Storm Sewer Systems (MS4s). Our campus is considered an MS4 and is required to obtain a permit and develop programs to reduce pollutants that may enter into and be

discharged from their separate storm sewer system. The programs consist of six elements: public education and outreach; public involvement and participation; illicit discharge detection and elimination; construction site stormwater runoff control; post construction stormwater management; and pollution prevention and good housekeeping.

To report a stormwater issue or illicit spill, please visit SUNY Broome's Environmental Safety website or call Public Safety at ext. 5083. Annual Stormwater reports and additional information on stormwater can also be found on the website. Please contact the EH&S Coordinator with any questions at ext. 5366.

## **Work-Related Injury, Accident or Illness Including Exposure to Hazardous Material**

An employee who has a work-related injury, accident or illness, or exposure to hazardous material must report the incident to his/her supervisor immediately. The supervisor must then contact Human Resources at ext. 5319 and Public Safety at ext. 5083. All such incidents require the completion of a Workers Compensation packet. Packets are available from the Human Resources Office, Wales 103, from a department secretary, or in the MyCollege portal under Employee – Human Resources Documents - Forms & Documents.

If a job-related illness or injury recurs, the employee must complete a new Workers Compensation packet to document the latest incident. The employee should notify Human Resources at ext. 5319 as soon as possible following the accident.

Reporting a work-related injury, accident or illness within specified time frames allows the delivery of proper care and the timely, accurate processing of any Workers' Compensation claim that may be necessary. For general information about these procedures, or for assistance at the time of a work-related incident, please contact Human Resources, ext. 5319.

All accidents are reviewed by the Director of Campus Safety & Security. Accident Investigations are performed as needed. The summary log of Injuries and Illnesses required by New York State Public Employee Safety and Health is maintained by Broome County. As mandated by New York State, the summary is posted on campus from February 1st to April 30th each year. It can be found on the bulletin board outside the Human Resources Office in Wales 103.

## **CARE (Campus Assessment, Response and Evaluation) Team**

The Care (Campus Assessment, Response and Evaluation) Team is comprised of campus responders that include the Office of Public Safety, Dean of Students Office, On-Campus Housing, and Counseling Services. They meet regularly to discuss behavioral incidents and concerns occurring on campus, discuss, plan, and implement intervention strategies, and provide consultation to the Vice President for Student Development & Chief Diversity Officer (CDO) regarding students who are at risk of harming themselves or others.

Members come to the team with authority in managing health, behavior and safety aspects of the Campus experience and may therefore spot trends and set up early intervention services as they evaluate behaviors from a variety of campus perspectives. The Team shall facilitate interventions, suggest referrals to appropriate offices, or mandate mental health assessments, if necessary, with the assistance of the Vice President for Student Development & CDO.

The team provides an early intervention resource for SUNY Broome faculty, staff, and students to consult on student behaviors of: distressing, disruptive or threatening behaviors of concern.

There are 4 categories of behavior which may require attention by the CARE Team:

1. Self-injurious behavior/suicidal ideation or attempt.
2. Erratic behavior (including online activities) that can disrupt the mission and/or normal proceedings of college students, faculty, staff, or others.
3. Behavior that is not understood but is concerning or disturbing to others.
4. Involuntary transportation to the hospital for alcohol and drug use/abuse.

Examples of behaviors that should be brought to the attention of the team:

1. A student submits an English assignment about committing suicide.
2. Two students make a class video about placing bombs on campus.
3. Someone receives an email stating, "I'm going to kill everyone in the Business Building".
4. A student's web page has links to web pages with information about poisoning others with cyanide.
5. A student corresponds with a faculty member using language that indicates disordered thinking.
6. A student communicates suicidal/homicidal intent to another.
7. A student displays other odd or threatening behaviors.

To make a CARE referral, please contact the Dean of Students +1(607)778-5681, the Office of Public Safety at +1(607)778-5083, or Counseling Services at +1(607)778-5210. Referrals can be made via email, but it is best to have direct contact with a person if possible. If a situation requires immediate attention, please call 911.

## **Workplace Violence Prevention Procedures**

### **Commitment**

SUNY Broome Community College is committed to promoting a safe and secure academic environment and workplace to support its mission. All members of the College community – faculty, staff, and students – are expected to take part in maintaining a working and learning environment free from violence, from threats of violence, harassment, intimidation or coercion.

SUNY Broome Community College prohibits workplace violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property. Complaints of workplace violence will be given the serious attention they deserve. Persons who violate this commitment may be removed from College property and are subject to disciplinary and/or personnel action up to and including termination consistent with College policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution.

It is the intent of this commitment to ensure that faculty, staff, students and visitors to the campus are not threatened by any employee's actions or conduct.

### **Scope**

In accordance with NYS Labor Law Section 27-b SUNY Broome Community College and its employees are responsible for complying with this program to maintain a workplace as safe from violence as reasonably possible.

## Definitions

*Workplace* means any location away from an employee's residence, permanent or temporary, where s/he performs any work-related duty in the course of his/her employment by the College.

*Workplace violence* refers to a range of inappropriate behaviors, specific or non-specific threats, verbal abuse, or physical assault occurring in the work setting. It may be verbal, psychological or physical intimidation, threats of violence, actual assault or other violence, or any other behavior that causes others to feel threatened, frightened or unsafe.

*Threat* means any verbal or physical conduct that threatens personal safety or property, or that reasonably could be interpreted as intent to cause harm.

Examples of prohibited workplace violence behaviors include, but are not limited to, the following:

- Bullying
- Sexual harassment
- Following or stalking
- Obscene or threatening phone calls, notes or e-mail
- An intimidating presence
- Any unwanted physical contact such as pushing or hitting
- Throwing objects
- Verbal abuse including swearing or shouting
- Offensive comments regarding violent events and/or behaviors
- Violating an order of protection or restraining order
- Bomb threats
- Carrying, possessing, or using weapons of any kind on college property unless properly authorized.

## Responsibility

**President** – The President of the College shall be responsible for implementing these procedures. The responsibility includes distribution of these procedures to members of the college community, ensuring appropriate investigation and follow-up of reported incidents of workplace violence, assuring that administrators, managers and supervisors are aware of their responsibilities under these procedures through internal communication and training.

**Public Safety** – Public Safety has performed a risk assessment of the workplace to determine the presence of factors or situations that might place employees at risk of workplace violence. Records review identified that employees have been harassed by irate students/clients and that assault/harassment has occurred among employees. Inspection of the workplace identified issues including shrubbery and landscaping, uncontrolled access to campus buildings including private work areas, inadequate lighting, furniture placement in client service areas that can impede employees' exit in case of confrontation, and the presence of desktop objects that could be used as weapons (i.e., scissors, staplers, file racks, etc.)

Based on its review of work performed by employees, Public Safety identified the following which might place workers at risk of occupational assault incidents: exchange of money with the public, working alone or in small numbers, working late at night or early morning hours, guarding valuable property or possessions, working in community settings, and insufficient security staffing levels. Public Safety will recommend methods for the College to reduce or eliminate the risk of workplace violence focusing on the following: implementation of advanced security systems such as panic alarms, video surveillance and

access measures as well as changes to landscaping and lighting, use of ID badges and visitor/contractor sign-in, and increased safety staffing.

The Public Safety Office is responsible for responding to, intervening in, and documenting all incidents of violence in the workplace. Public Safety will immediately log all incidents of workplace violence and will notify the respective supervisor of an incident with his/her employee, or notify the Office of Student and Economic Development of an incident with a student. All officers shall be knowledgeable of when law enforcement action may be appropriate.

Public Safety will maintain an internal tracking system of all threats and incidents of workplace violence. Annual reports will be submitted to the President (at the same time as the report noted below) detailing the number and description of incidents, the disposition of these incidents, policy recommendations, training issues and security procedures that have been or should be implemented to maintain a safe working and learning environment. Incidents will be reported consistent with the reporting requirements of Article 129A Subsection 6433 of the NYS Education Law (Regulation by Colleges of Conduct on Campuses and Other College Property for Educational Purposes).

Officers will be trained in and participate in training in workplace violence awareness and prevention, non-violent crisis intervention, conflict management, and dispute resolution. Officers will work closely with Human Resources when the possibility of workplace violence is heightened, as well as on the appropriate responses to workplace violence incidents within SUNY policies, rules and procedures, and applicable labor agreements, including appropriate disciplinary action up to and including termination.

When informed, Public Safety will maintain a record of any orders of protection or restraining orders for faculty, staff, and students listing college locations as protected areas. Confidentiality will be maintained to the extent possible concerning such orders.

**Supervisors** – Each dean, director, department chairperson, administrator, or other person with supervisory responsibility (hereinafter “supervisor”) is responsible within his/her area of jurisdiction for implementing these procedures. Supervisors must report to Public Safety any complaint of workplace violence made to them and any other incidents of workplace violence of which they become aware or reasonably believe to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed or resolved. The reporting supervisor should then keep the matter confidential without further disclosure, except as necessary during the investigation process and/or subsequent proceedings.

**PLEASE NOTE:** Threats or assaults that require immediate attention should be reported to Emergency Services by dialing 911 from any campus office phone or 911 from any cell phone.

**Faculty and Staff** – An employee who is threatened with or experiences workplace violence, or is aware of such should notify his/her supervisor. Faculty and staff who are advised or are aware that a student has been involved in a workplace violence incident must report this to Public Safety and the Dean of Students Office.

Employees who have obtained orders of protection or restraining orders are expected to notify their supervisors and Public Safety of any orders that list college locations as protected areas.

Victims of domestic violence who believe that the violence may extend into the workplace are encouraged to notify their supervisor and Public Safety. Confidentiality will be maintained to the extent possible.

**Human Resources Office** – The Human Resources Office is responsible for assisting Public Safety and supervisors in responding to workplace violence, facilitating appropriate responses to reported incidents, and notifying Public Safety of workplace violence incidents reported to it. Human Resources will also be

responsible for disseminating workplace violence prevention procedures (as well as information regarding available Employee Assistance Program services) to all employees at the time of hire and annually thereafter, as well as posting the procedures on the college website.

**Students** – Students who witness violence, learn of threats, or are victims of violence by employees, students or others should report the incident immediately to Public Safety. Students will be provided with workplace violence awareness information (including information regarding available counseling services) upon registration each year.

**Marketing and Communications Office** – All communications to the college community and beyond regarding incidents of workplace violence will be made by the Marketing and Communications Office after consultation with the President, or his/her designee, and in conjunction with Public Safety.

## **Information and Training for Employees**

The College will make the written workplace violence prevention procedures available, upon request, to its employees and their designated representatives. At the time of initial hire and annually thereafter the College will provide its employees information and training including the risk factors in their workplace, and the location and availability of the written procedures for workplace violence prevention. Training sessions will outline the measures employees can take to protect themselves from such risks, identify procedures the College has implemented to protect employees, as well as details of the written workplace violence prevention program the College has developed.

## **Retaliation**

It is a violation of these procedures to retaliate against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

## **False Reports**

Anyone who makes a false report or complaint of workplace violence will be subject to disciplinary action up to and including termination of employment and/or referral to external authorities as appropriate. Public Safety can and will file charges in the case of a false report.

## **Confidentiality**

The College will maintain confidentiality in investigations of workplace violence to the extent possible. The College will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been violation of these procedures and that the safety and well-being of member of the College community would be served.

## **Health and Wellness**

### **Health Screenings – Excused Leave**

Breast, Colon, Prostate and any other type of Cancer Screenings – In keeping with NYS Civil Service Law sections 159-b and 159-c, every employee of the college is entitled to be excused from his or her duties for a maximum of four hours of paid leave per calendar year for cancer screenings. This period of time is excused leave and will not be charged against any accrued leave to which the employee is otherwise entitled.

An employee should notify her/his supervisor when taking this excused time for screening so that no accruals are charged. An employee may be asked to provide a written statement signed by the employee's health care provider indicating that the employee has completed the screening.

Contact Human Resources at ext. 5319 with any questions.

## **Family and Medical Leave**

The Family and Medical Leave Act (FMLA), a federal law effective August 5, 1993, requires the college to provide up to 12 work weeks of job protected leave in a 12-month period to eligible employees for one or more of the following reasons: (1) The birth of the employee's son or daughter, and to care for the newborn child; (2) The placement with the employee of a son or daughter for adoption or foster care, and to care for the newly placed child; (3) To care for the employee's spouse, son, daughter, or parent with a serious health condition; (4) Because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job, and (5) An exigency arising because the spouse, or the son, or daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. Employees are eligible if they have worked for the college for at least one year and for 1,250 hours over the previous 12 months.

An eligible employee who is the spouse, son, daughter, or parent, or next of kin of a covered member of the Armed Forces, including the National Guard or Reserves, may take up to a total of 26 workweeks leave during a single 12-month period to care for a service member who is undergoing medical treatment, recuperation, or therapy, is on outpatient status, or on temporary disability for a serious injury or illness incurred in the line of duty on active duty.

Ordinarily an employee must provide 30 days advance notice when the need for FMLA leave is foreseeable. Medical certification on college forms is required to support any such leave request. The College may require second and third medical opinions at its expense as well as periodic reports on an employee's status and intention to return to work. The College also reserves the right to require a fitness for duty report in order for an employee to return to work. Except where specified otherwise by contract or law, the College requires sick time, to be used prior to unpaid leave under FMLA.

FMLA provides for job protection and benefits during the leave period. Employees on FMLA leave are entitled to health insurance coverage during leave under the same terms and conditions as active employees. Upon return from FMLA leave, most employees must be restored to their original or equivalent position and pay, benefits, and other terms and conditions of employment.

FMLA makes it unlawful for the College to interfere with, restrain, or deny the exercise of any right provided by the Act. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement providing for greater family or medical leave rights.

Additional information concerning FMLA, as well as a copy of the procedure, is available from the Human Resources Office, ext. 5319, (W-103). Or go to [https://mycollege.sunybroome.edu/web/www/policy 2.0 Procedures Related to Human Resources – 2.5 Family and Medical Leave](https://mycollege.sunybroome.edu/web/www/policy%20Procedures%20Related%20to%20Human%20Resources%20-%202.5%20Family%20and%20Medical%20Leave).

## **Lactation Breaks**

Per the Patient Protection and Affordable Care Act ("PPACA"), employers are required to provide reasonable break time for an employee to express breast milk for their nursing child for 1 year after the child's birth each time such employee has need to express the milk. Employers are required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. Each break shall generally be between



20 – 30 minutes depending on the location of the lactation area. The frequency of breaks needed to express milk as well as the duration of each break will likely vary.

Break time for the purposes of expressing milk is unpaid. However, where a Collective Bargaining Agreement already provides compensation for breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time. In addition, employees must be completely relieved from duty or else the time must be compensated as work time applies. Employees who are required to keep a timesheet must accurately record the start and end of lactation breaks.

The college shall allow the employee to work before or after their normal shift to make up the amount of time used during the unpaid break time(s) for the expression of breast milk so long as such additional time requested falls within the college's normal work hours.

The college shall not discriminate, intimidate, or retaliate in any way against an employee who chooses to express breast milk in the workplace. An employee shall not be retaliated against by the college for filing a complaint of violations or cooperating in an investigation of a complaint.

An employee wishing to utilize this benefit is required to give the college advance notice. Such notice shall preferably be provided to the employer prior to the employee's return to work following the birth of the child in order to allow the employer an opportunity to establish a location and schedule leave time amongst multiple employees if needed.

Employees can contact Human Resources for information about the designated location(s) for lactation breaks in closest proximity to the employees work area.

For additional information please contact the Division of Labor Standards office nearest you.

Binghamton  
Sub-District  
44 Hawley Street  
Binghamton, NY 13901  
(607) 721-8014

## **Americans with Disabilities ACT (ADA)**

Employees who choose to pursue reasonable accommodations to address a disability should contact the Human Resources Office at ext. 5319 to start the process. For more information on the American with Disabilities Act go to [www.ada.gov](http://www.ada.gov)

## **Employee Assistance Program (EAP)**

The Employee Assistance Program (EAP) provides confidential professional help for employees that may need extra support services. The EAP can help with personal problems such as interpersonal conflict, alcohol and drug abuse/dependency, marital conflict, family and parenting concerns, financial hardship, physical illness, legal difficulties, gambling, mental and emotional distress, eating disorders and other life stresses.

EAP services are available off campus to all eligible employees and their dependent family members. An employee and/or dependent visiting the EAP will have an opportunity to talk with a professional about concerns and receive counseling (up to 10 visits annually) and referral services to help resolve the problem.

Direct services of the program are provided at no cost to an employee or dependent family member. Activities and records of the EAP are kept strictly confidential by the program provider.

An employee or dependent family member may access the EAP directly - 24 hours a day, 7 days a week - by calling 1-800-EAP CALL or 1-800-327-2255 for an appointment. Web access is also available. Additional information about EAP is available from the Human Resources Office (Wales 103), ext. 5319.

## **Mental Health Counseling/Information Resources**

Assistance is available for any student or employee who believes he or she has a mental health related problem. In addition to the Employee Assistance Program, there are many community resources available for our staff and immediate family members of employees. One is encouraged, and in some situations may be required, to seek assistance from professional services either on or off campus based on professional recommendation(s). All inquiries are kept confidential.

On campus, the Counseling Services (located in the Science Building, Room 102) serves as a counseling and referral agent for students. Students may access confidential counseling to assist with problems affecting their ability to succeed. Students may discuss any personal issues that concern them, including: depression, stress, relationships, anxiety, family problems, mental health issues, etc. Depending on the needs of the student, referrals can also be made either on campus or off campus to an appropriate provider.

Counseling professionals who deal with mental health concerns in a patient/client relationship keep records; such records are protected by laws, and by professional ethics of confidentiality.

In addition to Employee Assistance Program and Substance Abuse Treatment services, there are many community resources available to access assistance with stress, anxiety, depression, or other personal or mental health issues.

Employee Assistance Program (EAP):  
1-800-EAP-CALL/1-800-327-2255

SUNY Broome Counseling Center:  
Science Building, Room 102, 778-5210

First Call for Help:  
Dial 211 (or 729-9100)

An excellent resource to identify community resources including support groups, financial assistance, and other social services.

### **Mental Health Resources Directory**

CPEP Hotline Comprehensive Psychiatric Emergency Program through United Health Services  
607-762-2302 or 1-800-451-0560

Provides 24/7 service to persons with psychiatric emergency or emotional crisis. Hotline available to persons needing assistance of professional staff for counseling, information or referral.

<https://www.nyuhs.org/care-treatment/behavioral-health/psychiatric-services>

UHS Mental Health Outpatient Clinic

607-762-2340

33 Mitchell Ave.

Binghamton, NY 13903

<https://www.nyuhs.org/location-search/uhs-outpatient-mental-health-clinic>

Broome County Mental Health Department  
607-778-2351  
601-635 Harry L. Drive  
Johnson City, NY 13790  
<http://gobroomecounty.com/mh/>

Tioga County Mental Hygiene Department  
Main number 607-687-0200  
Crisis number 607-687-4000 or 877-882-8313  
1062 State Rt 38  
PO Box 177  
Owego, NY 13827  
<https://www.tiogacountyny.com/departments/mental-hygiene/>

Chenango County Community Mental Hygiene Services  
607-337-1600  
After hours crisis services - 877-369-6699  
5 Court St. Suite 42  
Norwich, NY 13815  
<https://www.co.chenango.ny.us/mental-hygiene-services/behavioral-health-services/>

## **Alcohol and Drug Regulations**

### **Employee and Student Regulations on Alcohol and Drug Use**

SUNY Broome Community College recognizes the importance of a safe and healthy campus environment for all campus community members, including employees and students of the College. All visitors to the campus are subject to campus regulations as well as all local, state, and federal statutes which apply. Being under the influence of alcohol or any drug poses serious health and safety risks to the individual and others within the campus community. Consequently, SUNY Broome Community College has implemented the following regulations based on federal, state, and local law.

SUNY Broome Community College prohibits any use, consumption, sale, purchase, transfer, or unlawful possession of any controlled or illicit substances by a student or an employee while on the campus premises or at any College sponsored function off campus. Legally prescribed medications are permitted only to the extent that the use of such medications does not adversely affect the student's academic ability or the safety of such student or others or the employee's job performance or the safety of that employee or others.

Controlled substance prescriptions must be in their original pharmacy container and clearly labeled with the student's or employee's name and the name of the drug, the dosage, the doctor's name, and date of prescription and expiration date.

Alcoholic beverages are not to be present at any student event nor be in the possession of a student on campus at any time. No portion of Student Activities fees or student organization earned income may be used for the purchase of alcoholic beverages. Employees are prohibited from consuming alcohol while working and from reporting to work while under the influence of alcohol. Consumption of alcohol on campus is restricted to authorized functions.

### **Disciplinary Action for Violation of Regulations**

Any student who violates these regulations is subject to disciplinary action up to and including dismissal from classes and the campus. Disciplinary/dismissal action for students will be handled through the office of the Vice President for Student Development. Employees violating these regulations will be subject to disciplinary procedures, up to and including termination of employment.

In addition to sanctions proposed by the institution, there are a variety of legal sanctions under local, state, and federal law for the unlawful possession, use, or distribution of illegal drugs and alcohol.

Services may be found by contacting:

Alcoholics Anonymous  
607-722-5983  
AA provides group support and informational services.  
<https://aabinghamton.org/>

National Institute on Drug Abuse Hotline  
1-800-662-HELP (1-800-662-4357)  
<https://www.drugabuse.gov/>

An information and referral line that directs caller to treatment centers in the community.

Additional substance abuse resources can be found on [www.sunybroome.edu](http://www.sunybroome.edu), click on Current Students, scroll to Wellness, Health and Safety, then click on Counseling Services.

<https://www2.sunybroome.edu/counseling/>

## General Information

### Emergency Closing

When weather or other emergency situations require SUNY Broome to cancel activities or close campus the following media may be used to inform employees and students:

- Local radio and television
- SUNY Broome website ([www.sunybroome.edu](http://www.sunybroome.edu))
- Employee Information Telephone (778-5INF, 778-5463)
- College Switchboard (778-5000)
- SUNY Broome RAVE Alert (See page 20; [www.sunybroome.edu/rave-alert](http://www.sunybroome.edu/rave-alert))

Emergency closing messages will identify whether classes are cancelled or the campus is closed. They will also identify times. For example, "SUNY Broome will close at 10 PM." Depending on the media additional details may be provided. The switchboard offers an outgoing message with references to office extensions. Messages at these extensions will identify the differences in their operations during the emergency.

If classes are canceled, non-class activities (offices, the Ice Center, and non-student contact activities) will remain open. Employees in these offices or associated with these activities are expected to report. During all emergencies all essential employees (Public Safety, Maintenance, and Custodial) must report unless advised differently by their supervisor.

### Holiday Schedule

Below is a list of holidays for SUNY Broome employees. Holiday reminders will appear in Hive HQ Highlights, the SUNY Broome Faculty & Staff News.

#### Holidays for the 2022-2023 Academic Year:

- Labor Day - Monday, September 5, 2022
- Columbus Day - Monday, October 10, 2022
- \*Election Day - Tuesday, November 8, 2022

- \*Veteran's Day – Friday, November 11, 2022
- \*Day before Thanksgiving - Wednesday, November 23, 2022
- Thanksgiving Day - Thursday, November 24, 2022
- Day after Thanksgiving - Friday, November 25, 2022
- Christmas - Monday, December 26, 2022
- New Year's Day – Monday, January 2, 2023
- Martin Luther King Jr. Day - Monday, January 16, 2023
- \*Lincoln's Birthday - Monday, February 13, 2023
- \*Washington's Birthday - Monday, February 20, 2023
- Memorial Day - Monday, May 29, 2023
- \*Juneteenth – Monday June 19, 2023
- Independence Day – Tuesday, July 4, 2023
- WINTER HOLIDAY CURTAILMENT for 2022-2023 is December 24, 2022 - January 2, 2023.

\*These are compensatory holidays for clerical, maintenance, administrative, Guild employees and 12-month faculty. Please note: for 12-month faculty the day before Thanksgiving is a holiday. An employee must work these days to earn a compensatory day for each such day worked. Such compensatory days must be used before August 31 of the academic year in which they are earned.

All other dates listed are holidays on which the entire campus is closed.

## **Vacation, Sick, Personal Leave Time**

For information regarding leave time, please refer to your Collective Bargaining Agreement or for Administrative/Management Confidential employees please refer to your Staff Benefits. All of these documents can be found on Mycollege – Employee – Human Resources Documents.

## **Jury Duty**

For information regarding jury duty, please refer to your Collective Bargaining Agreement or for Administrative/Management Confidential employees please refer to your Staff Benefits. All of these documents can be found on Mycollege – Employee – Human Resources Documents.

## **Information Technology Services**

ITS provides secure and reliable academic and administrative computing and communications services that serve all faculty and staff. This includes standards for desktop computing, wired and wireless networking, telecommunications, and programming.

Please visit <https://www.sunybroome.edu/web/www/its> for specific information regarding campus email, wireless connectivity, remote access, and more.

Be sure to review and understand the following ITS policies:

Guest Wireless Use Policy

Network Use Policy

Security Incident Response Plan

Information is also available in the ITS department Monday through Friday, 8:30 a.m. to 5:00 p.m., in Business Building 123 or by calling 778-5011, or email [ITSsupport@sunybroome.edu](mailto:ITSsupport@sunybroome.edu).

Please report cyber security incidents to our helpdesk via x5011/x5212 or to [ITSecurity@sunybroome.edu](mailto:ITSecurity@sunybroome.edu). Our new Security Awareness Training can be found at [training.knowbe4.com](http://training.knowbe4.com)

## **Use of College Vehicles**

SUNY Broome Community College provides a pool of vehicles, including cars and vans to support faculty, staff and students in attending approved, field trips, meetings, conferences, workshops, and seminars.

The procedures governing the use of SUNY Broome vehicles have been established in order to meet legal and insurance requirements and to provide for efficient use of the vehicles. An approved Travel Authorization Request must be submitted to the Purchasing Office to request the use of a college vehicle. This completed form will provide documentation for insurance, travel reimbursement, and employee accountability purposes. This document will also serve as a formal record of the vehicle being used on official college business.

A valid operator's license is required to drive college vehicles. Drivers must have license information and signed SUNY Broome Drivers Responsibility Acknowledgement form on file with the Purchasing Office. All passengers in the vehicle must be college employees, employees of affiliated organizations (FSA & Foundation), or SUNY Broome students being transported for academic field trips (not club activities).

The vehicle mileage log must be submitted promptly upon return from a trip, together with keys and credit cards. Vehicles are heavily scheduled and a late return of a vehicle or a delay in turning in keys, credit cards or mileage log can mean inconvenience and or added risk for an employee who has been next assigned that vehicle. Employees who do not comply with all of the above procedures will be denied use of college vehicles.

## **Elevator Access**

Individuals needing access to elevators because of temporary or permanent impairments may request access through the Student Support Services Office (L007; ext. 5150).

Emergency access to a malfunctioning elevator is provided by the Office of Public Safety and/or maintenance through the use of special keys/tools that are also available to rescue personnel.

## **Campus Parking Regulations**

Note: Parking Regulations and Procedures at

[www.sunybroome.edu/parking](http://www.sunybroome.edu/parking).

All employees must register their vehicle(s) at the Office of Public Safety (Public Safety Building) and obtain appropriate parking permit hangtags. Hangtags must be clearly displayed on the rear view mirror. Everyone, including visitors and guest speakers, must obtain a parking pass from the Office of Public Safety.

Faculty/staff parking is now open parking. Parking is on a first come, first serve basis. Students may only park in the areas designated as Student Parking. The following are exceptions:

1. Disabled employees, students, and visitors may park in those spaces reserved for people with disabilities in any campus parking lot. Their vehicles must display a valid "handicapped" parking license plate, decal or hangtag from a state Department of Motor Vehicles or local city, town or village clerk's office.
2. Areas are provided on the asphalt ramp at the northwest corner of the Student Services Building for parking of all motorcycles on campus.

There is no parking permitted in the following areas unless authorized by the President of the College:

1. Roadways, sidewalks, grass, or any other area other than spaces marked for parking.
2. Areas that would block roadways, entrances, loading docks or curb cuts.

3. Areas where “No Parking” signs are posted.
4. Areas that are restricted for reasons of safety or reservations.
5. Space that would impede normal traffic in campus parking lots (parking outside lined spaces).

No overnight parking is allowed on campus. If a car needs to be left overnight, the owner/operator must notify the Office of Public Safety.

The speed limit on campus roadways is 20 MPH. The speed limit in campus parking lots is 10 MPH. These limits are strictly enforced.

Any violation of campus traffic/parking rules will result in a ticket and related fine at the expense of the vehicle operator/owner.

For further information on SUNY Broome traffic and parking rules and procedures, including the process to appeal a ticket, please contact the Office of Public Safety at 778-5083.

<https://www2.sunybroome.edu/safety/parking-information/>

Please help visitors to our campus during the year by reminding them to go to the Wales Reception Desk or Office of Public Safety (Public Safety Annex Building) to request a Visitor’s Pass. A Visitor parking area is located in front of the Wales Building. A parking pass will be provided for visitors to legally park in that area or the staff will try to place the visitor in a lot near their destination on campus.

(5/23)