



## Regulation of the Chancellor

Number: **C-602**

Subject: **ATTENDANCE AND SERVICE OF HEADQUARTERS AND DISTRICT OFFICE STAFF**

Category: **PEDAGOGIC PERSONNEL**

Issued: **September 5, 2000**

### SUMMARY OF CHANGES

This regulation supersedes C-602 dated 07/10/86.

The regulation sets forth the attendance and service required of non-managerial pedagogical employees of the Board of Education.

There are no changes in this Regulation.



## Regulation of the Chancellor

Number: **C-602**

Subject: **ATTENDANCE AND SERVICE OF HEADQUARTERS AND DISTRICT OFFICE STAFF**

Category: **PEDAGOGIC PERSONNEL**

Issued: **September 5, 2000**

This regulation sets forth the attendance and service required of non-managerial pedagogical employees in Board of Education headquarters and district offices together with procedures in cases of lateness and actual absence from duty.

### TABLE OF CONTENTS

1. Service Required in Offices .....	3
2. Hours of Service in Headquarters and District Offices .....	3
3. Lateness and Related Fractional Absence of Office Staff .....	4
4. Fractional Absence of Office Staff Commencing During the Day .....	5
5. Compensatory Time of Headquarters and District Office Staff.....	6
6. Overtime Pay Not Authorized for Headquarters and District Office Staff .....	7
7. Inquiries .....	7



## Regulation of the Chancellor

Number: **C-602**

Subject: **ATTENDANCE AND SERVICE OF HEADQUARTERS AND DISTRICT OFFICE STAFF**

Category: **PEDAGOGIC PERSONNEL**

Issued: **September 5, 2000**

### ABSTRACT

#### 1. Service Required in Offices

During the hours established for such service, each member of the pedagogical staff employed in a Board of Education headquarters or district office shall perform the duties of the position as prescribed by the supervisor in charge.

- a. Unauthorized absence constitutes grounds for serious disciplinary action which may include dismissal from the service for that cause alone.
- b. While actual absence that has been excused in accordance with regulations does not, of and by itself, constitute grounds for disciplinary action, absences which are so numerous as to limit the effectiveness of service may lead to disciplinary action for incompetent service or unfitness to perform obligations properly to the service. The fact that excuse or leave was applied for and granted properly does not preclude disciplinary action which may range from adverse rating to the institution of proceedings for dismissal or termination of service. Such disciplinary action shall not be precluded even when the cause of the absence is a medical or physical condition.

#### 2. Hours of Service in Headquarters and District Offices

Each office head shall establish a schedule of hours of work for each employee actually serving within the office, taking into account the needs of the office, the hours of service required by regulation, or contract, the office hours and holidays established by the Board of Education, and authorized annual leave or vacation. Staggered hours may be scheduled by the responsible supervisor where necessary to permit offices to function outside the established 9:00 a.m. to 5:00 p.m. work day, but each office must be covered by at least one responsible supervisory employee throughout the normal workday. Except as noted below or when properly applied for and excused as absence, non-attendance or leave, the failure of any member of the pedagogical staff in a Board of Education headquarters or district office to be present and to perform any portion of assigned duties constitutes unauthorized absence. No salary payment is due for unauthorized absence and the period of any such absence must be reported for appropriate payroll deduction. Such deduction shall not preclude any disciplinary action which the Chancellor, responsible superintendent or executive director deems appropriate, including preferral of charges for unauthorized absence from duty.

Note: This regulation should be read in conjunction with Regulation C-612 relative to education administrators since the benefits accorded to education administrators differ somewhat from those of persons serving in other headquarters titles.

### **3. Lateness and Related Fractional Absence of Office Staff**

Any member of the pedagogical staff in a Board of Education headquarters or district office who reports within five minutes after the time set for reporting for duty at the beginning of the day or within three minutes after the time set for reporting for duty after the lunch hour shall be considered late, but any such member who reports later than the five or three minutes specified shall be considered absent for the whole period from the time set for reporting for duty to the time of actual reporting.

- a. For the purpose of service, "reporting for duty" means reporting to the assigned work location and not merely signing or clocking in.
- b. Other than for non-attendance, all fractional absence, whether for personal illness or personal business, occasioned by late arrival must be compensated for.

- If the sick leave (where appropriate) of the employee has been exhausted, the time lost must be deducted from annual leave where applicable. For this purpose annual leave means the days of vacation time authorized for employees in a Board of Education headquarters office or district office on a headquarters vacation schedule.

Note: Some headquarters and district office employees are authorized a "school vacation schedule" even though they are actually employed in an office and not in a school.

- If the annual leave of the employee has been exhausted, or if the employee is on a "school vacation schedule," the time lost must be reported for deduction from salary of the corresponding amount.
- c. Fractional absence at the start of the day which is excused as non-attendance is recorded and reported for pay in accordance with regulations. In general, there is no deduction in such cases.
  - d. Fractional absence at the start of the day which is excused due to illness of the employee is recorded and reported as indicated below.
    - 1) When the sick leave balance (or C. A. R.) permits, fractional absence for personal illness shall be charged to the C.A.R. and no deduction from pay is required. All fractional absence which is to be charged to the C.A.R. must be recorded but an immediate deduction from the C.A.R. is not always required.
      - When the total of fractional absences charged to the C.A.R. is six hours or more, one day must be deducted from the C.A.R. for each six hours of fractional absence recorded during the same school year.
      - When the total (or the remainder after deduction of each such six hours) is less than six hours but more than 3 hours and 20 minutes at the close of the

school year or upon cessation of service, one day must be deducted from the C.A.R.

- 2) (2) When the sick leave (C.A.R.) and/or annual leave (if applicable) balances are not sufficient to cover the time, fractional absences resulting from personal illness must be reported for a payroll deduction of the amount which corresponds to the actual time lost.
- e. In cases where a payroll deduction is not required, the lack of such deduction shall not preclude any disciplinary action which the Chancellor, responsible superintendent or executive director deems appropriate, including preferral of charges of excessive lateness.

#### **4. Fractional Absence of Office Staff Commencing During the Day**

Any member of the pedagogical staff in a Board of Education headquarters or district office who ceases to perform duty before the scheduled time of departure at the end of the day must inform the office head as soon as the need becomes apparent and before leaving the office. Fractional absence commencing after the start of the day is computed on the basis of service time lost.

- If absence commences at or before the beginning of the lunch period, fractional absence is calculated from the actual time of departure through the normally scheduled time of departure less the time scheduled for lunch on the day in question.

Example: Mr. Smith is scheduled to work from 9:00 a.m. through 5:00 p.m. with one hour for lunch from 12:00 noon to 1:00 p.m. One day Mr. Smith is excused and leaves at 11:10 a.m. For service reporting purposes, he is considered 4 hours and 50 minutes absent (5 hours and 50 minutes actually out of the office less 1 hour scheduled for lunch).

- If absence commences at or following the end of the lunch period, fractional absence is calculated from the actual time of departure through the normally scheduled time of departure. The length of the lunch period has no bearing on such cases.
  - If absence commences during the lunch period, fractional absence is calculated from the end of the lunch period through the normally scheduled time of departure.
- a. Other than for non-attendance, all fractional absences commencing during the day, whether for personal illness or personal business, must be compensated for.
    - If the sick leave of the employee (where appropriate) has been exhausted, the time must be deducted from annual leave, if applicable.
    - If the annual leave of the employee has been exhausted, the time lost must be reported for deduction from salary of the corresponding amount.
  - b. When the early departure is excused as non-attendance, the time lost is recorded and reported for pay in accordance with regulations. In general, there is no deduction in such cases.

- c. When early departure is excused on account of the illness of the employee, the time lost is reported and compensated for in either of the following to ways:
- 1) When the sick leave balance or C.A.R. permits, fractional absence for personal illness shall be charged to the C.A.R. and no deduction from pay is required. All fractional absence which is to be charged to the C.A.R. must be recorded but an immediate deduction from the C.A.R. is not always required.
    - When the total of fractional absences charged to the C.A.R. is six hours, one day must be deducted from the C.A.R. for each six hours of fractional absence recorded during the same school year.
    - When the total (or the remainder after deduction of each such six hours) is less than six hours but more than 3 hours and 20 minutes at the close of the school year or upon cessation of service, one day must be deducted from the C.A.R.
    - When the total (or the remainder after other deductions) is 3 hours and 20 minutes or less, that total is left on the record but is not deducted from the C.A.R. While such a charge for "less than half a day" is left on the record at the close of the school year, it is neither deducted nor carried over to the next school year. In such cases, the employee will commence the new school year without any chargeable or deductible fractional absence.
  - 2) When the sick leave balance in the C.A.R. is not sufficient to cover the time, fractional absences resulting from personal illness must be reported for deduction from annual leave where applicable or from pay in the amount corresponding to the actual time lost.
- d. Early departure without notice and permission constitutes unauthorized absence and neglect of duty. The time lost must be recorded for payroll deduction as unauthorized absence.

#### **5. Compensatory Time of Headquarters and District Office Staff**

In exceptional cases, compensatory time off for overtime work may be taken by pedagogical employees in Board of Education headquarters and district offices when authorized in writing and in advance by the responsible superintendent or executive director. Education administrators and managerial employees covered by Regulation C-605 are not authorized to take compensatory time. However, in establishing the work schedule of an education administrator or managerial employee, consideration may be given to extraordinary hours of service performed during the preceding two week period.

- a. Compensatory time off may not be authorized for the convenience of an employee but only when necessary for the needs of the office as, for example, to compensate for evening recruitment work by staff members normally employed during the day. When an extended period of such overtime is required, temporary adjustment of the work schedule is preferable to the use of compensatory time.

- b. Compensatory time off must be taken within six months of the date on which the overtime work was performed.
  - For persons serving on a school vacation schedule, the six month limit is exclusive of the summer vacation period.
  - For persons serving on a headquarters vacation schedule, the six month limit is not extended by any annual leave taken during that time.

Compensatory time off is to be taken as scheduled by the responsible superintendent or executive director. If not taken as scheduled and within the six-month time limit specified, entitlement to compensatory time off is forfeited.
- c. The required written authorization for compensatory time off must be retained with the official time records of the employee to substantiate approval of the actual absence involved.
- d. Overtime service of less than one hour may not be credited toward compensatory time nor may credit be allowed for a shortened lunch hour.

**6. Overtime Pay Not Authorized for Headquarters and District Office Staff**

Overtime payment for work which constitutes part of normal duties or functions but which is performed outside normal duty hours is not authorized and may not be claimed by pedagogical employees who work in a Board of Education headquarters or district office, nor may payment be authorized for such work which is performed during vacation periods.

**7. Inquiries**

Inquiries concerning this regulation should be directed to:

Office of Support Services

N.Y.C. Department of Education

65 Court Street - Room 504

Brooklyn, NY 11201

Telephone: 718-935-5878