Application for Per Session Employment and Claim for Retention Rights for 2008-2009

Directions: Please read the second page of this form before completing it. This form must be completed prior to commencement of employment by a person applying for work in a per session activity. A copy of this form must be retained by the per session program supervisor. An applicant who wishes to claim retention rights must assert such a claim on this form. No person may be employed or paid for a second per session activity or for more than 400 hours (or 270 for appropriate School/CSE Staff Assessment activities) in one or a combination of per session activities without prior written approval of the Division of Human Resources in accordance with Chancellor's Regulation C-175.

Last Name _____ First _____ MI _____

Home Address _____Zip_____

Home Phone (____)_____ File #_____ Social Security #_____

I. Are you a full time employee of the NYC Department of Education? ___ Yes ___ No If yes, indicate current work location: ISC____ District____ School/Office_____

License or Title _____ Hours of Employment From _____ to _____

II. Under Collective Bargaining Agreements, you may claim retention rights in only one activity. (Please refer to #14 on the reverse side of this form.)

Per Session Position For Which You Are Applying: Program Name_____

ISC___ District___ Approximate Start Date:_____ Do you claim retention rights? ___ Yes ___ No

School/Office_____ Approximate Total # of Hours in Activity _____

Work Hours Monday-Friday _____ to _____ Saturday- Sunday _____ to _____

III. Between July 1, 2008 and June 30, 2009 have you worked or do you plan to work in any other per session activity? ___ Yes ___ No. If yes, indicate all positions below. *Use additional sheets if necessary.*

a) Program Name_____

ISC___ District___ Approximate Start Date:_____ Do you claim retention rights? ___ Yes ___ No

School/Office_____ Approximate Total # of Hours in Activity _____

Work Hours Monday-Friday _____ to _____ Saturday- Sunday _____ to _____

b) Program Name_____

ISC___ District___ Approximate Start Date:_____ Do you claim retention rights? ___ Yes ___ No

School/Office_____ Approximate Total # of Hours in Activity _____

Work Hours Monday-Friday _____ to _____ Saturday- Sunday _____ to _____

IV. Will your total per session hours for this year, including the hours for the position for which you are applying, exceed 400? (or 270 for appropriate School/CSE Assessment Staff activities) ___ Yes ___ No

V. Declaration: I have read and understand the requirements cited in Chancellor's Regulation C-175. I have also read the second page of this application which contains pertinent provisions from Chancellor's Regulation C-175. I agree to be bound by those provisions. I affirm that the information given above is, to my knowledge, accurate and complete and I understand that a willfully false answer to any question contained herein is a Class E felony, which shall render this application null and void and may result in loss of retention rights, cancellation of employment, loss of pay, recoupment of compensation already paid or disciplinary action.

_____ _____

Signature Date

VI. Approval By Per Session Supervisor: I certify that this applicant possesses the qualifications established for the position and that the selection was made after following advertising procedures set forth in Chancellor's Regulation C-175, and the Standard Operating Procedures Manual. (A copy of the advertisement is attached.)

_____ _____

Signature of Per Session Program Supervisor Date

Summary of Chancellor's Regulation C-175

Chancellor's Regulation C-175 is available for review in your principal's office, Regional Operations Center (ROC), on the DHR Website and at the Division of Human Resources, Per Session Monitoring Unit, 65 Court Street-Room 815, Brooklyn, New York 11201. Each school maintains a copy of the Standard Operating Procedures Manual for Schools (SOPM). Individuals may review a copy of these procedures in order to familiarize themselves with the process by which per session employees are processed and paid.

1. All per session employees must complete an application for per session activity (OP175) prior to commencing service.
2. Individuals applying for a second per session activity must obtain an approved waiver prior to commencing service in the second activity (OP175 W)
3. If an individual has claimed retention rights in a per session activity, s/he must submit a waiver for any other per session activity regardless of whether or not the activity begins prior to the activity in which the individual claims retention rights. (Example: A teacher claims retention rights in Activity X which begins each year in October. S/he applies to work in a per session activity during July and August. S/he must submit a waiver for this summer per session activity.)
4. Individuals who have been approved for waivers in prior years must resubmit new waiver applications each year. For this purpose, the per session year is from July 1st ***through*** June 30th.
5. Individuals who have been granted a per session waiver for a second position are required to submit an additional waiver form for exceeding the limit on the maximum number of hours that can be served in a per session year. The maximum number of hours of per session work that may be performed annually by employees is announced in periodic Personnel Memoranda from the Division of Human Resources.
6. No individual is authorized to work in a per session activity during a normal school workday.
7. Per session employment, whether funded from the same or a different source, may not be used as a means of providing additional compensation for work similar to that which is performed in an individual's primary assignment.
8. Individuals cannot serve in a per session activity for which, in their primary assignment, they are responsible for hiring, rating, or coordinating or which they normally supervise in their primary assignment.
9. No per session compensation may be paid for work performed at home.
10. Employees on sabbatical leaves beginning August 1st must complete per session activities in which they are serving in July. They will not be permitted to commence any new per session assignments until the September following the completion of the sabbatical.
11. Each per session employee is required to use a time clock to record the exact time of arrival and departure. The timecard is to be maintained at the work site and should serve as the basis of entries on the Personnel Time Report. It a time clock is not available, a daily attendance report with exact time of arrival and departure must be provided, maintained and approved by a supervisor. In every case, regardless of the specific manner in which time is reported, supervisors are accountable for verifying the record of attendance. Approval by a co-worker is not acceptable. Failure to maintain satisfactory records will result in the withholding of compensation or recoupment of payment already made.
12. Each per session employee is required to submit a time sheet for service that was performed during the prior per session period within one school day of the per session period immediately following each service.
13. ***Time sheets submitted for per session work which required a waiver that was not previously approved will result in the withholding of per session payment***.
14. If a teacher is entitled to retention rights in a per session activity but fails to claim those rights before or at the time of application for a different per session job in which the teacher has no retention rights, the teacher may then be denied employment in the job for which there is entitlement to retention.

Notes: Requests for waivers must be submitted sufficiently in advance to allow the Per Session Monitoring Unit time for review and appropriate action. ***All requests for waivers will be reviewed and acted upon within 10 school days from the date of their submission. Per session compensation will be withheld for any individual who has not received prior written approval from the Division of Human Resources for a second per session activity or whose service exceeds the prescribed number of hours indicated in Chancellor's Regulations.***

New York City Department of Education
Division of Human Resources
65 Court Street
Brooklyn, New York 11201

Request for Waiver of Restriction on Per Session Employment

Directions: The appropriate Superintendent, Executive Director or designee or Personnel Manager signs and submits this form to request a waiver of any of the restrictions on per session employment in accordance with Chancellor's Regulation C-175. Per session employment may not exceed any restriction unless prior approval is received from the Division of Human Resources. Please refer to the regulation and appropriate Collective Bargaining Agreement for direction in advertising and selecting personnel for available per session positions.

Waiver is requested for Last Name _____ First_____ MI ___

Social Security # _____ File # _____

The applicant has been selected for the position of: _____

Budget Code_____ ISC____ District_____ Quick Code _____ Line # _____

Location of Per Session Activity: (School/Office) _____

Address_____Zip_____

Per Session Program Supervisor:_____ Phone (____)_____

Check the restriction(s) for which the waiver is being requested:

____ multipleactivities (M/A) ____ number of hours over 400 limit (HRS) ___number of hours over 270 limit

Between what dates and how widely was the position advertised? (Attach copy of advertisement.)_____

_____

Number of applications received for this position? _____

Is there another applicant for whom a waiver would not be needed? _____ If so, indicate why this applicant was not selected._____

Declaration: I certify that this position was advertised and selected in accordance with the regulations governing per session employment and the current Collective Bargaining Agreement, and that this waiver is needed to staff the position appropriately.

_____ _____
Signature of Superintendent, Executive Director or Designee, Personnel Manager Date

Declaration: I request a waiver to permit me to work in excess of the restriction noted above governing per session employment. I understand that I am not permitted to exceed the restriction unless prior approval has been received from the Division of Human Resources.

_____ _____
Signature of Applicant Date

Note: Attach this form to copies of the employee's APPLICATION FOR PER SESSION EMPLOYMENT AND CLAIM FOR RETENTION RIGHTS (Form OP 175) and the advertisement announcing this position, and forward to: Division of Human Resources – Per Session Monitoring Unit, 65 Court St. (Rm. 815), Brooklyn, NY 11201

For Division of Human Resources Action

To Program Supervisor: Your request for a waiver of the restriction noted above for per session year _____ has been

Approved ___ Disapproved ___ _____

_____ _____
Division of Human Resources Date

OP175 W