

New York Medical College Policy Statements

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

New York Medical College recognizes its legal and moral responsibility to assure equal employment opportunity to all qualified individuals. The College's Equal Employment Opportunity Plan supports this commitment by specifying positive objectives and procedures to ensure fair employment practices.

We, therefore, reaffirm our policy, as adopted by the Board of Trustees, to prohibit discrimination in all our personnel actions regarding the recruitment and selection of individuals, training, promotion and all other terms and conditions of employment without regard to race, color, religion, sex, age, national origin, marital status, disability or veteran status. We will, in addition, abide by all contractual commitments regarding equal employment opportunity in affiliation agreements with New York City Health and Hospital Corporation and the County of Westchester.

The Department of Human Resources has the responsibility for establishing, developing, implementing and monitoring our Equal Employment Opportunity Plan.

The College encourages initiative and personal leadership by all faculty and employees to comply fully with federal, state, and local laws prohibiting discrimination in employment; and to support the College's policy by creating an atmosphere which is conducive to non-discrimination. Further, it is our intention to do business only with those organizations that share our commitment to equal employment opportunity.

We trust that each College employee, as well as those individuals outside the College, with whom we have contact, will support our continuing efforts toward equal employment opportunities for all. Should you have any questions regarding the Equal Employment Opportunity Policy or the Plan, please feel free to contact Theresa R. Haviland or Peter M. Brown in Human Resources (914) 594-4560.

HARASSMENT AND SEXUAL HARASSMENT POLICY STATEMENT

New York Medical College is committed to providing all of our students and employees an environment free from conduct constituting harassment and to discipline any student or employee who violates this policy.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, religion, national origin, age, medical condition, disability, marital status, veteran status, citizenship status, or other protected group status. New York Medical College will not tolerate harassing conduct that affects tangible academic or job benefits, that interferes unreasonably with an individual's performance, or that creates an intimidating, hostile, or offensive environment.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex when (1) submission to the conduct is an explicit or implicit term or condition of academic decision or employment, (2) submission to or rejection of the conduct is used as the basis for academic or employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive environment. Sexual harassment may include explicit sexual propositions, sexual innuendoes, suggestive comments, sexual oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, obscene language or gestures, displays of obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body. This does not refer to occasional comments of a socially acceptable nature.

New York Medical College's policy is to investigate all such complaints thoroughly and promptly. To the fullest extent possible, the College will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the College will take corrective action as the facts and circumstances warrant, which may include disciplinary action up to and including immediate suspension or termination, as is appropriate.

New York Medical College affirms that it is the responsibility to each member of faculty and management to create an atmosphere free of sexual harassment. It is also the duty of each student and employee to respect the rights of fellow students and employees.

All New York Medical College employees and students are responsible for helping to assure that we avoid harassment. If you feel that you have experienced or witnessed harassment, employees or students can either notify Theresa R. Haviland or Peter M. Brown in Human Resources at (914) 594-4560, Tracey Richardson at Metropolitan Hospital in New York City at (212) 423-6263, or Tony Sozzo in Student Affairs in Valhalla at (914) 594-4494, or you can call the New York Medical College Harassment Help Line at (914) 594-3333.

IMMIGRATION REFORM & CONTROL ACT POLICY

The Immigration Reform and Control Act was signed into law on November 6, 1986. This act requires all employers to hire only those individuals who are employment eligible (U.S. citizens, resident aliens or non-resident aliens who have employment authorization from the US Citizenship and Immigration Service).

It is the responsibility of the Human Resources Department or Affiliation Office to verify the identity and employment eligibility of all new hires. Proof of identity and employment eligibility will be required for all hires no later than three days from date of employment and shall be documented on Federal form I-9 for employee's personnel file. These forms will be sent to all new employees by the Human Resources Department or the appropriate Affiliation Office, via the new hire orientation process.

It is important that you notify Human Resources or the appropriate Affiliation Office immediately of any change in your immigration status and complete updated W-4 and IT-2104 forms whenever your VISA or tax status changes.

FAMILY AND MEDICAL LEAVE ACT POLICY STATEMENT & MILITARY FAMILY LEAVE

New York Medical College acknowledges its obligation to adhere to the Family and Medical Leave Act (FMLA) of 1993. In order to be eligible under this act, an employee is required to have worked for the College a minimum of one year, and have worked 24 or more hours weekly during the 12 months prior to requesting leave. Eligible employees will be allowed up to a maximum of 12 weeks of unpaid leave within any 12-month period for the birth or adoption of a child, to provide either physical or psychological care for a child, spouse, or parent with serious health condition, or to care for their own serious health condition. FMLA was amended on January 28, 2008 to include military caregiver leave: up to 12 weeks of leave if spouse, son, daughter or parent is on active military duty and up to 26 weeks of Military Family Medical Leave for the employee of a covered service member (spouse, son, daughter, or parent) recovering from a serious illness or injury sustained while on active duty.

Qualified applicants or employees must conclude leave for the birth or the placement of a child for adoption or foster care within 12 months after the event. Leave may begin prior to birth or placement, as circumstances dictate. To qualify for leave for medical reasons, the health condition or treatment(s) must be such that it requires an employee to be absent from work on a recurring basis or for more than a few days for treatment or recovery.

In the case of serious health condition regarding an employee or that of a family member, or for the adoption or birth of a child, the employee is entitled to take leave intermittently or on a reduced work schedule that is acceptable to the employee and the supervisor. Requests for intermittent or reduce leave status may result in the temporary transfer to another position of equivalent pay and benefits in order to better accommodate an employee's leave.

Accrued vacation pay is charged for the unpaid FMLA time off. The reduction of pay for an exempt employee will not impact their exempt status under the Fair Labor Standards Act. Most employees granted leave will be returned to the same position held prior to the leave, or one that is equivalent in pay, benefits, and other terms and conditions of employment. Certain highly compensated, salaried employees are eligible for leave, but not guaranteed restoration to their position if they choose to take leave.

As required by policy, health care benefits will continue during an employee's leave. Both the employee and the college will continue to pay the customary portions of the monthly premium. The Human Resources Department will advise employees of the payment due dates. Union 1199 must be advised of leave arrangements and contributions must be made based on normal weekly earnings.

An employee must provide the college 30 days written notice for leave; or, if emergency conditions prevent such notice, the employee must notify the college as soon as is practicable.

It is the policy of New York Medical College not to interfere with or discriminate against any employee exercising his or her rights under the Federal Family and Medical or Military Family Leave Act. If you have any questions regarding the FMLA, please contact Theresa Gelchie in the Human Resources Department, (914) 594-4560, or refer to the Policies and Procedures Manual (HR605).

AMERICANS WITH DISABILITIES ACT POLICY STATEMENT

New York Medical College is subject to the terms of Title I of the Americans with Disabilities Act of 1990. In compliance with Title I of the Act, effective July 26, 1992, the College will take action to employ and advance in employment qualified individuals with a disability. An individual is qualified if he or she can perform the essential functions of the job with or without reasonable accommodation.

The term disability for purposes of this act is defined as the physical or mental impairment that substantially limits one or more major life activities. Essential functions are those responsibilities that are an integral part of the job and must be performed by the individual in order to be considered qualified for that position. The non-essential functions, of the job do not necessarily have to be performed by the same individual in order for that person to be qualified.

New York Medical College may continue to select qualified people who can perform all job-related functions, but will not or does not discriminate against a qualified individual with a disability because of the person's disability. The ADA requires that the person be evaluated solely on his/her ability to perform essential functions of the job with reasonable accommodation unless it imposes undue hardship, e.g., significant expense or difficulty.

If a qualified applicant or employee with a disability makes a request for accommodation, each request should be filed with Human Resources for consideration. Pre-employment interviews should not include any reference to former workers' compensation cases or contain medical inquiries. In compliance with ADA provisions, the College provides all eligible employees with the same employee benefits without discrimination.

If any applicant, employee, student, patient or other person believes that New York Medical College has failed to comply with the provisions of this Act, a complaint can be filed with Theresa R. Haviland, ADA Coordinator for Human Resources issues, and/or Sarah Cottet, ADA Coordinator for college Facilities Accommodation and Accessibility. A prompt investigation will take place and action taken thereon as the facts and circumstances warrant, consistent with laws and regulations.

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DRUG-FREE SCHOOL AND CAMPUS POLICY STATEMENT

New York Medical College recognizes its special responsibility to prevent the illicit use of drug or alcohol on college premises by faculty, students and employees. The effects of drug or alcohol dependency compromise work and academic performance as well as health care. This, therefore, is to advise you that the College, in consultation with Faculty, the deans' offices and administration, has developed and adopted a drug-prevention program which reaffirms our policy regarding the use of drugs and alcohol and provides specific information in compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

The College's Drug Prevention is as follows:

1. It is the policy of New York Medical College to prohibit the unlawful possession, use or distribution of illicit drugs and the abuse of alcohol by faculty and employees on College premises or as part of any activities of the College.

2. Violation of the above policy shall result in, as a primary and remedial objective, written submission satisfactory to the College indicating completion of an approved drug or alcohol counseling, treatment, or rehabilitation program as a requirement for continued employment or, as a last resort, appropriate disciplinary action, up to and including suspension or termination of employment and, as applicable, referral for prosecution.

3. The abuse of alcohol and illicit drugs is associated with a number of substantial health risks affecting the performance of employees both at work and home. Alcohol is associated with liver disease, ulcers, birth defects, malnutrition, heart disease and stroke and can cause brain damage. Its effects on performance includes: poor concentration, coordination and judgment, as well as absenteeism, lateness, mood swings and fatigue. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening.

4. The legal sanctions under federal, state or local laws for the unlawful possession or distribution of illicit drugs or alcohol are severe and substantial requiring mandatory imprisonment and/or fines. The applicable penalties under Federal Law for the unlawful distribution or trafficking of drugs (substances) and the penalties under Federal Law for the illegal possession of a controlled substance are available in the Human Resources Department or at Affiliation Offices.

5. New York Medical College strongly encourages faculty and employees needing help in dealing with drug or alcohol dependence to participate in the College Employee Assistance Program or drug counseling and rehabilitation programs approved for such purposes by federal, state or local health agencies. A description of some of the available drug or alcohol counseling, treatment or rehabilitation or re-entry programs for faculty or employees can be obtained in the Human Resources Department or Affiliation Offices or through the Union. As appropriate, reimbursement may be made in accordance with the College's current health plans, or union. The EAP offers short term counseling at no charge to eligible employees.

DRUG-FREE WORKPLACE POLICY STATEMENT

New York Medical College recognizes its special responsibility to ensure a drug-free work environment because of our commitment to excellence in medical education and health care. The work-related effects of drug abuse compromise both work performance and the safety of employees and patients. We, therefore, reaffirm our policy to provide a drug-free workplace.

The unlawful manufacture, distribute, dispensation, possession or use of a controlled substance on College premises or while conducting College business off College premises, is prohibited. Violation of this policy will result in, as a primary and remedial objective, the satisfactory completion of an approved drug assistance or rehabilitation program as a requirement for continued employment. As a last resort disciplinary action can be taken, up to an including termination.

All faculty and staff directly engaged in work projects, which are funded by federal grants or contracts are required, as a condition of employment, to affirm that they shall abide by the terms of this policy. Federal law mandates that any conviction under a criminal drug statute for a violation while conducting College business whether on or off College premises must be reported to the Director of Human Resources. Such reports must be made no later than five (5) days after such conviction.

The College recognizes that chemical, drug, or alcohol dependency is an illness or impairment which poses major health or safety problems. Faculty and staff needing help in dealing with such problems are strongly encouraged to participate in drug/alcohol counseling and rehabilitation programs. As appropriate, reimbursements may be made under the College's health plans. All requests for assistance will be held in strict confidence and will not jeopardize employment. As a primary and remedial objective, written submission satisfactory to the College, indicating completion of an approved drug program or attendance in alcohol counseling treatment or in a rehabilitation program is a requirement for continued employment. Continued violation of this policy would require further disciplinary action, up to and including termination and, as applicable, referral for prosecution. All requests for additional information should be directed to Theresa R. Haviland in Human Resources.

With your active cooperation and support, we will continue to deter substance abuse at New York Medical College.

SMOKE-FREE POLICY STATEMENT

The purpose of this policy is to reaffirm New York Medical College's special responsibility as an academic health center to protect faculty, employees, students and the general public from the harmful effects of smoking, to promote the health and safety of all, and to ensure compliance with applicable codes and regulations established by various local, city, state and federal regulatory agencies.

The policy shall be applicable to the College's owned or leased premises at the Valhalla campus including the public areas and lounges and Grasslands Housing and dormitories.

It is the Policy of New York Medical College to establish a smoke-free environment at all of its owned and leased premises effective January 1, 1991, to provide information to faculty, employees and students on the potential health hazards of smoking and of the availability of smoke-free programs and to ensure that employees who smoke respect the rights of others who do not wish to be exposed to the bad effects of inhaling smoke.

Violations of this policy will result initially in referrals to smoke-free or rehabilitation programs or other remedial measures as a requirement for continued employment and finally appropriate disciplinary action. Complaints of violation can be reported to Human Resources (914) 594-4560. This policy shall be published annually, posted in conspicuous places on College premises and incorporated into the orientation program of new employees and students. Your cooperation and adherence with the above shall be appreciated.

INVITATION TO BE CONSIDERED UNDER SECTION 503, REHABILITATION ACT OF 1973

New York Medical College is subject to the terms of Section 503 of the Rehabilitation Act of 1973 and will take affirmative action to employ and advance in employment, qualified individuals with disabilities. The term "individual with a disability" for purposes of titles IV and V of this Act, means any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such an impairment, or is regarded as having such an impairment. Such term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents such individuals from performing the duties of the job in question or whose employment, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others.

If you believe you are represented by this Act and would like to be considered under our Affirmative Action Program, please indicate this to your Department Administrator or to the Director of Human Resources so that your personnel records can accurately reflect this status.

If any individual with a disability believes that New York Medical College has been negligent in complying with the provisions of this Act relating to employment of individuals with disabilities, a complaint should be filed with the Director of Human Resources.

INVITATION TO BE CONSIDERED UNDER SECTION 402, VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1974

New York Medical College is subject to the terms of Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, and will take affirmative action to employ and advance in employment, qualified disabled veterans and veterans of Vietnam era.

If you believe you are represented by this Act and would like to be considered under our Affirmative Action Program, please indicate this to your Department Administrator or to the Director of Human Resources so that your personnel records can accurately reflect this status.

Submission of information is voluntary and will be kept confidential to be used explicitly in government record keeping, reporting and other legal obligations including Affirmative Action reports.

PATIENT'S RIGHTS POLICY STATEMENT

Since many of our employees are involved with the care of the sick, particularly at our Affiliation hospitals, it is important that we reiterate the "Patient's Bill of Rights" posted conspicuously throughout hospitals and faculty practice areas. Communication, respect and trust among patients and health care personnel are necessary for the furtherance of good patient care.

The purpose for which health care delivery systems exist is to provide the medical care and treatment required by its patients. In providing this care, it is necessary that all employees observe the inherent rights of each patient.

Each patient should receive equitable and humane treatment at all times and under all circumstances, regardless of race, color, religion, sex, age, marital status, national origin, disability, veteran status, or the source of payment for care.

The right of privacy should be safeguarded. This involves prevention of interrogation by individuals from outside agencies not directly connected with the College or its affiliated hospitals, protecting the individual's right to privacy of his/her body and preserving the confidentiality of disclosures regarding the patient's history, present condition or course of treatment.