



# Temporary Schedule Change Policy

## I. Purpose

This Policy ensures Albert Einstein College of Medicine (“Einstein” or “College of Medicine”) compliance with New York City’s Temporary Schedule Change Law.

## II. Scope

To be eligible, an employee must have been employed by Einstein for 120 or more days and the employee must have worked 80 or more hours in a calendar year.

## III. Policy

Employees may request a temporary change to their work schedule for certain “personal events” for up to two (2) occasions each calendar year. Employees may make: two (2) separate requests, each totaling one (1) business day; or one (1) request totaling two (2) business days.

### III.A. Procedure

#### III.A.1. Employee Responsibility

As soon as an employee becomes aware of the need for a temporary schedule change, the employee should request one from their direct supervisor either verbally or in writing using the [Temporary Schedule Change Request Form, HR-FRM-2018-001](#). The request must include:

1. Date of the temporary schedule change;
2. The reason for the change; and,
3. The proposed schedule change that the employee seeks (unless the employee would like to use unpaid leave).

If an employee requests a schedule change verbally (for example, in person or by phone), the employee must submit a written request no later than two (2) business days after the schedule change. The employee’s written request to their direct supervisor must include:

1. The date of the temporary schedule change;
2. The reason for the change; and,
3. Details of the schedule change.

### III.A.2. Supervisor Responsibility

The supervisor must respond to the employee's request as soon as possible. The initial response by the supervisor may be done verbally or in writing.

The supervisor must provide a written response within fourteen (14) days of the employee requesting the schedule change in writing. The supervisor's response must include:

1. Whether the temporary schedule change has been granted in the manner requested by the employee, or in the alternative, the temporary change to the work schedule will go as unpaid leave, which does not constitute a denial;
2. If the request is denied, an explanation for the denial; and
3. How many requests/business days the employee has left in the calendar year after taking into account the decision contained in the written response.

Requests may be denied if:

1. The employee is not eligible; or,
2. The employee has exceeded the number of allowable requests (2) within the year; or,
3. The employee does not have a qualifying reason for the request (i.e., not a "personal event").

### III.B. Confidentiality

All information submitted as part of the request for a temporary schedule change (verbal and/or written) will be kept confidential to the extent required and permitted by law. Confidential information will only be made available on a need to know basis.

### III.C. Retaliation is Prohibited

Einstein will not tolerate retaliation against any employee who requests a temporary schedule change or otherwise exercises their rights under this policy. In addition, no action should be taken against any employee that might stop or deter them from exercising their rights under this policy.

## IV. Definitions

A "personal event" occurs when an employee needs to:

1. Care for a child under the age of 18 for whom the employee provides direct and ongoing care;
2. Care for an individual ("care recipient") with a disability for whom the employee provides direct and ongoing care to meet the needs of daily living and who is a family member or who resides in the employee's household;
3. Attend a legal proceeding or hearing for "public benefits" for the employee, a family member, or the employee's minor child or care recipient. Public benefits include government-provided cash or vouchers to improve the physical welfare of the recipient, including benefits for food, utilities, shelter, health and disability services or social security income/disability; or
4. Any circumstance that would qualify for the use of sick time under Article III. B. of Einstein's Sick Leave Policy, include, but not limited to:
  - a. Care and treatment of the employee or a family member; or

- b. Assistance or other safety measures if the employee or a family member may be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking.
- 5. The granting of a temporary schedule change does not count towards the employee's annual forty (40) hour entitlement to sick leave under Article III. B. of Einstein's Sick Leave Policy or applicable collective bargaining agreement.

A "temporary change" means an adjustment to an employee's usual schedule. Temporary schedule changes that may be granted because of a personal event include, but are not limited to:

- 1. Using short term unpaid leave;
- 2. Using available paid time off;
- 3. Working remotely (if applicable);
- 4. Swapping shifts with another employee;
- 5. Altering work hours.

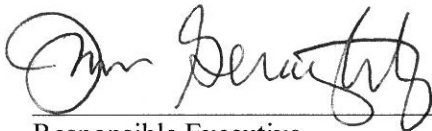
A "family member" includes: child (biological, adopted, or foster child, legal ward, child of an employee standing in loco parentis); grandchild; spouse; domestic partner; parent; grandparent; child or parent of an employee's spouse or domestic partner; sibling (including a half, adopted, or step); any individual whose close association with the employee is the equivalent of family; and, any other individual related by blood to the employee.

**V. Effective Date**

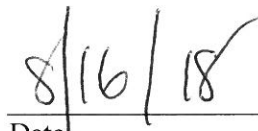
Effective as of: 15 August 2018

**VI. Policy Management and Responsibilities**

Einstein's Human Resources department is the Responsible Office under this Policy. The Dean of Einstein is the Responsible Executive, and Einstein's Vice President for Human Resources and Diversity is the Responsible Officer for the management of this policy.



Responsible Executive



Date