



Central Islip Union Free School District

Board of Education & School District Policy Book

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Section	Section Title	Type
9000	Personnel Policy Goals	Local
Policy	Policy Title	
9500	Compensation and Benefits	

The Board of Education believes that the district's employees should receive fair compensation and benefits for the work they provide in serving the children of our community. To this end, the Superintendent of Schools shall be responsible for establishing and administering the compensation and benefits provided to the district's employees, consistent with collective bargaining agreements.

The Board and the school district will comply with all applicable federal and state laws that require minimum compensation, overtime and benefits be provided to certain employees.

Determination of Employment Status

Before enrolling an individual in the district's compensation and benefits program, the district will determine the individual's employment status. In accordance with regulations issued by the State Comptroller and as set forth by the Internal Revenue Service, the Assistant Superintendent for Personnel will determine if the person is an employee and thus entitled to benefits. If the individual is not an employee based on the specified criteria, they will not be enrolled in any of the benefit programs offered by the district or the State. When the district hires an attorney, physician, engineer, architect, accountant or auditor as an employee and not an independent contractor, the Board of Education President must certify to the applicable New York State Retirement System the factors supporting that determination using the form prescribed by the State Comptroller.

The Assistant Superintendent for Personnel shall be responsible for reporting to the appropriate retirement system those individuals eligible for membership. This reporting shall take place at the time of an individual's employment, and at the intervals required by the appropriate retirement system.

Employees Covered by Collectively Negotiated Agreements

The compensation and benefits (except for State Retirement System benefits) for employees who are represented by recognized or certified employee organizations are established by collectively negotiated agreements between the employee organizations and the district. The district will negotiate in good faith over these issues, as required by law, and will fully comply with the requirements of the Taylor Law and the applicable collectively negotiated agreements.

The Board reserves its right to approve all additional funding required by the provisions of a tentative collectively negotiated agreement, in addition to any right of ratification that is secured by the district's negotiation representative(s).

Employees Not Covered by Collectively Negotiated Agreements

The compensation and benefits for employees who are not represented by recognized or certified employee organizations shall be determined by the Board of Education upon the recommendation of the Superintendent.

1st Reading: February 13, 2012

2nd Reading: March 12, 2012

Adoption date: March 12, 2012

Cross Reference:

6741, Contracting for Professional Services

6800, Payroll Procedures

9420, Recruiting and Hiring

Reference:

Consolidated Omnibus Budget and Reconciliation Act of 1985 (COBRA), 42 USC §§ 300bb-1 et seq. (federal law that requires the continuation of health insurance benefits under certain circumstances)

Fair Labor Standards Act (FLSA), 29 USC §§ 200 et seq. (federal law that requires a minimum wage and overtime for non-exempt employees)

Family and Medical Leave Act of 1993 (FMLA), 29 USC §§ 2610 et seq. (federal law that requires an unpaid leave of absence for certain family and medical situations)

Civil Service Law §§ 200 et seq. ("Taylor Law," requires school districts to negotiate with unions)

Education Law § 3005-b (requires a minimum sick leave allotment and accumulation for teachers)

Local Finance Law § 2.00(5)(e) (designates Board of Education President as Chief Fiscal Officer)

2 NYCRR Part 315.2 and 315.3 (criteria for determining employment status)