

APPEAL TO THE EXECUTIVE DIRECTOR OF UNION INITIATED, PARA AND 23
TEACHERS, DISTRICT #31, U.F.T.#P3356

The conference was held on November 30, 1993

Present: *Union Initiated, Grievant
Pat Talaszek, U.F.T. Representative
Robert Burwick, U.F.T. Representative*

Grievance: *The Union stated that one paraprofessional and twenty-three teachers were improperly docked one (1) day's pay for absences occurring on April 5, 1993. The Union contends that the contract clearly guarantees self-treated days and does not indicate that these days are not to be taken before or after holidays. Therefore, the District is changing policy and violating Article 20 of the U.F.T. Contract.*

In addition, the Union stated that all employees absent on that day were treated en masse when they were docked and that the only opportunity to have the absence approved was to bring in a Doctor's note, which is not necessary for self-treated days. Documents submitted included Step III grievance of Charles Imbergamo and a full list of names of grievants. The Union is asking that the paraprofessional and the twenty-three teachers should have one day's pay returned and be made whole in all ways.

The District Representative stated that the Superintendent ordered Principals to call absentees at home on April 5, 1993 due to the unusually large number of absences that day. He also indicated that it is District policy to disapprove absences which occur before or after holidays. He also stated that the District did not have the wherewithal to investigate each case individually, to determine if there were patterns of absences in these cases. He stated that, at the request of this Hearing Officer, he would provide copies of all CAR's for employees in question.

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Findings: The CAR's not having been submitted for consideration by the Personnel Director within a reasonable time, patterns of absences have not been clearly established. All grievants shall have one day restored to their CAR's. Grievances sustained.

Respectfully submitted,



Eileen Delgado
Executive Director's Representative

IT IS SO ORDERED:



Thomas P. Ryan 12/27/93
Executive Director