

***STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS***

***EMPLOYEE POLICY HANDBOOK***



**RAEANNE V. CURTIS  
COMMISSIONER**

September, 2008



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

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## *DPW Statement of Mission*

Our mission at DPW is to be the leader in providing quality facilities and in delivering cost-effective, responsive and timely services to state agencies in the areas of planning, design, construction, facilities management, leasing, property acquisition and disposition, and statewide security.

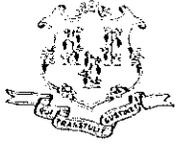
## *Our Vision*

To create for and with our client state agencies innovative and responsive physical environments which support and enhance accomplishment of their workplace missions in serving their customers.

*Raeanne V. Curtis*  
*Commissioner*

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# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

### AFFIRMATIVE ACTION POLICY

It is the policy and practice of the Department of Public Works to ensure that no person will be discriminated against or be denied the benefits of any activity, program or employment process receiving public funds, in whole or in part, in the areas of recruiting, advertising, hiring, upgrading, promoting, transferring, demoting, layoffs, terminations, rehiring, rates of pay, benefits, discipline and service ratings. The Department pledges to affirmatively provide services and programs in a fair and impartial manner.

The Department of Public Works is an Affirmative Action/Equal Opportunity Employer and is strongly committed to all policies which will afford equal employment opportunity to all qualified persons without regard to race, color, religious creed, age, sex, marital status, national origin, sexual orientation, ancestry, political belief, learning disability, physical disability or blindness, present or past history of mental disability, mental retardation, genetic information or criminal record. While equal employment opportunity is the purpose and need of affirmative action, the Affirmative Action Plan represents positive action undertaken with conviction and effort to overcome the present effects of past practices, policies or barriers to equal employment opportunity, and to achieve full and fair participation of protected groups. The Department views affirmative action and equal employment opportunities as immediate and necessary Department objectives.

The difference between affirmative action and equal opportunity employment is that while equal employment opportunity means employment of individuals without consideration of race, color, religious creed, age, sex, marital status, national origin, sexual orientation, ancestry, political belief, learning disability, physical disability or blindness, present or past history of mental disability, mental retardation or criminal record, unless the provisions of Section 46a-60(b), 46a-80(b) or 46a-81 of the Connecticut General Statutes are controlling or there is a bona fide occupational qualification excluding persons in one of the above protected groups, affirmative action is the positive action undertaken with conviction and effort, to overcome the present effects of past practices, policies or barriers to equal employment opportunity and to achieve the full and fair participation of women, Blacks and Hispanics and any other protected group found to be underutilized in the workforce and affected by policies or practices having an adverse impact.

The Department of Public Works in addition to the above mentioned protected group members recognizes the hiring difficulties experienced by persons with physical disabilities, developmental disabilities, and by many older persons, and sets goals for affirmative action to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the workforce.

My commitment and support to this policy of affirmative action is and will continue to be applied to all aspects of the employment process.

Affirmative Action plays a role in each stage of the employment process. These stages include:

- a. Advertising/Recruiting: Ensuring that there is an available pool of protected class members for vacancies.
- b. Employment Applications, Job Qualifications, Job Specifications and Personnel Practices: Are reviewed periodically to ensure that there are no artificial barriers set to prevent qualified applicants from employment.
- c. Orientation: All new employees are given a copy of the Department's Affirmative Action Policy during the orientation session.
- d. Training: Opportunities are made available by voluntary request and participation of the employee.
- e. Counseling: The Equal Employment Opportunity Specialist for the Department is available to counsel employees regarding Affirmative Action issues and assist them in pursuing the agency grievance procedure if applicable.
- f. Service Ratings: Based solely on job performance. They are reviewed and signed by the individual's immediate supervisor as well as the next level supervisor, the Agency Human Resources Administrator and the employee in order to ensure the absence of bias in the evaluation process.
- g. Lay Off: Are consistent with the State regulations and applicable collective bargaining contracts.
- h. Terminations: The Equal Employment Opportunity Specialist is advised of all dismissals. This ensures that the termination is a result of just cause and absent of discrimination due to protected class membership.

In order to ensure that all aspects of the Affirmative Action Plan are adhered to and to carry out the responsibilities as outlined in the Affirmative Action Plan, Johnette Tolliver is the agency's Equal Employment Opportunity Specialist. She is located in the Small Agency Resource Team Unit, 5<sup>th</sup> Floor, East, 165 Capitol Avenue, Hartford, CT 06106 and can be reached at (860) 713-5394.

All supervisory personnel and staff are directed to adhere to this policy and to familiarize themselves with the Department of Public Works Affirmative Action Plan.

Any employee wishing to review and comment on the agency's plan should contact Johnette Tolliver at the above telephone number.

June 5, 2008  
Date

Raeanne V. Curtis  
Raeanne V. Curtis  
Commissioner



**STATE OF CONNECTICUT**  
*DEPARTMENT OF PUBLIC WORKS*



Raeanne V. Curtis  
*Commissioner*

**AMERICANS WITH DISABILITIES ACT POLICY**

The Department of Public Works is committed to providing and promoting equal opportunities in all of its programs and services. This commitment includes adhering to the mandates of the Americans with Disabilities Act (ADA) of 1990, which makes it unlawful to discriminate against a qualified person with a disability in all aspects of the employment process and in the provision of services and benefits.

The ADA utilizes a three-pronged definition of disability. An individual with a disability is: any person that (1) has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment, or, (3) is perceived or regarded as having such an impairment.

The Department of Public Works is also committed to providing reasonable accommodations to qualified persons with disabilities. This will ensure the full and fair participation of all employees and the public in all Department programs and activities.

The Americans with Disabilities Act enables society to benefit from the skills and talents of individuals with disabilities, similar to those provided by Title VII of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, sex, national origin, and religion and Section 504 of Rehabilitation Act of 1973 which is the foundation for the Americans with Disabilities Act.

This policy is posted and distributed annually to all employees of the Department.

As with each civil rights legislation, every employee is expected to comply with the provisions of the Americans with Disabilities Act. It is also expected that all departments and employees will support our agency efforts and programs, which are designed to promote and to achieve the principles of the Americans with Disabilities Act.

Bruce Bockstael, is the ADA Coordinator for DPW facility-related complaints. Any questions or concerns may be addressed to his attention at (860) 713-5630. Employment-related ADA concerns should be addressed to Susie Carlson, Human Resource Specialist, at (860) 713-5315 or Johnette Tolliver, Equal Employment Opportunity Specialist, at (860) 713-5394.

May 30 2004  
Date

Raeanne V. Curtis  
Raeanne V. Curtis  
Commissioner



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## ATTENDANCE POLICY

### *POLICY OBJECTIVE*

To provide guidelines for evaluating employee attendance and procedures for implementing periodic reviews and employee recognition or corrective action as appropriate.

### *POLICY STATEMENT*

It is the policy of the Department of Public Works that regular attendance at work is a prerequisite for continued employment. Regular attendance includes being at the prescribed work site on time, remaining for the duration of the shift, and adhering to the time frames established for meal periods and rest breaks. Frequent absenteeism reduces the level of service provided by the Department, places an extra burden on management and co-workers, and increases operational costs.

This agency is most concerned with unscheduled absences which allow little or no time for alternative planning. Thus the absenteeism referred to and dealt with in this policy will include any failure to report for or remain at work as scheduled, regardless of the reason or duration.

Each employee must be responsible for maintaining a good attendance record. Each supervisor is charged with consistently enforcing this policy within the work unit by monitoring each employee's complete attendance record including any unique circumstances that may exist. All parties will be evaluated on their performance of these responsibilities.

### **PROCEDURE**

**SUPERVISOR** Provides all employees in the unit with name(s) and telephone number(s) to contact when unable to report to work.

**EMPLOYEE** Notifies immediate supervisor or designee within one half (1/2) hour of the start of his/her work shift and indicates the reason(s) for the absence.

Notifies immediate supervisor or designee **AGAIN** if the absence lasts longer than originally indicated.

Submits self service timesheets on CORE, with backup by the supervisor.

**SUPERVISOR** Determines who is at work and time of arrival for attendance purposes. Maintains a record which lists the reasons for employee absences, the exact time of notification, and a summary of any discussions held with the employee.

Approves all absences submitted on the CORE biweekly time sheets.

Notifies the human resources to provide a medical certificate to any employee who is absent due to illness in excess of four (4) working days.

*HUMAN RESOURCES* Sends out medical certificate as necessary.

*EMPLOYEE* Returns completed medical certificate to human resources.

*HUMAN RESOURCES* Notifies supervisor and payroll of receipt of medical certificate.

*PAYROLL OFFICE* Confirms for human resources any absences requiring a medical certificate.

*SUPERVISOR* Monitors employee leave usage and determines if follow-up action is required. Consults with Human Resources to initiate appropriate steps of progressive discipline.

*HUMAN RESOURCES* Upon written request, HR will supply attendance records to ensure consistent enforcement of attendance guidelines.

**NOTE: PLEASE REFER TO "GUIDELINES ON ATTENDANCE." CONTACT HUMAN RESOURCES FOR FURTHER ASSISTANCE.**

### ***GUIDELINES ON ATTENDANCE***

Department of Public Works employees are responsible for maintaining a good attendance record. When it is not possible for an employee to come to work due to an illness, he/she should seek appropriate medical attention and take the steps necessary to ensure a swift return to work. It is imperative that each employee not let minor inconveniences cause him or her to be absent from work.

While the thrust of the attendance policy is on prevention and correction of problems, the Department is also establishing guidelines to assist supervisors in dealing with employees who persist in having poor attendance. Employees with problem absenteeism must be counseled by their supervisors and encouraged to improve their records. Supervisors will also explain and offer the Employee's Assistance Program to these employees. In addition, supervisors should feel free to call upon human resources for counseling assistance.

Although our main intent is to encourage employees to improve their attendance records, we will not hesitate to take appropriate action in cases where the records clearly show continuing abuse of leave privileges. The following guidelines should normally be adhered to by ALL supervisors for ALL employees. However, each supervisor should consider all the facts relating to an individual employee's attendance.

**PLEASE NOTE: These steps are progressive. No matter how many occasions of absence have occurred, the first step is always counseling. Prior to taking any action beyond counseling, a supervisor should first consult with human resources.**

## DEFINITIONS

1. COUNSELING - Meeting with the employee to apprise him/her of perceived deficiencies for the purpose of achieving improved performance. Counseling is not considered discipline and records of counseling should be retained only as supervisor's notes.
2. DISCIPLINE - A formal action taken by an employer toward an employee after counseling (except in cases of gross misconduct) has not produced desired results.
3. MEDICAL CERTIFICATE REQUIREMENT - A step in the progressive discipline process wherein an employee is required to provide a medical certificate to substantiate all sick leave usage. Medical certificates may also be required for non-disciplinary reasons.
4. OCCASION - An unscheduled absence of any duration for one specific reason.
5. TANDEM OCCASION - An unscheduled absence of two (2) days or less immediately prior to or following a regularly scheduled day off (weekend, vacation, holiday, etc.)
6. TARDINESS - Being late reporting to work, returning from breaks (including meal breaks), or leaving work early.
7. OCCASIONAL TARDINESS - Tardiness occurring three (3) times or less in a ninety (90) day period.
8. HABITUAL TARDINESS - Tardiness occurring more than three (3) times in a ninety (90) day period.

## STEPS

1. Employees with excellent attendance records should be rewarded by their supervisors with an indication of "excellent" on their performance appraisals. Any employee with no occasions as defined above within a six-month period will have a letter of commendation placed in his/her personnel file.
2. Vacation and personal leave requests must be made in accordance with agency policy and with current collective bargaining agreements which cover each employee. Supervisors should monitor and document all "emergency" use of vacation and personal leave. Excessive and/or repeated call-ins of this nature should not be tolerated and the employee so advised.
3. An employee who fails to call in to report his/her absence, without reasonable cause, will be charged with an unauthorized leave of absence (LU) and will be advised of this in writing.
4. An employee will not be charged for occasional instances of tardiness for time periods of less than thirty (30) minutes.  
Occasional instances of tardiness which equal or exceed thirty (30) minutes will be charged to the employee's vacation or personal leave or deducted from the employee's pay.
5. An employee who is tardy for the third time within a ninety (90) day period should be counseled. The counseling session should be documented by the "Supervisor's Record of Formal Oral Counseling."

NOTE: Extenuating circumstances should ALWAYS be considered prior to taking any disciplinary action. Instances of tardiness due to inclement weather or delays in

mass transit are NOT to be included. Contact the human resources office if you have any questions.

6. An employee who is tardy for the fourth time should receive a written warning from the supervisor that is issued after consulting with the human resources administrator. This warning will advise the employee that his/her attendance needs improvement and that failure to do so will result in further action being taken. A copy of this warning will be signed by the employee or his/her union steward and placed in the employee's personnel file.
7. An employee who is tardy for the fifth time should receive a written reprimand from the supervisor that is issued after consulting with the human resources administrator. In addition, the time lost from work due to tardiness for this and all future occasions will be deducted to the minute from the employee's pay. This docking procedure will remain in effect until the habitually tardy employee has no instances of tardiness for twelve (12) consecutive weeks beginning on the date of the fifth occasion.

Upon the fifth occasion of habitual tardiness, a rating of "fair" may be given to an employee on his/her performance appraisal. Continued tardiness beyond this point should result in counseling and may result in the issuance of an "unsatisfactory" performance appraisal. Failure to correct the tardiness problem should result in a second "unsatisfactory" performance appraisal and dismissal from state service.

8. An employee who has three occasions of unscheduled absence from work during a three (3) month period should normally be counseled. The supervisor and the employee should discuss the absences, any contributing problems, and possible corrective actions.
9. An employee who has five occasions of unscheduled absence within a twelve (12) month period should normally be counseled. This counseling should not be intended to penalize an employee for utilizing sick leave, but rather to advise him/her that unscheduled leave should only be taken in true emergencies or in cases when illness prevents working. The supervisor should document this counseling session with the "Supervisor's Record of Formal Oral Counseling."
10. On the seventh occasion of unscheduled absence, the supervisor must normally discuss the record with the employee and a written warning will be issued by the supervisor after consulting with the human resources administrator. This warning should serve as notice to the employee that his/her attendance record indicates a need for improvement and that failure to improve will result in further disciplinary action being taken. A copy of this warning must be signed by the employee or his/her union steward and will be placed in the employee's personnel file.
11. On the ninth occasion of unscheduled absence, the employee will normally receive a written reprimand from the supervisor that is issued after consulting with the human resources administrator. The employee will be placed on a medical certificate requirement. Signed copies of the reprimand and the medical certificate requirement notice will be placed in the employee's personnel file.
12. If an employee exceeds nine occasions of unscheduled absence within a 12-month period, his/her supervisor will notify the human resources office that disciplinary action may be appropriate. This action will normally be a suspension, but the employee's work record, pattern of absenteeism, any evidence of efforts to improve attendance, and any extenuating circumstances that may be relevant will be taken into account.

In addition, in all but the most unusual cases, an employee with more than nine occasions should receive a rating of "fair" in attendance on his/her performance appraisal.

In all but the most unusual cases, an employee with more than 10 occasions of absence within a 12-month period should receive an "unsatisfactory" rating in attendance on his/her performance appraisal.

An "unsatisfactory" rating should also be issued if seven or more occasions of absence are in tandem with scheduled days off.

13. If an employee's attendance record does not improve after these progressive steps of discipline, dismissal proceedings will be undertaken by the Agency. NOTE: Please consult with the human resources office when this course of action is anticipated.
14. Supervisors should follow the preceding guidelines for their employees in the P-5, (Administrative and Residual) Unit with the exception that "fair" or "unsatisfactory" ratings are NOT to be given solely on the employee's attendance record. Supervisors should contact the human resources office for guidance when this situation arises.

*Raeanne V. Curtis*

Raeanne V. Curtis, Commissioner

*September 20, 2008*

Date



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## CODE OF ETHICS POLICY \*

\* This policy is under revision. For updated information, see ***A Guide to the Code of Ethics for Public Officials and State Employees 2008***, issued by the State of Connecticut Office of State Ethics: [http://www.ct.gov/ethics/lib/ethics/guides/public\\_officials\\_guide\\_08\\_final.pdf](http://www.ct.gov/ethics/lib/ethics/guides/public_officials_guide_08_final.pdf)

No employee of the Connecticut Department of Public Works shall, either individually (or as a member of a group), directly or indirectly, solicit, or accept any gift of gratuity from any person or organization with whom the Department has, has had, or may expect to have, a business relationship which could cause, or create the appearance of, a conflict with or influence the performance of the employee's duties with the Department.

Any gift or gratuity must be refused or returned with a copy of the letter concerning our Code of Ethics Policy which has been sent to the concerns doing business with the Department of Public Works. The only exception recognized is for advertising matter which has negligible monetary value and which is widely distributed or generally available without charge.

No employee of the Connecticut Department of Public Works shall, either individually (or as a member of a group), directly or indirectly, solicit the sale of tickets for a charitable event or accept any gift for the benefit of a charitable organization from any person or organization with whom the Department has, has had, or may expect to have, a business relationship which would cause, or create the appearance of, a conflict with or influence the performance of the Department.

No employee of the Connecticut Department of Public Works shall use or distribute State information or use state equipment or materials for other than State business purposes.

No employee of the Connecticut Department of Public Works shall allow any private obligation of employment or enterprise to take precedence over his/her responsibility to the Department.

No employee of the Connecticut Department of Public Works shall accept employment with any consultant, contractor, appraiser, or any other organization or individual which is under contract or agreement with the State of Connecticut, nor shall any employee of the Connecticut Department of Public Works have, directly or indirectly, a financial interest in any business, firm or enterprise doing business with the State of Connecticut, which could cause, or create the appearance of, a conflict with or influence the performance of the employee's duties with the Department.

In addition to the above, all employees of the Department of Public Works are to comply with Sections 1-79 through 1-89 of the Connecticut General Statutes, as amended, entitled Code of Ethics for Public Officials.

*A GUIDE TO THE  
CODE OF ETHICS FOR  
PUBLIC OFFICIALS AND  
STATE EMPLOYEES*

1999

NOTE: This guide summarizes only the main points of the code. For the full text, with all conditions and exceptions, consult Connecticut General Statutes, Chapter 10, Part I. For interpretations of the code contact the Ethics Commission.

**WHO MUST COMPLY:** All state officials and employees (except judges), plus sheriffs and deputy sheriffs. NOTE: all officials and employees of the state's quasi-public agencies are included in the code's definitions of "public official" or "state employee", and are subject to the code. The provisions on the last page apply to former public officials and state employees.

**WHAT STANDARDS DOES THE CODESET:** The ethical rules are contained in Connecticut General Statutes §§1-84 through 1-86. Basically, these sections are intended to prevent one from using public position or authority for personal financial benefit. The principal provisions of §1-84 prohibit:

-acceptance of outside employment which will impair independence of judgment as to official duties or require or induce disclosure of confidential information gained in state service. (Generally outside employment is barred if the private employer can benefit from the state servant's official actions. For example, the individual in his or her state capacity has regulatory or contractual authority over the private entity. A state servant is not prohibited, however, from using his or her expertise for private gain, as long as no provision of the Code is violated in the process);

-use of public position or confidential information gained in state service for the financial benefit of the individual, his or her family (spouse, child, child's spouse, parent, brother or sister), or an "associated business" (defined to include any entity through which business for profit or not for profit is conducted in which the state servant, or an immediate family member, is a director, officer or owner) (NOTE: There is an exception to this definition, however, for unpaid service as an officer or director of a non-profit entity.);

-representation of another for compensation, or being a member of a business which represents a client for compensation, before: Banking Department; Connecticut Siting Council; Department of Environmental Protection; Claims Commissioner; office within Consumer Protection Department which carries out duties of the former Department of Liquor Control; Connecticut Real Estate Commission; Department of Public Utility Control; Department of Motor Vehicles; Insurance Department; State Insurance Purchasing Board; Gaming Policy Board; Division of Special Revenue; and Office of Health Care Access. (Excepted from this prohibition are members of boards, commissions, and quasi-public agencies who receive no compensation other than per diem, expenses, or both, and teaching or research professional employees of public institutions of higher education provided their actions are not otherwise in violation of the Code of Ethics.);

solicitation or acceptance of anything of value based on an understanding that one's official action will be influenced thereby. (Prohibition applies to candidates and to anyone offering or giving the thing of value);

entering into contracts with the state valued at \$100 or more, unless the contract has been awarded through an open and public process. (Ban extends to immediate family and associated businesses but excepts executive branch and quasi-public agency officials who receive no compensation except per diem, expenses, or both, unless official has control over subject matter of contract. Contracts of employment as a state employee and contracts made by court appointment are exempt from the provision.) Additionally, no executive head of an agency; no executive head of a quasi-public agency; and no member of such individual's immediate family or a business with which he is associated may enter into any contract with that agency or quasi-public agency;

-acceptance of any gift or gifts from one known to be a registered lobbyist or lobbyist's representative. (Limitation also applies to candidates, immediate family and staff members. "Gift" does not include food and drink totaling less than fifty dollars per person in a calendar year, if consumed on occasions at which the lobbyist, or a representative of the lobbyist, furnishing the food and drink is in attendance. Among the other items excluded from the term are presents given by individuals incident to "major life events", ceremonial awards costing less than one hundred dollars, benefits costing less than ten dollars per person per occasion up to fifty dollars total in a calendar year, and gifts to the state.);

-acceptance of any gift or gifts from any person doing business with, seeking to do business with or directly regulated by the state servant's agency or department. (NOTE: the same exceptions to the lobbyist gift provision listed above also apply to this gift limitation.)

-acceptance of any fee or honorarium given in return for a speech or appearance made or article written in one's official capacity. (Acceptance of the individual's necessary expenses is permissible, however.);

-interference with or solicitation of lobbying contracts for any person.

Section 1-85 (substantial conflict) and §1-86 (potential conflict) are distinct but related provisions to consider when a possible conflict is identified:

(1) If faced with taking official action which you can expect will directly affect your financial interests, distinct from others in your occupation or group (e.g., taking official action on the awarding of a contract to a private business you own) you have a substantial conflict of interest under §1-85 and may not act under any circumstances.

However, if your financial interest is shared by the other members of your profession, occupation, or group (e.g., a public official/teacher acting on a matter that will result in a uniform financial benefit to all teachers) you proceed under the rules of §1-86. Specifically: (A) if one is a member of a regulatory agency, one must either be excused upon request or prepare, under penalty of false statement, a written statement (to be placed in the minutes of the individual's agency, copy to the Ethics Commission) describing the potential conflict and stating why, despite the situation, one can act fairly, objectively and in the public interest; or (B) if not a member of a regulatory agency, the individual must prepare a written statement, under penalty of false statement, which describes the potential conflict. The individual must deliver the statement to his or her superior, who will assign the matter to another who is not subordinate to the individual with the conflict. (If one has no immediate superior, deliver the statement to the Ethics Commission for guidance on how to proceed.)

(3) Under §1-86, if the financial effect on you, a family member, or an associated business is insignificant (i.e. less than \$100 in a calendar year), or no different than that of a substantial segment of the general public (e.g., a regulatory official approving an increase in residential electric rates), you may act without having to follow §1-86 procedures.

**FINANCIAL DISCLOSURE:** Certain public servants in significant positions in the legislative and executive branches of state government and the state's quasi-public agencies must file annually with the Ethics Commission by May 1 statements of financial interests held during the previous year.

Additionally, each state servant must disclose to the Commission, within thirty days, any "necessary expense" payments which the individual receives in his or her capacity as a public official or state employee if lodging and/or out-of-state travel is included, unless provided by the federal government or another state government.

Also, whenever a gift to the state incidentally benefits a public official or state employee in the amount of fifty dollars or more and is donated by an individual or entity regulated by, doing business with, or seeking to do business with the recipient agency, the individual's superior, shall certify in writing to the Ethics Commission, prior to the acceptance of the benefit, that the gift, in fact, facilitates state action or functions and is sanctioned by the recipient agency, notwithstanding any potential conflict of interests. An example of such a gift to the state is when a regulated entity pays the cost for a state regulatory employee to take a course relevant to his or her area of expertise.

**ENFORCEMENT PROCEDURES, PENALTIES:** Enforcement of the code is initiated by a complaint, filed by the Commission or any member of the public. (In most instances, a Commission complaint is preceded by a confidential staff evaluation.) A two-stage process follows: (1) confidential investigation and probable cause hearing; (2) if probable cause is found, a public hearing to determine if the code has been violated. (At any stage of the process the Commission and respondent may negotiate a settlement.) After a finding or admission of a violation, the Commission can order the respondent to comply with the code in the future, file any required report or statement, and pay a civil penalty of up to \$2,000 per violation.

Alternatively, for failure to file a report, statement, or other information required by the code the Commission can, after a single hearing, impose a civil penalty of up to \$10 per day, the aggregate penalty for any one violation not to exceed \$2,000.

If the Commission concludes a violation was intentional, it can refer the matter to the chief state's attorney for action. An intentional violation of the code is a misdemeanor punishable by a fine of up to \$2,000, a jail term of up to one year, or both.

The attorney general may sue for up to three times the economic gain received through knowingly committing or knowingly profiting from a violation of the code.

The Commission is authorized to protect and keep confidential the identity of any individual who provides information regarding a possible violation of the code.

**IF YOU HAVE A QUESTION ABOUT THE CODE:** Anyone subject to the code may request the Commission's advice (advisory opinion) as to how the code applies to a situation. The Commission staff also provides informal advisory letters when the question posed is unambiguous or has been previously addressed by a Commission opinion. Finally, staff is available to discuss application of the code to your particular issue on a confidential basis.

If you have any questions about this guide or desire more information about the Ethics laws, please contact the Commission staff:

Office of State Ethics  
18-20 Trinity Street  
Hartford, CT 06106-1660  
Phone: (860) 263-2400  
Fax: (860) 566-3806

Hours: Weekdays 8:30 a.m.- 4:30 p.m.

January, 1999

Poguide, Gen. Corres.

*ETHICS CODE PROVISIONS APPLICABLE TO  
THOSE LEAVING STATE OR QUASI-PUBLIC AGENCY SERVICE*

1. NO FORMER PUBLIC OFFICIAL OR STATE EMPLOYEE MAY DISCLOSE OR USE CONFIDENTIAL INFORMATION, GAINED IN STATE SERVICE, FOR THE FINANCIAL BENEFIT OF ANY PERSON.

This is a lifetime prohibition. "Confidential information" is any information not generally available to the public. The information may be in any form (written, photographic, recorded, computerized, etc.) including orally transmitted information, e.g., conversations, negotiations, etc.

2. NO FORMER EXECUTIVE BRANCH OR QUASI-PUBLIC AGENCY OFFICIAL OR EMPLOYEE MAY REPRESENT ANYONE (OTHER THAN THE STATE) CONCERNING ANY PARTICULAR MATTER (1) IN WHICH HE OR SHE PARTICIPATED PERSONALLY AND SUBSTANTIALLY WHILE IN STATE SERVICE AND (2) IN WHICH THE STATE HAS A SUBSTANTIAL INTEREST.

This is a lifetime prohibition. It applies regardless of where the representation occurs and whether or not compensation is involved. The term "particular matter" must almost always be determined on a case by case basis.

Although the concept is essentially a narrow one, a specific "particular matter" (e.g., an administrative enforcement proceeding) cannot be further divided into separate phases (prehearing investigation, hearing, decision, etc.) To hold otherwise would frustrate a principal purpose of this provision: prevention of side switching in the midst of on-going state proceedings.

3. NO FORMER EXECUTIVE BRANCH OR QUASI-PUBLIC AGENCY OFFICIAL OR EMPLOYEE SHALL, FOR ONE YEAR AFTER LEAVING STATE SERVICE, REPRESENT ANYONE (OTHER THAN THE STATE) FOR COMPENSATION BEFORE THE AGENCY IN WHICH HE OR SHE WAS EMPLOYED AT THE TIME OF LEAVING STATE SERVICE, CONCERNING ANY MATTER IN WHICH THE STATE HAS A SUBSTANTIAL INTEREST.

"Represent" (under both nos. 2. and 3.) includes any action which reveals the identity of the individual, e.g., a personal appearance, phone call, signature on a document, identification on a firm's letterhead, etc.

NOTE: A Commission policy has been established to allow former state servants to enter into consulting and other employment contracts with their former agencies within the one year period. Specifically, such conduct is permitted, as long as the re-employment is at no greater pay level than the individual was receiving at the time of separation from state service plus necessary expenses. In essence, by prohibiting the negotiation of the compensation rate, this policy prevents improper use of influence and contacts for financial advantage. At the same time, employment options of former state servants are not limited unnecessarily and the State is not denied these individuals' expertise.

Those with questions concerning this policy should contact a Commission attorney.

4. NO FORMER PUBLIC OFFICIAL OR STATE EMPLOYEE WHO PARTICIPATED SUBSTANTIALLY IN, OR SUPERVISED, THE NEGOTIATION OR AWARD OF A STATE CONTRACT VALUED AT \$50,000 OR MORE MAY ACCEPT EMPLOYMENT WITH A PARTY

TO THE CONTRACT (OTHER THAN THE STATE) FOR ONE YEAR AFTER RESIGNATION FROM STATE SERVICE IF THE RESIGNATION OCCURS WITHIN ONE YEAR AFTER THE CONTRACT WAS SIGNED.

Substantial participation is not limited to the chief negotiator or the individual who signs the contract. Rather, the concept of substantial participation (under both nos. 2. and 4.) applies whenever the individual exercises discretionary authority at any level of the process.

"Employment" includes work as an independent contractor or consultant.

5. PERSONS WHO SERVE IN ONE OF APPROXIMATELY 75 SENIOR POSITIONS IN THE STATE'S REGULATORY AGENCIES ARE PROHIBITED, FOR ONE YEAR AFTER LEAVING STATE SERVICE, FROM ACCEPTING EMPLOYMENT WITH ANY BUSINESS SUBJECT TO REGULATION BY THEIR FORMER AGENCY.

**(NOTE: positions to which this restriction applies are listed in Regulations of Conn. State Agencies §1-92-40a.)**



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## DISCRIMINATION COMPLAINT PROCEDURE

This complaint procedure will address only complaints of discrimination based upon race, color, religious creed, age, sex, marital status, national origin, sexual orientation, ancestry, political belief, learning disability, physical disability or blindness, present or past history of mental disorder, mental retardation, genetic history or criminal record. All employees of the Department of Public Works are entitled to file a complaint through this process. This complaint procedure also covers any requests or inquiries by someone with a question or problem concerning the Americans with Disabilities Act (ADA). The DPW agency contact person who should be notified with complaints concerning ADA employment-related issues is Johnette Tolliver, Equal Employment Opportunity Specialist, at (860) 713-5394. To ensure that each employee is made aware of his/her right to use this complaint procedure, the *DPW Employee Policy Handbook* will be posted on the "P" drive in the diversity programs folder and on the DPW web site under Publications: <http://www.ct.gov/dpw/cwp/view.asp?a=2176&q=293648>

Both the complaint procedure and form will be available in the office of the Equal Employment Opportunity Specialist.

### INITIAL COUNSELING

An employee who feels he/she would like counseling on possible discrimination should contact Johnette Tolliver, Equal Employment Opportunity Specialist, at (860) 713-5394, who shall conduct all agency Affirmative Action counseling and investigations. At the initial counseling session, which shall be held in a private area, the employee shall be advised of his/her rights under state/federal laws as cited in the Commissioner's Affirmative Action Policy statement, given a copy of this complaint procedure, and informed that all records of the complaint shall be kept confidential. At this point, the EEO specialist will decide if it would be in the best interest of the complainant to discuss this situation with their immediate supervisor. This is to prevent a situation where it is the immediate supervisor who is the person that the complaint is against. The EEO specialist shall then attempt to resolve the discrimination complaint through the internal process.

### INTERNAL PROCESS

1. All complaints should be filed as soon as possible after the alleged act of discrimination. Complaints shall be filed with the diversity programs office no later than ninety (90) days from the date of the alleged discriminatory act(s).
2. All complaints must be in writing on the complaint form issued by the EEO Specialist and signed by the complainant and the EEO Specialist. The filing date of the complaint is the day the complaint is received by the EEO Specialist.
3. Each complaint shall contain:

- a. the full name and work/home address of the complainant
- b. the full name and work/home address of the respondent
- c. a brief description of the alleged act(s) of discrimination
- d. the date(s) of the alleged act(s)

4. The EEO Specialist shall conduct an informal investigation of the discrimination complaint. Within ninety (90) business days of the filing of the complaint, the EEO Specialist shall give his/her written report to the complainant, the respondent and the appointing authority.

5. If, after the informal investigation of the complaint, the EEO Specialist concludes that the complaint is not valid, or no discriminatory act occurred, the EEO Specialist may dismiss the complaint. Any complainant adversely affected by the dismissal of a complaint retains the right to pursue remedy through other administrative, collective bargaining, and/or legal channels.

6. If, after the informal investigation of the complaint the EEO Specialist finds reason to believe a discriminatory action may have occurred, the EEO Specialist shall attempt to cause reconciliation of the parties.

7. If the parties to the complaint agree on a resolution of conciliation, the terms of such resolution shall be set forth in a written consent agreement which shall not constitute an admission of committing a discriminatory act. A copy of this consent agreement shall be given to the complainant, the respondent, and the appointing authority.

8. If the parties to the complaint cannot agree on a resolution of conciliation within ten (10) business days of the issuance of the investigative report, the complainant, the respondent, and the appointing authority shall receive written notification that no resolution was reached. The complaint shall then be pursued through the appropriate formal process.

9. All records obtained during the initial counseling and/or internal complaint process shall be maintained in a confidential discrimination complaints file, which shall be made available to the Commission on Human Rights and Opportunities upon the agency's investigation of the complaint. All records will be reviewed annually by the EEO Specialist to discern any pattern(s) of discrimination.

#### FORMAL PROCESS

1. Employees covered by any of the bargaining unit contracts may use the formal process of the grievance procedure of the applicable contract.

2. All other employees may use the formal process of the administrative appeal procedure as provided by the state Personnel Act and Regulations of the Personnel Policy Board (1975).

3. In addition, any employee who believes he/she has been the subject of any act of discrimination is entitled to file a written complaint of discrimination with:

- a. The Connecticut Commission on Human Rights and Opportunities (CHRO)  
21 Grand Street  
Hartford, CT 06106  
860-541-3400

Complaints shall be filed with CHRO no later than one hundred eighty (180) days after the alleged unfair employment practice or act of discrimination occurred.





STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## DIVERSITY LEADERSHIP COUNCIL POLICY

This policy establishes the Department of Public Works Diversity Leadership Council (DLC) as an employee advisory committee to the Commissioners. The DLC's mission is to facilitate the creation of a process by which the Department can respond to the needs and differences of all individuals regardless of their race, gender, physical or mental status, sexual orientation, and ethnic or cultural background.

I hold the leadership of each unit, office or department and each individual staff member responsible for implementing the Department's policies in these areas by:

1. Eliminating the discrimination that results from:
  - the use of language, verbal and written, that excludes or offends any individual or group based on prejudice, intolerance or bias
  - the use of forms of communication that are insensitive to people with special needs
2. Ensuring that gaps in service delivery are brought to the attention of DPW leadership and by advocating for corrective action;
3. Supporting employee and customer efforts to form networks and support groups which are consistent with the DPW mission, values, ethics and strategic direction;
4. Supporting employee and customer participation in DLC-sponsored activities;
5. Actively encouraging and providing support for ongoing efforts to make DPW responsive to the multicultural diversity of its workforce and customers.

The Department of Public Works is committed to the principles and spirit of this policy. The objectives established herein must be considered immediate and necessary and not subordinate to any other programs or initiatives of the Department.

For more information, you may contact the two co-chairs:  
Donna Baisley at 713-5688, email: [donna.baisley@ct.gov](mailto:donna.baisley@ct.gov) or  
Sherry Bailey at 713-5773, email: [sherry.bailey@ct.gov](mailto:sherry.bailey@ct.gov)

*Raeanne V. Curtis*

*Raeanne V. Curtis, Commissioner*

*September 20, 2008*

*Date*



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## DRESS POLICY

The Department adopted a casual dress policy for Fridays in 1996 for those employees whose jobs usually require them to come to work in business attire. In 2000 that policy was extended to everyday during the summer. This year and for future years, unless otherwise notified, the casual dress policy will be in effect all year.

Employees are requested to keep in mind the need for neat and reasonable attire, as they are representatives of the state of Connecticut. They should also be mindful of their need to attend meetings outside the Department when considering their attire for the day. Employees are expected to dress in a manner that is respectful to themselves, coworkers, and the public and should consult their supervisors if they are unsure as to what is acceptable attire for their work units.

The attire listed below is prohibited at all times. This list is not all inclusive, and there may be other items of clothing not listed here that are equally inappropriate.

- Any type of clothing that is ripped, tattered, dirty, excessively wrinkled or baggy, or excessively revealing or provocative
- Clothing specifically designed for exercise wear, such as sweat pants, spandex capri pants or leggings, or jogging suits
- Beach wear, clothing that reveals a bare back or midriff, halter or tube tops
- Tank tops or undershirts, short shorts, cutoff jeans, beach shoes such as thongs or flip flops
- Any clothing containing writing, sayings, images, or pictures that is offensive or inappropriate for the workplace

Employees who violate this policy will be counseled regarding appropriate attire and may be required to use accrued leave time to go home and change clothes, at the discretion of the supervisor. Employees who have been counseled and continue to dress inappropriately may be subject to disciplinary action. **Violation of this policy may result in the Department discontinuing the privilege.**

*Raeanne V. Curtis*

*Raeanne V. Curtis, Commissioner*

*September 20, 2008*

*Date*



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

**DRUG ABUSE POLICY**

The Department of Public Works is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Public Works employee uses illegal drugs or alcohol on the job, comes to work under the influence, or possesses, distributes or sells drugs in the workplace. Therefore, the Department prohibits: on-the-job use of illegal drugs or alcohol, coming to work under the influence, and possessing or distributing drugs on Department premises. Violations of this policy will result in disciplinary action up to and including discharge.

Employees are encouraged to seek assistance from the Employee Assistance Program provider or community resources on a voluntary basis for substance abuse related problems. Management is encouraged to refer employees with suspected drug problems to the Employee Assistance Program, or to Johnette D. Tolliver, EEO Specialist, at (860) 713-5394. However, employees will still be expected to correct behavioral and performance problems which caused the referral. In handling suspected substance abuse problems, the responsibility of DPW managers and supervisors is to document problems with on the job performance or behavior.

In addition, employees must be informed that professional assistance for a personal problem is available through referrals by our Employee Assistance Program.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and alcohol is incompatible with employment at the Department of Public Works.

The State of Connecticut Drug-Free Workplace Policy is encompassed in the DPW policy. Attached is Office of Labor Relations (OLR) General Notice 2007-08 issued in June, 2007. This notice is also available on line on the OPM website:

<http://www.das.state.ct.us/HR/Regs/Drug-free%20Workplace%202007-2008.pdf>. ---and---

Certification: <http://www.ct.gov/opm/lib/opm/olr/notices/drugcert07.pdf> ---and ---

Certification list: <http://www.ct.gov/opm/lib/opm/olr/notices/drugcertlist07.pdf>.

Please contact Johnette D. Tolliver, EEO Specialist, at (860) 713-5394, if there are any questions.

*Raeanne V. Curtis*

\_\_\_\_\_  
Raeanne V. Curtis, Commissioner

*September 20, 2008*

\_\_\_\_\_  
Date



# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Office of Labor Relations

June 22, 2007

## OLR GENERAL NOTICE 2007-08

**TO:** Labor Relations Designees

**SUBJECT:** Connecticut's Drug-Free Workplace Policy

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In 1989, the United States Congress passed the Drug-Free Workplace Act (Title 41 Chapter 10; 41 U.S. Code §§701 et seq.), which requires any employer that receives any federal grants or has procurement contracts in excess of a specified amount (currently \$100,000) to certify that it will maintain a drug-free workplace. In addition to the information in this general letter, the attached documents pertaining to this act will be needed by State agencies:

- Connecticut's Drug-Free Workplace Policy (rev. 4/07)
- Connecticut Certification of Compliance for Federal Fiscal Year 2006-2007

### BASIC REQUIREMENTS

The Act requires that a statement be published to notify employees that the unlawful manufacture, distribution, possession or use of controlled substances is prohibited in the workplace and that disciplinary action will be taken against employees for violation of the prohibition. The Act also requires that employees notify their agency of any criminal drug statute conviction for violations occurring in the workplace within five days of the conviction. The federal granting or contracting agency must be notified within ten days of any such conviction for any employee working on a federal grant or contract. A copy of this notice should also be sent to the Office of Labor Relations.

The Drug-Free Workplace Policy attached to this notice is almost identical to the policy that was issued by this Office in prior years. Please ensure that this policy is given to any new employees and is posted. It is suggested that the policy be redistributed to all employees to reinforce its message.

### AGENCY RESPONSIBILITIES

1. Notify employees of the State's Drug-Free Workplace Policy. Distribute a copy of the policy to new employees, prominently post the policy and consider redistributing

it annually to all employees to reinforce the message. Maintain documentation about the method(s) of distribution, particularly the receipt of the policy by any employees working on a federal grant or contract.

2. Establish or continue an Employee Assistance Program, and provide drug-free awareness information to employees about the State's policy, the dangers of drug abuse in the workplace and the availability of drug counseling or rehabilitation programs.
3. Through drug-free awareness information, highlight the policy requirement that all employees notify their agency personnel office within five (5) days of any conviction for drug statute violations occurring in the workplace. It is suggested that a particular agency official be designated to receive this conviction information.
4. Notify the federal granting or contracting agency, with a copy to the Office of Labor Relations, of any workplace drug convictions for those employees working on a federal grant or contract within ten (10) days.
5. Provide the Office of Labor Relations with information about any workplace drug convictions that have been reported since October 1, 2005.
6. Make a good faith effort to continue to maintain a drug-free workplace through the efforts described in this letter and in the policy.

## COMPLIANCE CERTIFICATION

Applications for federal grants or contracts may require a "compliance certification" to certify that the agency is in compliance with the Drug-Free Workplace Act. The statewide drug-free workplace compliance certification for federal fiscal year 2006-2007 is attached. This certification, signed by Governor M. Jodi Rell, applies to all state agencies listed on the certification and will be renewed annually. **Please ensure that the employee(s) in your agency involved in the preparation of federal grants and/or contracts are aware of this certification and have copies of it.**

**Employee questions about the policy should be addressed to the Agency Human Resources Office. Inquiries from agency designees about the policy should be addressed to Ellen Carter of this Office at [ellen.carter@ct.gov](mailto:ellen.carter@ct.gov) or (860) 418-6218.**

*Robert L. Curtis* \_\_\_\_\_  
Robert L. Curtis  
Director of Labor Relations



## STATE OF CONNECTICUT DRUG-FREE WORKPLACE POLICY

The State of Connecticut is committed to fighting the problem of substance abuse. Substance abuse jeopardizes a stable family structure, increases crime, impacts worker productivity, and presents a continuing and growing drain of government funds. For our youth, substance abuse is an especially serious threat. Drugs destroy their hopes and dreams and, all too often, their very lives.

The workplace is not immune to the influence of substance abuse. Worker safety, health and efficiency are adversely affected. Therefore, in harmony with Connecticut's three-pronged strategy of education, treatment and enforcement to combat substance abuse and in accordance with federal legislation, this Drug-Free Workplace Policy has been adopted.

Effective March 18, 1989, the federal government enacted the "Drug-Free Workplace Act", (41 U.S. Code §§701 et seq.). This act requires that any employer receiving federal funding must certify that it will maintain a drug-free workplace. Among other things, the act requires that a policy be published notifying employees that the unlawful manufacture, distribution, possession, or use of controlled substances is prohibited in the workplace. It also requires that certain actions be taken if this policy is broken.

### **GENERAL POLICIES**

It is the policy of the State of Connecticut that each employee has a right to come to work and perform his or her job in an environment that is free from the illegal use of drugs. It is also in the interest of the State and the public that employees be able to perform their duties safely and efficiently. The State is firmly committed to promoting high standards of health, safety, and efficient service. Thus, our goal is to maintain a work environment free from the effects of drug abuse.

It is the policy of the State of Connecticut that employees shall not unlawfully manufacture, distribute, dispense, possess or use a controlled substance while on the job or in the workplace, or be under the influence of a controlled substance, not prescribed for him/her by a physician, while on the job or in the workplace. Any employee violating this policy will be subject to discipline, up to and including termination.

It is the policy of the State of Connecticut that employees with substance abuse problems are encouraged to participate in a counseling or rehabilitation program prior to being in a disciplinary situation. Employees should be advised of the Employees Assistance Program provided by the agency and any available drug counseling or rehabilitation programs.

## **EMPLOYEE REQUIREMENTS**

Employees shall not unlawfully use, possess, distribute, dispense or manufacture controlled substances or be under the influence of a controlled substance while on the job or in the workplace. Any employee violating this policy will be subject to discipline, up to and including termination.

“Controlled substances” are specifically defined in federal law and consist of two classes of drugs: (1) those commonly thought of as “illegal” drugs; and (2) certain medications if not being taken under a physician’s prescription or according to a physician’s orders, which the federal government has determined have a potential for abuse, or are potentially physically or psychologically addictive.

Employees must give notification in writing to their agency’s human resources director (or other official serving in that role for the agency) within five (5) calendar days of any conviction for violation of a criminal drug statute if the violation occurred in the workplace. A conviction means a finding of guilt (including a plea of nolo contendere) and/or the imposition of a sentence by a judge or jury in any federal or state court. This reporting requirement is in addition to any agency work rules that require notice of arrests and/or convictions. An employee who is so convicted or who fails to report such a conviction is subject to discipline, up to and including termination.

“Workplace” includes any locations owned, operated or controlled by the State, whether the employee is on or off duty, and any other locations while on duty where State business is conducted, including traveling on State time to or from such work locations.

The agency must notify the appropriate federal agency in writing, as well as the Office of Labor Relations, within ten (10) calendar days of receiving notice that one of its employees funded under a federal grant or contract has been convicted for a violation of a state or federal drug statute occurring in the workplace.

Employees who have substance abuse problems are encouraged to participate in a rehabilitation program and should be notified of the Employee Assistance Program and available drug counseling or rehabilitation programs. The federal act requires that an employer take action within 30 calendar days of receiving notice of a workplace drug conviction to impose discipline upon and/or to require satisfactory participation in a substance abuse rehabilitation program by the convicted employee.

Since it is a federal certification requirement that employees be notified of this policy, each employee will receive a copy of it. The policy will also be available at Agency Human Resources Offices.



# STATE OF CONNECTICUT

## STATEWIDE CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Federal Fiscal Year 2006-2007

Pursuant to the Drug-Free Workplace Act of 1988, and regulations published in the May 25, 1990 Federal Register, the grantee (the State of Connecticut) certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in state workplaces and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about -
  - (1) The dangers of drug abuse in the workplace;
  - (2) The state policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of a federal grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under a federal grant, the employee will -
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the federal agency, in writing, within ten calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every Federal grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for receipt of such notices. Notice shall include identification number(s) of each affected Federal grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted -
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Primary worksites are noted on the attached list. However, all state employees under my authority are included under this policy regardless of worksites.

May 29, 2007  
DATE

M. Jodi Rell  
M. JODI RELL  
GOVERNOR

## **STATE OF CONNECTICUT EXECUTIVE AND ADMINISTRATIVE AGENCIES**

### **CONSTITUTIONAL OFFICERS AND EXECUTIVE BRANCH DEPARTMENTS**

Office of the Governor, State Capitol, 210 Capitol Avenue, Hartford, Connecticut 06106  
Office of the Lieutenant Governor, State Capitol, 210 Capitol Avenue, Hartford, Connecticut 06106  
Office of the Attorney General, 55 Elm Street, Hartford, Connecticut 06106  
Office of the Comptroller, 55 Elm Street, Hartford, Connecticut 06106  
Office of the Secretary of State, 30 Trinity St., Hartford, Connecticut 06106  
Office of the Treasurer, 55 Elm Street, Hartford, Connecticut 06106  
Office of the Claims Commissioner, 18-20 Trinity Street, Hartford, Connecticut 06106  
State Elections Enforcement Commission, 18-20 Trinity Street, Hartford, Connecticut 06106  
Office of State Ethics, 18-20 Trinity Street, Hartford, Connecticut 06106  
Freedom of Information Commission, 18-20 Trinity Street, Hartford, Connecticut 06106  
Criminal Justice Commission, 231 Capitol Avenue, Hartford, Connecticut 06106  
Division of Criminal Justice, 300 Corporate Place, Rocky Hill, Connecticut 06067

### **STATE DEPARTMENTS (Including related Agencies, Boards and Commissions)**

Department of Administrative Services, State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106  
Department of Agriculture, 765 Asylum Avenue, Hartford, CT 06105  
Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103  
Office of the Child Advocate, 18-20 Trinity Street, Hartford, Connecticut 06106  
Department of Children and Families, 505 Hudson Street, Hartford, Connecticut 06106  
Department of Consumer Protection, State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106  
Department of Correction, 24 Wolcott Hill Road, Wethersfield, CT 06109  
Commission on Culture and Tourism, 755 Main Street, Hartford, Connecticut 06103  
Department of Economic and Community Development, 505 Hudson Street, Hartford, Connecticut 06106  
Department and Board of Education, State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106  
Board of Education and Services for the Blind, 184 Windsor Avenue, Windsor, CT 06095  
Department of Emergency Management & Homeland Security, 25 Sigourney Street, Hartford, CT 06106  
Department of Environmental Protection, 79 Elm Street, Hartford, Connecticut 06106  
Office of Health Care Access, 410 Capitol Avenue, Hartford, Connecticut 06106  
Department of Higher Education, 61 Woodland Street, Hartford, Connecticut 06105  
Commission on Human Rights & Opportunities, 21 Grand Street, Hartford, Connecticut 06106  
Department of Information Technology, 101 East River Drive, East Hartford, CT 06108  
Department of Insurance, 153 Market Street, Hartford, Connecticut 06103  
Department of Labor, 200 Folly Brook Blvd., Wethersfield, Connecticut 06109  
State Library, 231 Capitol Avenue, Hartford, Connecticut 06106  
Department of Mental Health & Addiction Services, 410 Capitol Avenue, Hartford, Connecticut 06106  
Department of Mental Retardation, 460 Capitol Avenue, Hartford, Connecticut 06106  
Military Department, State Armory, Capitol Avenue, Hartford, Connecticut 06106  
Department of Motor Vehicles, 55 West Main Street, Waterbury, CT 06702  
Office of Policy and Management, 450 Capitol Avenue, Hartford, Connecticut 06106  
Office of Protection & Advocacy for Persons with Disabilities, 60B Weston Street, Hartford, Connecticut 06120  
Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut 06106  
Department of Public Safety, 1111 Country Club Rd., Middletown, CT. 06457-9294  
Department of Public Utility Control, 10 Franklin Square, New Britain, Connecticut 06051  
Department of Public Works, State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106  
Department of Revenue Services, 25 Sigourney Street, Hartford, Connecticut 06106  
Department of Social Services, 25 Sigourney Street, Hartford, Connecticut 06106  
Division of Special Revenue, 555 Russell road, Newington Connecticut 06111  
Department of Transportation, 2800 Berlin Turnpike, Newington, Connecticut 06131-7546  
Department of Veterans Affairs, 287 West St., Rocky Hill, Connecticut 06067

**AND UNAFFILIATED STATE AGENCIES, BOARDS AND COMMISSIONS**



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## EMPLOYEE ASSISTANCE PROGRAM (EAP) POLICY

The Department of Public Works is committed to providing the necessary services to assist employees in the identification and resolution of personal problems. To meet this objective an Employee Assistance Program (EAP) has been established. The objective of the EAP is to reduce problems in the workforce and to retain valued employees.

It is recognized that problems of a personal nature, not directly associated with one's job, can have an adverse effect on an employee's job performance. It also is a fact that early identification and intervention results in less intensive treatment and lower medical costs, benefiting both the employee and the employer. Additionally, early identification of a problem results in fewer disruptions in the employee's work and personal life.

All aspects of a person's EAP interaction are handled in a confidential manner within the limits of the law. The program offers assistance in dealing with a wide range of emotional and behavioral problems such as drug/alcohol-related issues, family/marital concerns, financial difficulties, legal matters, and other personal problems. The program provides assessment, brief counseling, referral when necessary, and follow-up services.

The program is provided at no cost to the employee. Costs incurred for services offered outside the EAP are the responsibility of the employee, although many are covered by insurance.

The program is available on a self-referral basis to all employees – and their families – regardless of the employee's job title or responsibilities. If employees or family members have personal problems that may benefit from assistance, we encourage them to use the program. We particularly encourage employees to seek assistance if they believe that personal problems are causing unsatisfactory job performance.

If performance problems exist and are corrected through the services we recommend, no further action is taken. Participation in the program will not jeopardize one's present job, future employment, or career advancement.

The presence of a personal problem is not justification for lowering performance standards; however, after an employee has sought help; it is realistic for a supervisor to consider allowing a reasonable transition period before performance is expected to return to an acceptable level.

If performance problems persist, the employee is subject to normal corrective procedures and disciplinary action, though services of the EAP will continue to be offered.

Management has a genuine concern for improving employee performance through reducing personal problems that may affect employees on the job. All levels of management are therefore responsible for using this program to assist in resolving job performance problems.

The Wheeler Employee Assistance Program is the agency's current EAP provider. To make a confidential appointment, contact the EAP directly by calling (800) 275-3327. You may call at anytime. If you have questions or if you need help on any aspect of the program, contact Johnette D. Tolliver, EEO Specialist, at (860) 713-5394.

*Raeanne V. Curtis*

Raeanne V. Curtis, Commissioner

*September 20, 2008*

Date



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## ENVIRONMENTAL HEALTH AND SAFETY INFORMATION

### EMERGENCY RESPONSE INFORMATION

The *DPW State Office Building Emergency Response Plan* is available on the DPW website under Publications: [http://www.ct.gov/dpw/lib/dpw/sobemerrespmanual.oct19\\_05pdf.pdf](http://www.ct.gov/dpw/lib/dpw/sobemerrespmanual.oct19_05pdf.pdf)

A hard copy of the plan is also available in human resources. The plan contains important information on what employees should do in an emergency situation such as a medical emergency, fire, bomb threats, severe weather and elevator malfunction. **Be sure to familiarize yourself with the plan and know your evacuation route out of the building.**

### JOB SAFETY and PERSONAL PROTECTIVE EQUIPMENT

For those employees involved in the trades or construction, please see your supervisor regarding personal protective equipment and training that may be required to do your job safely. You need to be aware of potential hazards on the job and know how to protect yourself.

Personal protective equipment required on an active construction site typically includes hard hats and safety shoes at a minimum. Hearing protection or safety glasses may also be required depending on what operations are taking place. Contact your supervisor for more information.

### DPW ENVIRONMENTAL HEALTH and SAFETY POLICIES and PROGRAMS & PROCEDURES

Contact your supervisor for information on policies, programs and procedures such as hazard communication, use of holiday decorations, portable heater usage, indoor air quality and deliveries.

*Raeanne V. Curtis*

*Raeanne V. Curtis, Commissioner*

*September 20, 2008*

*Date*



# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

### HIV/AIDS POLICY STATEMENT

#### PURPOSE:

The purpose of this policy is to provide guidance to employees of the Department of Public Works (DPW) in dealing with work situations involving employees who have, or are perceived to be at risk of acquiring, any of the following:

- Human Immune Deficiency Virus (HIV) Infection or a related condition
- Acquired Immune Deficiency Syndrome (AIDS)

The term "HIV/AIDS," as used in the policy, should be understood as encompassing all of the above.

#### NON-DISCRIMINATION:

The Department of Public Works recognizes its' obligation to provide a safe and healthy work environment and to assure fair, non-discriminatory treatment of all employees. Therefore, it is the policy of the agency and the Americans with Disabilities Act (ADA) that individuals with HIV/AIDS be treated with the same compassion and consideration given to any other employee with a health problem or an ADA recognized disease. No person will be treated differently in the workplace as a result of having or being perceived as having HIV/AIDS.

Present or prospective employees will not be tested for the presence of the HIV antibodies in the blood for the purpose of assessing their ability to be employed or continue to be employed at DPW.

#### INFORMATION AND EDUCATION:

Efforts will be made to offer to all DPW employees information about HIV/AIDS which is comprehensive, factual, understandable, direct, age and group appropriate, culturally sensitive and linguistically appropriate. Other HIV/AIDS education will be provided to DPW employees as appropriate. This information and education can assist employees in lowering their personal risk of becoming infected with HIV. It is also designed to reduce prejudice and discrimination against persons with or perceived to have HIV/AIDS.

It is important to remember that, according to the U.S. Centers for Disease Control, there is no risk of an individual becoming infected with HIV in a workplace such as DPW's. Thus, DPW employees are expected to work with co-workers and any other individuals who have HIV/AIDS. Managers and supervisors should be sensitive to employee concerns about the transmission of HIV in the workplace and assist in informing and educating employees about the methods of transmission. However, DPW employees who still have unwarranted fears of exposure to the virus in the workplace will not be allowed to refuse to work with anyone with HIV/AIDS.

A DPW employee with HIV/AIDS can continue to work as long as he or she can perform job duties satisfactorily. Managers and supervisors will make reasonable accommodations per the HIV/AIDS protocol. This protocol adheres to strict confidentiality practices.

CONFIDENTIALITY:

The identity of DPW employees who have chosen to disclose their HIV/AIDS status will remain confidential, per confidentiality protocol.

If any HIV/AIDS or ADA related information about a DPW employee is received at DPW, such information will be maintained by DPW's Equal Employment Opportunity Mananager in a locked file cabinet, apart from the employee's personnel file.

Disclosure of such information will be made only with the written authorization of the individual employee. Any and all unauthorized disclosure of such information by any DPW employee will result in appropriate disciplinary action.

This policy is intended to be consistent with the Connecticut AIDS Testing and Confidentiality Law of 1989.

CONTACT PERSON:

Small Agency Resource Team, Equal Employment Opportunity Specialist 2, Johnette Tolliver, is designated as the contact person for all questions concerning this HIV/AIDS policy.

Ms. Tolliver will consult, as necessary, on issues or questions concerning workplace safety and HIV/AIDS with the AIDS section of the State Department of Mental Health and Addiction Services.

If there are any questions, you may reach Ms. Tolliver at (860) 713-5394.

May 30, 2008  
Date

Raeanne V. Curtis  
Raeanne V. Curtis  
Commissioner



## Acceptable Use of State Systems Policy

May 2006 (Addendum added November 2006)

### Purpose

The purpose of this document is to provide common standards for the use of State of Connecticut Executive Branch electronic communications, including but not limited to electronic mail systems (E-mail), the Internet, computers, laptops and related technologies and equipment (herein referred to as "State systems").

The intent of this policy is to provide information concerning the appropriate and inappropriate use of State systems. Examples are included in order to assist readers with the intent of specific sections of this policy. However, the examples contained within this policy do not exhaust all possible uses or misuses.

Please refer to the Addendum containing Frequently Asked Questions for additional information.

### Definitions <sup>(1)</sup>

E-mail or electronic mail refers to the electronic transfer of information typically in the form of electronic messages, memoranda, and attached documents from a sending party to one or more receiving parties via an intermediate telecommunications system. E-mail is the means of sending messages between computers using a computer network. E-mail services, as defined by this policy, refer to the use of state-provided electronic mail systems.

Internet refers to a "worldwide system of computer networks - a network of networks in which users at any one computer can, if they have permission, get information from any other computer (and sometimes talk directly to users at other computers). The world-wide web is the most widely used part of the Internet, (often abbreviated "WWW" or called "the Web").

Intranet refers to an internal network or website within an organization. The main purpose of an intranet is to share company information and computing resources among employees.

CTNET refers to the equipment and services which provide State of Connecticut agencies, affiliates, and authorized users with electronic access to, including but not limited to, the internet and e-mail

(1) Some definitions provided via the <http://whatis.techtarget.com> website

### Scope of Policy

This policy covers all State of Connecticut Executive Branch agencies and employees whether permanent or non-permanent, full, or part-time, and all consultants or contracted individuals retained by an Executive Branch agency using State of Connecticut systems (herein referred to as “users”).

This policy does not apply to the Judicial or Legislative Branches of government. However, these branches may consider adopting any or all parts of this policy for use within their own branches.

## **Authority**

In accordance with C.G.S. §4d-2 (c) (1), the Chief Information Officer of DOIT is responsible for developing and implementing policies pertaining to information and telecommunication systems for state agencies.

## **Agency Responsibility**

Executive Branch agencies are responsible for providing all users with a copy of this policy, obtaining a signed acknowledgment of receipt from each user, and keeping a copy of the signed acknowledgement on file.

Agencies may establish additional restrictions regarding the use of State systems within their local environments. Should conflict exist between this policy and an agency policy, the more restrictive policy would take precedence.

Distribution of software within or between State agencies may be subject to more restrictive agency computer use policies. When in doubt, users are urged to inquire about all applicable restrictions.

The Director of Human Resources (or person serving in this capacity) within each State agency is responsible for addressing individual employee questions concerning this policy and the appropriate use of State systems. The Office of Labor Relations and the Chief Information Officer of DOIT will serve as consultants to agencies in this regard.

## **Ownership of Messages, Data and Documents**

State systems and all information contained therein are State property. Information created, sent, received, accessed or stored using these systems is the property of the State.

## **No Presumption of Privacy**

All activities involving the use of State systems are not personal or private; therefore, users should have no expectation of privacy in the use of these resources. Information stored, created, sent or received via State systems is potentially accessible under the Freedom of Information Act. Pursuant to Public Act 98-142 and the State of Connecticut’s “Electronic Monitoring Notice” the State reserves the right to monitor and/or log all activities without notice. This includes but is not limited to correspondence via e-mail and facsimile. See “Additional Resources” below.

## **User Responsibilities**

As a user, it is important to identify yourself clearly and accurately in all electronic communications. Concealing or misrepresenting your name or affiliation is a serious abuse. Using identifiers of other

individuals as your own constitutes fraud. This includes but is not limited to using a computer Logon ID other than the individual User ID authorized. Individuals may not provide their passwords or logon ids to others.

Users should also be mindful that the network is a shared resource and be aware of the impact of their activities on other users. For example, a user with a need to frequently move large files across CTNET should consider scheduling this to occur during off hours so as not to degrade network performance.

## **Usage of State Systems**

State systems are provided at State expense and are to be used solely to conduct State of Connecticut business. This means system usage is in conformance with federal and state laws, agency policies and procedures, and collective bargaining agreements.

System usage must be in accordance with each user's job duties and responsibilities as they relate to the user's position with the State of Connecticut at the time of usage. Users who are dually employed must keep in mind the responsibilities of each specific position while engaged in activities involving State systems. Activities must reflect the position duties the employee is performing at the time of State system usage.

## **Examples of Acceptable Use of State Systems**

Examples of acceptable use of State systems include job-related activities involving any of the State systems and in accordance with the above criteria. The following items are examples of acceptable activities:

E-mail: sending and receiving correspondence for job related purposes; communicating with local governments, vendors, other state agencies and/or employees, etc., on work-related issues; collaborating with other organizations, states, and the federal government about initiatives and projects of interest to Connecticut. Note: E-mail messages are considered public records and are, therefore, legally discoverable and subject to record retention policies. See "Additional Resources" below.

Internet: researching state and federal legislation and regulations as they pertain to the user's State position; obtaining information useful to users in their official capacity;

## **Misuse of State Systems**

State systems are provided at State expense and are to be used solely to conduct State of Connecticut business. Unacceptable system usage is generally defined as any activity NOT in conformance with the purpose, goals, and mission of the agency. Additionally, activities that are NOT in accordance with each user's job duties and responsibilities as they relate to the user's position within State service are also unacceptable. Any usage in which acceptable use is questionable must be avoided. When in doubt, seek policy clarification from your agency Director of Human Resources (or person serving in this capacity) prior to pursuing the activity.

## **Examples of Unacceptable Use of State Systems**

Any and all personal activities involving any of the State systems. The following items are examples of

prohibited activities; however, users are reminded prohibited activities are not limited to these examples:

Email: creating or forwarding jokes, chain messages, or any other non-work related messages; checking and/or responding to personal e-mail via another (second party) e-mail system such as Yahoo! or Hotmail; sending or forwarding messages referring to political causes or activities; messages concerning participation in sports pools, baby pools or other sorts of gambling activities; religious activities; stock quotes; distribution groups or "listservs" for non-work related purposes; solicitations or advertisements for non-work related purposes.

Internet: pirating software; stealing passwords; hacking other machines on the Internet; participating in the viewing or exchange of pornography or obscene materials; engaging in other illegal or inappropriate activities using the Internet; personal job searches; shopping on-line for non-work related items; checking/viewing stocks or conducting any personal financial planning activities.

Use of a personal Internet account using state systems is strictly prohibited.

Any usage of CTNET for illegal or inappropriate purposes is prohibited. Illegal activities are violations of local, state, and/or federal laws and regulations (please see Connecticut General Statutes, §53a-251). Inappropriate uses are violations of the appropriate use of State systems, as defined in this document. Failure to identify the author(s) of information accessed and obtained through CTNET (i.e., that which is subject to copyright laws, trademarks, etc.)

Connecting personally owned hardware or installing and/or using non-State licensed software. State policy on downloading software is included in Connecticut Software Management Policy. See "Additional Resources" below.

Any unauthorized access to any computer system, application or service.

Any activities for private, commercial purposes, such as business transactions between individuals and/or commercial organizations.

Any usage that interferes with or disrupts network users, services, or computers. Disruptions include, but are not limited to, distribution of unsolicited advertising, and deliberate propagation of computer viruses.

Any activities where users engage in acts that are deliberately wasteful of computing resources or which unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, broadcasting unsolicited mailings or other messages, creating unnecessary output or printing, or creating unnecessary network traffic.

## **ADDITIONAL RESOURCES**

Public Act No. 98-142, An Act Requiring Notice to Employees of Electronic Monitoring by Employers, and the State of Connecticut's "Electronic Monitoring Notice" - [http://www.das.state.ct.us/HR/Regs/State\\_Electronic\\_Monitoring\\_Notice\\_11.00.pdf](http://www.das.state.ct.us/HR/Regs/State_Electronic_Monitoring_Notice_11.00.pdf)

"Electronic and Voice Mail Management and Retention Guide for State and Municipal Government Agencies" – <http://www.cslib.org/email.htm>

Connecticut Software Management Policy by the State of Connecticut Office of the State Comptroller, the

## ***ADDENDUM***

Department of Administrative Services  
FAQs Regarding the Acceptable Use of State Systems Policy

11/15/06

### **Acceptable Use Form**

1. Q: We are sending the policy and acknowledgement form to our employees electronically via email. But not all of our employees (or users) have an email address. How should we handle these employees?

A: If you have users who do not have an email address, you will need to ensure they receive a copy of the policy and you should obtain a signed hard copy acknowledgement of receipt form from the users.

2. Q: Some of our employees are refusing to sign the Acknowledgement of Receipt form. How do we handle this?

A: In the event that an employee refuses to sign, retrieve the form from the employee. Write “refused to sign” on the form and record on the form that the policy was issued to the employee and sign and date the form.

### **Agency Activity**

3. Q: Is it okay to use (State) e-mail to send information regarding an employee’s baby shower or wedding shower, birthday party, etc.?

A: Yes.

4. Q: Is it okay to send information via e-mail concerning Agency functions, such as Agency picnics and parties, fund-raising events for Agency-sponsored events, etc.?

A: Yes.

### **Announcements**

5. Q: Is it okay to use (State) e-mail to send information regarding the death of an employee, the death of an employee’s relative, birth of an employee’s child, etc.?

A: Yes.

6. Q: Is it okay to use (State) e-mail to send information regarding the retirement party for an employee?

A: Yes.

### **Benefits**

7. Q: Is it okay to obtain information concerning State of CT benefits?

A: Yes and no. Yes, provided you are on a State agency website (i.e., Office of the State Comptroller or Department of Administrative Services). It is unacceptable to use the Internet to view your portfolio via a vendor's website.

8. Q: Is it okay to visit a health insurance company's website to view the list of participating physicians?

A. Yes.

### **Cancellations**

9. Q: Is it OK for employees to receive e-alerts from their child's school, including information concerning meetings, early closings, etc?

A: Yes.

10. Q: Can an employee check cancellations, late openings and early releases on websites of local news and radio stations?

A: Yes.

### **Job Searches**

11. Q: Is it okay to conduct job searches via the Internet using a State computer?

A: Yes and no. It is okay to visit the Department of Administrative Services' (DAS) website (and other State agency websites) for State employment opportunities. It is NOT okay to go to other (non-State of CT) websites to search for jobs with an employer other than the State of CT.

### **News**

12. Q: Is it okay for an employee to use their State computer to read a newspaper online, even if it is during their break period?

A: No. An employee (or any user) may not use State systems for any non-work related purpose whether on break or not.

### **Personal CDs (Music/Pictures)**

13. Q: Can users play personally-owned CDs on their State computer?

A: Provided the CD is commercially-produced, requires no additional installation of equipment or software, and does not disturb coworkers, an employee may use the CD player to play music. HOWEVER, CDs that are NOT commercially-produced are unacceptable. Similarly, CDs containing personal digital photographs are also unacceptable as non-commercial CDs may contain a virus, resulting in a negative impact on system performance.

14. Q: Is it okay for employees to access newspapers online via State systems if their job requires it?

A: Yes.

### **Professional Organizations**

15. Q: Is it okay to distribute events sponsored by professional organizations?

A: Yes and no. If the event includes a meeting, then it is okay. If the event is purely social in nature (i.e., trip to New York City), then it is unacceptable.

16. Q: Is it okay to forward messages from professional organizations that include job announcements?

A: No.

17. Q: Is it okay to communicate with a national, regional or state-wide professional organization that I am a member of through my job duties and responsibilities as they relate to my position with the State?

A: Yes.

### **Purchasing**

18. Q: May I use eBay to purchase items for my State job?

A: No.

### **Solicitation**

19. Q: Is it okay to solicit participation in and/or donations for a charity event using (State) e-mail?

A: Yes, provided the charity is one that is listed in the *State Employees' Campaign for Charitable Giving* booklet. Mercy Housing and Shelter and other State-approved, non-profit organizations may also be included for this purpose.

### **Telephones**

20. Q: Can an employee use the state telephone to receive/make calls relating to doctors appointments, union matters and/or check on status of children, etc.?

A: Yes. However, time spent on personal calls should be kept to a minimum.

21. Q: May an employee (or other user) use voicemail to communicate personal information to a specific caller via their voicemail box greeting?

A: No. Employee greetings via State voicemail should be strictly professional.

22. Q: May a caller leave a personal message in an employee's voicemail box? For example, if a doctor's office is calling to confirm an appointment?

A. Yes. However these types of situations should be limited to only those requiring prompt attention.

### **Transportation**

23. Q: Is it okay for employees to use State systems to go to the CT Transit website to view bus schedules?

A. Yes.

24. Q: Is it okay for employees to use State systems to go to the Nuride website to view commuter information?

A. Yes.

### **Tuition**

25. Q: Is it okay use State systems to access a college/university's website to obtain the "proof of payment" documentation required by the Office of the State Comptroller in order to process an employee's Tuition Reimbursement request?

A: Yes.

### **Union**

26. Q: Is it okay for employees to visit their union's website using a State computer?

A: Yes.

27. Q: Is it okay for users to distribute Union information via (State) e-mail?

A: No.

28. Q: Is it okay for employees to use (State) e-mail to contact their Union Steward to arrange for representation?

A: Yes.

### **Extenuating Circumstances**

29. Q: May employees use their State e-mail to communicate with their immediate family member who has been deployed overseas for participation in Operation Enduring Freedom and Operation Iraqi Freedom?

A: Yes, so long as employees inform their immediate supervisor (or designee) of their intent to use State e-mail for this purpose and provided they do so on their breaks or during their lunch period. Note: Immediate family member includes husband, wife, domestic partner, father, mother, sister, brother, child and any relative who is domiciled in the employee's household.

## Telecommunications Equipment Policy

### Scope

This statewide policy is applicable to the use of all telecommunications equipment and services including, but not limited to, telephones, telephone calling cards, PDA type devices, facsimile machines and cellular telephones (hereinafter referred to collectively as "Telecommunications Equipment") issued to state agencies or state employees.

Telecommunications Equipment is to be used in conjunction with and to further current state business. Some agencies may have telecommunications equipment policies in place that may be stricter than these guidelines. To the extent that any agency policy or procedure conflicts with this policy, the more stringent policy shall control.

### Acceptable Uses, Limits and Procedures

Telecommunications Equipment shall be used solely for official state business. Telecommunications Equipment shall not be used for personal or private purposes.

Telecommunications Equipment shall be issued to individuals who are specifically authorized by the agency head to use the Telecommunications Equipment, which may not be loaned to other individuals.

Each agency and state employee receiving Telecommunications Equipment shall be subject to the limits, policies, and procedures outlined in the State of Connecticut Department of Information Technology Telecommunications Procedures on-line reference, as it may be amended or revised from time to time.

- Select here to access the [Telecommunications Procedures on-line reference](#).

Any and all exceptions to these rules and limits must be approved by the Chief Information Officer and documented by the Department of Information Technology.

Unacceptable, misuse or fraudulent use of any Telecommunications Equipment may result in disciplinary action, including, but not limited to, dismissal from state service, referral to the State of Connecticut Ethics Commission and/or criminal or civil sanctions. In addition, the holder of the Telecommunications Equipment shall promptly reimburse the state for any use deemed to be unacceptable.

### 1. Cellular Telephones and Other Wireless Communication Devices.

Cellular telephones and similar devices shall be used for approved state business as set out by individual agencies. Each agency is responsible for determining whether the acquisition and use of

cellular equipment and services is appropriate for its employees. If so, each agency is responsible for having each employee authorized to use such equipment sign a statement that s/he understands the acceptable use policy and for receipt of such equipment.

Each Cellular telephone shall be assigned to an individual who shall be responsible for safeguarding the equipment and controlling its use. The individual's name shall be provided to the Department of Information Technology Telecommunications Admin Group ([doit.telecomm@ct.gov](mailto:doit.telecomm@ct.gov).)

Agencies shall request equipment purchase, activation and/or deactivation of cellular service through the Department of Information Technology Telecommunications Admin Group ([doit.telecomm@ct.gov](mailto:doit.telecomm@ct.gov).)

Agencies will be billed monthly through a Direct Charge process in the Core-CT Accounting System. The using agency will receive a detailed electronic bill and Individual Cellular Usage Report. It shall be the responsibility of the individual and the agency to verify the accuracy of the bill, and confirm appropriate usage. Discrepancies or errors shall be promptly reported to the Department of Information Technology Telecommunications Admin Group ([doit.telecomm@ct.gov](mailto:doit.telecomm@ct.gov).)

## **2. Telephone Calling Cards.**

Telephone calling cards, shall be used for approved state business as set out by individual agencies. Each agency is responsible for determining whether the acquisition and use of calling cards is appropriate for its employees. If so, each agency is responsible for having each employee authorized to use a calling card sign a statement that s/he understands the acceptable use policy and for the receipt of the calling card.

Each Calling card shall be assigned to an individual who shall be responsible for safeguarding the card and controlling its use. The responsible individual's name shall be provided to the Department of Information Technology Telecommunications Admin Group ([doit.telecomm@ct.gov](mailto:doit.telecomm@ct.gov).)

Agencies shall request activation and/or deactivation of calling card service through the Department of Information Technology Telecommunications Admin Group ([doit.telecomm@ct.gov](mailto:doit.telecomm@ct.gov).)

Agencies will be billed monthly through a Direct Charge process in the Core-CT Accounting System. The using agency will receive a detailed electronic bill and an Individual Calling Card Usage Report. It shall be the responsibility of the individual and the agency to verify the accuracy of the bill and to confirm the usage as appropriate. Discrepancies or errors shall be promptly reported to the Department of Information Technology Telecommunications Admin Group ([doit.telecomm@ct.gov](mailto:doit.telecomm@ct.gov).)

## **Liability for Payment**

Agencies shall be liable for all authorized charges made by their employees using Telecommunications Equipment. The agency's accounting unit/business unit will be Direct Charged for all Telecommunications Equipment expenses according to the terms and pricing set out in the state contract with the vendor providing the Telecommunications Equipment.

The State of Connecticut and its agencies shall not be liable for:

- unauthorized use of Telecommunications Equipment; and
- account numbers that are misused, abused or fraudulently used.

Violation of this policy may result in disciplinary action, possible ethical, civil and criminal sanctions.

Individual Telecommunications Equipment holders shall be responsible for repayment of improper charges, and shall be personally liable for misuse or abuse of equipment or services.

### **Auditing and Documentation**

All agencies, departments and commissions distributing Telecommunications Equipment shall provide a copy of this policy to each state employee receiving or in possession of Telecommunications Equipment. Agencies and individual Telecommunications Equipment holders shall be responsible for maintaining adequate documentation supporting all Telecommunications Equipment use.

Documentation shall support the business purpose of all use of Telecommunications Equipment and shall include the following items:

- Copy of this policy;
- Copies of Telecommunications Equipment Individual Usage reports; and
- User logs.

Agencies shall retain such documentation in accordance with the State Librarian's Record Retention Policies.

Agencies shall periodically audit their records to ensure that equipment is used by authorized users for official state business use only.

### **Security**

Agencies shall safeguard Telecommunications Equipment at all times. Agencies shall ensure that Telecommunications Equipment is kept in accessible but secure locations and that account numbers or PIN/access codes on Telecommunications Equipment are not posted or left in conspicuous places. Agencies shall immediately report lost or stolen Telecommunications Equipment to DOIT.

All Telecommunications Equipment shall be returned to the issuing agency, department or commission by the employee immediately upon request by the agency or upon the employee's termination of state service.

[Telecommunications devices that are capable of data storage are also governed by the Policy on Security for Mobile Computing and Storage Devices.](#)

## Policy on Security for Mobile Computing and Storage Devices

**Version:** 1.0

**Date Issued (revised):** September 10, 2007

**Date Effective:** immediately

**Supersedes:** n/a

Document Includes:

[Purposes](#)

[Scope](#)

[Authority](#)

[Policy Statements](#)

[Definitions](#)

### Purposes

The Chief Information Officer for the State of Connecticut Department of Information Technology (DOIT) has established this policy on the secure implementation and deployment of mobile computing and storage devices within State government for the protection of State data that may be stored on those devices.

This policy refers to and enhances State of Connecticut Network Security Policy and Procedures. The Policies should be read together to ensure a full understanding of State Policy.

### Scope

This policy covers all State of Connecticut Executive Branch agencies and employees whether permanent or non-permanent, full or part-time, and all consultants or contracted individuals retained by an Executive Branch Agency with access to State data (herein referred to as “users”).

This policy does not apply to the Judicial or Legislative Branches of government, or State institutions of higher education. However, these branches and institutions may consider adopting any or all parts of this policy.

This policy covers mobile computing devices and mobile storage devices (herein referred to as “mobile devices”).

## Authority

In accordance with Conn.Gen. Stat. §4d-2 (c) (1), the Chief Information Officer is responsible for developing and implementing policies pertaining to information and telecommunication systems for State Agencies.

## Policy Statements

1. No confidential or restricted State data shall reside on any mobile devices except as set forth in paragraph 2. Agencies are required to utilize secure remote data access methods, as approved by DOIT, in support of mobile users.
2. In the event utilization of secure remote access methods are not possible, the Agency must adhere to the following restrictions and requirements:
  - a. The Agency Head must authorize and certify in writing, in advance, that the storing of restricted and confidential State data on the mobile device is necessary to conduct Agency business operations;
  - b. The Agency Head or their designee must determine and certify in writing that reasonable alternative means to provide the user with secure access to that State data do not exist;
  - c. The Agency Head or their designee must assess the sensitivity of the data to reside on a secure mobile device and determine that the business need necessitating storage on the mobile device outweigh(s) the associated risk(s) of loss or compromise; and
  - d. The Agency Head or their designee must authorize, in writing, the storage of specific State data on a secure mobile device and the acceptance of all associated risk(s).
3. State data that an Agency Head has authorized to be stored on a secure mobile device shall be:
  - a. the minimum data necessary to perform the business function necessitating storage on the mobile device;
  - b. stored only for the time needed to perform the business function;
  - c. encrypted using methods authorized by DOIT;
  - d. protected from any and all forms of unauthorized access and disclosure; and
  - e. stored only on secure mobile devices in accordance with DOIT Policies, Standards and Guidelines.
4. Any State data placed on a mobile device shall be documented, tracked, and audited by the authorizing Agency. The information tracked shall include the identification of the individual authorizing storage of the data on the mobile device, the authorized user of the mobile device, the asset tag of the mobile device, information about the stored data, and the final disposition of that data.
5. Agencies will configure mobile devices to allow only the minimum features, functions, and services needed to carry out Agency business requirements.
6. Agencies will ensure that mobile computing devices are configured with approved and properly updated software-based security mechanisms including anti-virus, anti-spyware, firewalls, and intrusion detection. Users shall not bypass or disable these security mechanisms under any circumstances.
7. Users in the possession of State owned mobile devices during transport or use in public places, meeting rooms and other unprotected areas must not leave these devices unattended at any time, and

must take all reasonable and appropriate precautions to protect and control these devices from unauthorized physical access, tampering, loss or theft.

8. Agencies shall establish and document reporting, mitigation and remediation procedures for lost or stolen mobile devices containing State data and for State data that is compromised through accidental or non-authorized access or disclosure.

9. In the event that a mobile device containing State data is lost, stolen, or misplaced, and/or the user has determined unauthorized access has occurred, the user must immediately notify his or her Agency of the incident. The affected Agency must immediately notify the DOIT Help Desk of the incident in order to initiate effective and timely response and remediation.

10. Agencies shall develop and implement a formal, documented security awareness and training program sufficient to ensure compliance with this policy.

11. Agencies must obtain a signed, formal acknowledgement from users indicating that they have understood, and agreed to abide by the rules of this policy.

12. Agencies and users shall adhere to this security policy and associated procedures; failure to do so may result in sanctions.

## **Definitions**

### **Confidential or Restricted State Data**

Confidential or restricted State data includes but is not limited to;

Personally identifiable information that is not in the public domain and if improperly disclosed could be used to steal an individual's identity, violate the individual's right to privacy or otherwise harm the individual;

Organizational information that is not in the public domain and if improperly disclosed might: cause a significant or severe degradation in mission capability; result in significant or major damage to organizational assets; result in significant or major financial loss; or result in significant, severe or catastrophic harm to individuals.

In accordance with the State of Connecticut Network Security Policies and Procedures, each Agency is responsible for the assessment and categorization of their data as Confidential or Restricted in accordance with the definitions set forth in this policy.

### **Mobile Computing Devices**

The term "mobile computing devices" refers to portable or mobile computing and telecommunications devices that can execute programs. This definition includes, but is not limited to, notebooks, palmtops, PDAs, iPods, BlackBerry devices, and cell phones with internet browsing capability.

### **Mobile Storage Devices**

The term "mobile storage devices" includes but is not limited to, mobile computing devices, diskettes,

magnetic tapes, external/removable hard drives, flash cards (e.g., SD, Compact Flash), thumb drives (USB keys), jump drives, compact disks, digital video disks, etc.

### **Secure Mobile Devices**

A mobile device that has a sufficient level, as defined by this policy and DOIT standards, of access control, protection from malware and strong encryption capabilities to ensure the protection and privacy of State data that may be stored on the mobile device.



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## PERSONAL USE POLICY

### Policy Objective

To provide clear guidelines for the employees of the Department of Public Works regarding the use of state-owned property, equipment, supplies, and contracted services and define the appropriate corrective action for unauthorized use.

### Policy Statement

It is the policy of the Department of Public Works that state-owned property, equipment, supplies, and contract services are provided for employee use on official state business only. The use of state-owned items for personal purposes is NOT permitted. This includes but is not limited to motor vehicles, computers, telephones, tools, Internet services, office supplies and equipment.

Employees will be held accountable for such use under applicable state statutes, state personnel regulations, agency policies, and collective bargaining agreements. The Department of Public Works will diligently investigate any allegations of prohibited use of state-owned property or services. The finding of a violation of this Personal Use Policy may result in disciplinary action up to and including dismissal as deemed appropriate by the Commissioner of Public Works.

*Raeanne V. Curtis*

\_\_\_\_\_  
*Raeanne V. Curtis, Commissioner*

*September 20, 2008*

\_\_\_\_\_  
*Date*



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## PROGRESSIVE DISCIPLINE POLICY

It is the philosophy of the Department of Public Works that effective discipline is the result of constructive leadership, exercised within the framework of a clear and consistent policy. Employees must be given the opportunity to meet established standards and conform to the rules of conduct expected of them. Recognizing and resolving problems early reduces the need for disciplinary action.

Progressive discipline is a method of attempting to correct employee work deficiencies through the application of counseling, warning or other forms of remedial disciplinary action taken in a manner which is appropriate to the behavior and the circumstances surrounding that behavior. Discipline is progressive in that it starts at the least severe level. However, the process of progressive discipline need NOT start at the beginning of the disciplinary spectrum. Depending on the severity of the offense, an employee may be warned, reprimanded, or even suspended or dismissed for a first offense if the situation warrants such action.

### GENERAL PRINCIPLES OF PROGRESSIVE DISCIPLINE:

- *Reasonable standards* of work performance must be established.
- These standards must be *clearly communicated* to all staff.
- The purpose of discipline is to *correct* behavior rather than to punish.
- Discipline must be administered *promptly* in order to be effective.
- Discipline must be administered with *impartiality*.
- Standards must be *consistently* maintained and enforced.
- Action taken must be *appropriate* to the offense.
- All forms of discipline must be carefully *documented* through written records.
- *Follow through* is essential to ensure that disciplinary action is effective.

### PROGRESSIVE DISCIPLINE STEPS:

1. *Verbal counseling* by immediate supervisor recorded in supervisory notes.
2. *Formal counseling* by immediate supervisor documented in memo to employee.
3. *Written warning* issued by human resources, union representation recommended for bargaining unit employees.
4. *Written reprimand* issued by the supervisor after consultation with the Commissioner or the Commissioner's designee and human resources, union representation recommended for bargaining unit employees.

5. *Suspension* issued by the supervisor after consultation with the Commissioner or the Commissioner's designee and human resources, A pre-disciplinary meeting is required and union representation is strongly recommended for bargaining unit employees.
6. *Disciplinary Demotion* issued by human resources. A pre-disciplinary meeting is required and union representation is strongly recommended for bargaining unit employees.
7. *Dismissal* issued by the Commissioner of Public Works. This is a last step in the disciplinary process and requires a pre-disciplinary meeting. Union representation is strongly recommended for bargaining unit employees.

At certain times it may become necessary to remove an employee from duty for disciplinary reasons. In that instance, the human resources administrator will determine that the employee is to be placed on *Administrative Leave with Pay* until the issue is resolved.

The handling of disciplinary problems is a matter of good judgement, common sense, and agency policy formulated within the context of State regulations and negotiated bargaining unit agreements. The Department of Public Works will follow the preceding principles and steps in administering discipline within the agency. Supervisors or employees with questions regarding this policy should contact human resources.

*Raeanne V. Curtis*

\_\_\_\_\_  
*Raeanne V. Curtis, Commissioner*

*September 20, 2008*

\_\_\_\_\_  
*Date*



# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
*Commissioner*

### SEXUAL HARASSMENT POLICY STATEMENT

All personnel of the Department of Public Works have the responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure proper performance and maintenance of public trust. Sexual harassment violates these standards, especially with regards to principles of equal opportunity, and specific acts of such misconduct will result in the severest of disciplinary action that can be taken.

Acts of sexual harassment are illegal and prohibited by the Civil Rights Act, Title VII as amended and Connecticut General Statutes 46a-60 as a discriminatory practice.

As the Commissioner of the Department of Public Works, I will under no circumstances tolerate any incidents of this type of behavior. Specifically, any supervisors who use implicit or explicit sexual behavior to control, influence, or affect the career, pay or job of an employee is engaging in sexual harassment. Similarly, any employee who makes deliberate or repeated offensive verbal comments, gestures, or physical contact of a sexual nature in the work environment is also engaging in sexual harassment.

Sexual harassment can include verbal abuse such as sexual insults, lewd or suggestive comments, or unwelcome jokes of a sexual nature. Sexually suggestive objects or sexually explicit posters, calendars, photographs, cartoons, drawings or other explicit materials are inappropriate in a state workplace and can contribute to creating a hostile or offensive work environment.

Individuals who are sexually harassed by supervisors, co-workers, or peers should make it clear that such behavior is offensive. Individuals can file a sexual harassment complaint to the appropriate source(s) for investigation of the matter, so that action can be taken to ensure a work environment free of sexual harassment.

Sexual harassment is totally unacceptable conduct; it undermines the integrity of the employment relationship, debilitates morale, and interferes with the work productivity of the organization.

I shall expect every manager and supervisor to ensure that any instance of sexual harassment is dealt with swiftly, fairly, and effectively. All substantiated complaints will result in the strongest disciplinary action available to the Department.



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

SEXUAL HARASSMENT NARRATIVE

Sexual harassment is a particular type of sex discrimination. Like all sexual discrimination it is illegal. It violates high standards of honesty, integrity, impartiality and conduct required of all sections of the Department of Public Works. It also interferes with and impedes work productivity.

Sexual harassment is defined as "any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by any individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

You may file a complaint with your supervisor, the Human Resources Office at (860) 713-5304 or Johnette Tolliver, the agency's designated Equal Employment Opportunity Specialist at (860) 713-5394.

May 30, 2008  
Date

Raeanne V. Curtis  
Raeanne V. Curtis  
Commissioner



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

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## SMOKING REGULATION

**TO:** All Employees and Visitors, State Office Building  
**FROM:** Raeanne V. Curtis, Commissioner of Public Works  
**SUBJ:** Revised Smoking Policy

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Research substantiating the health problems caused both by smoking and passive smoke continues to be documented. Our goal is to provide as healthy an environment as possible for both employees and visitors at the State Office Building.

On October 17, 1994, the Department of Public Works issued a policy designating all state of Connecticut buildings managed by the DPW as smoke-free in accordance with state statute. That policy is hereby revised to include the *entire premises of the State Office Building* at 165 Capitol Avenue and the *Trades Shop* at 309 Buckingham Street.

Effective immediately, smoking will be prohibited anywhere in the building or on the grounds of the State Office Building. This includes all entrances and parking lots. Appropriate signage will be provided. Violations of this prohibition will be referred to the appropriate Commissioner and progressive disciplinary action will be initiated.

Your anticipated cooperation with this policy is appreciated.

*Raeanne V. Curtis*

\_\_\_\_\_  
Raeanne V. Curtis, Commissioner

*September 20, 2008*

\_\_\_\_\_  
Date



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

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## FAMILY AND MEDICAL LEAVE POLICY

### **Scope of Policy**

This document sets forth the policy of the Department of Public Works regarding the use of Family and Medical Leave.

The State of Connecticut Family and Medical Leave Policy is encompassed in the DPW policy. Attached is Department of Administrative Services (DAS) Statewide Family and Medical Leave Policy issued July 22, 2008. This policy is also available on line on the DAS website:  
<http://www.das.state.ct.us/HR/om/08-04%20GL%20302%20-%20Statewide%20FML%20Policy.pdf>

All employees who use FMLA shall comply with the expectations outlined in this policy statement.

*Raeanne V. Curtis*

\_\_\_\_\_  
Raeanne V. Curtis, Commissioner

*September 20, 2008*

\_\_\_\_\_  
Date



TO: AGENCY HEADS & AGENCY HUMAN RESOURCES ADMINISTRATORS  
DT: July 22, 2008  
RE: Statewide Family and Medical Leave Policy

165 Capitol Avenue  
Hartford, CT 06106-1658  
860.713.5100  
860.713.7480 FAX  
[Brenda.Sisco@ct.gov](mailto:Brenda.Sisco@ct.gov)

Brenda L. Sisco  
Commissioner

## PURPOSE

This General Letter is to provide a statewide Family and Medical Leave Policy to ensure consistent application and implementation of C.G.S. §5-248a, §5-248b and Personnel Regulations §5-248b-1 through §5-248b-9 inclusive. Additionally, this document incorporates requirements under the federal Family and Medical Leave Act (FMLA). Therefore, any and all individual agency policies on this topic are hereby deemed obsolete and agencies shall comply with the instructions specified herein. **Special Note:** The information contained within this General Letter is identical to the information previously communicated via the Department of Administrative Services' (DAS) "Family and Medical Leave Policy" dated February 28, 2008 except for minor modifications necessary for a statewide policy. Supplemental information is available to State employees and agency Human Resources professionals via the DAS publication, "[Understanding Family and Medical Leave \(A Primer for Connecticut State Employees\)](#)".

## BACKGROUND

Legislation passed at both *federal* and state levels provides eligible employees with job-protected leave for certain family and medical reasons. The *federal* Family and Medical Leave Act (FMLA) was enacted by Congress in 1993. Connecticut's statute governing family and medical leaves for public sector employees (C.G.S. 5-248a) was enacted in 1988.

## ELIGIBILITY

To be eligible for *federal* FMLA, employees must have at least 12 months of total service (in the aggregate) and have worked at least 1,250 hours in the 12 months immediately preceding the commencement of leave. ("Hours worked" does not include time spent on paid leave – sick, vacation, PL, administrative – or unpaid leave. However, overtime hours and military leave do count toward the 1,250-hour requirement.)

To qualify for *state* family/medical leave, employees must have permanent status with the state as defined in C.G.S. 5-196(20).

A state employee may be eligible for:

- *Federal* FMLA only,
- State family/medical leave only, or
- Both *federal* FMLA and state family/medical leave.

An employee who is eligible under only one law receives benefits in accordance with that law only. If the leave qualifies for both *federal* FMLA leave and state family/medical leave, the leave may count against an eligible employee's entitlement under both laws and run concurrently. *Federal* FMLA (though not state family/medical leave) may run concurrently with a Workers' Compensation absence.

## **REASONS FOR LEAVE**

The circumstances covered under either the state family/medical leave or *federal* FMLA or a combination of the acts are as follows:

The birth of employee's child or adoption of a child by the employee (*both state and federal*);

- The placement of a foster child with the employee (*federal only*);
- The "serious illness (*state*) or "serious health condition" (*federal*) of a child\*, spouse\*\* or parent; or
- The "serious illness" (*state*) or "serious health condition" (*federal*) of the employee;
- For an employee to serve as an organ or bone marrow donor (*state only-PA 04-95*);
- For military family leave (*federal only-NDAA 2008, Public Law 110-81*)
  - Up to 26 weeks of unpaid leave for a spouse, child, parent or next of kin (nearest blood relative to that individual) to care for a covered service member injured while on active duty in the U.S. Armed Forces (only available during a single 12-month period)
  - Up to 12 weeks of unpaid leave because of "any qualifying exigency" arising out of the fact that a spouse, son, daughter or parent of the employee is on active duty or notification of a call to active duty in support of a contingency operation.

\*Under State Family Medical Leave, the term, "child" includes a biological, adopted or foster child, stepchild or child of a person standing in "loco parentis" (under age 18 years or 18 or older and incapable of self-care because of a mental or physical disability). It also includes a child of whom a person has legal guardianship or custody. (*Effective 10/1/06, Public Act 06-102*)

\*\*The term "spouse" includes civil unions under the State Family Medical Leave effective October 1, 2005 (*Public Act 05-10*)

## **AMOUNT OF LEAVE**

Under *federal* FMLA, eligible employees are entitled to 12 weeks of paid or unpaid leave in a twelve-month period. Under state family/medical leave, employees are entitled to a maximum of twenty-four (24) weeks of unpaid leave within a two-year period. Where possible, leave time granted under the state's family/medical leave law will run concurrently with the *federal* FMLA entitlement.

## **ADVANCE NOTICE AND MEDICAL DOCUMENTATION**

Employees are required to submit a medical certificate to substantiate leave taken for a serious health condition/serious illness. Employees must use the following forms:

- **Form P-33A-Employee** – when the leave is for the employee's own illness.
- **Form P-33B-Caregiver** – when the employee requests leave to care for a child, spouse or parent with a serious health condition/serious illness.

Where the employee has advance notice of the need for the leave (i.e., an anticipated birth, adoption or surgery), the medical certificate form should be submitted at least 30 days in advance, using approximate dates if definite ones are not yet available. Where there is no forewarning (i.e., major unexpected illness), the medical form should be submitted as soon as the employee becomes aware that he/she is to be absent for an FMLA qualifying reason. Failure to provide the needed documentation may result in a disapproval of the leave or a delay in its commencement.

Employees who request a leave under the State's C.G.S. 5-248a are required to sign a statement confirming their intent to return to work immediately following the leave. Failure to return to work at the end of the leave period may be treated as a resignation unless an extension of the employee's absence has been agreed to and approved in writing by the agency. In no event shall the period of FMLA exceed the benefit provided under federal or state law.

## **BENEFIT CONTINUATION**

The state will continue the employee's health insurance coverage while the employee is on leave. The employee must continue to pay any share of the group health plan premiums that he/she had paid prior to taking leave. The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## **RETURN TO WORK**

At the conclusion of family/medical leave, employees are entitled with limited exceptions to return to the same position or an equivalent position with equivalent pay, benefits and working conditions. In the vast majority of cases, employees will be returned to the position they occupied prior to the leave. If this is not possible, the agency will notify them of their new position prior to their return from leave. In cases involving the serious health condition of an employee, the agency will require the employee to produce a fitness-for-duty report on which the physician has certified the employee is able to return to work. This requirement protects the employee, co-workers and the public from the negative consequences that can result when an individual returns to work before being medically ready to do so. Therefore, employees who are notified of the need for a fitness-for-duty certification will not be allowed to return to work without it.

## **UNLAWFUL ACTS**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The U.S. Department of Labor is authorized to investigate and resolve complaints of violations regarding the *federal* FMLA. Complaints regarding federal and or state family/medical leave may be directed to the Human Resources Director/designee in each state agency or to the employee's union.

## **MORE INFORMATION**

As mentioned above the DAS brochure, "[Understanding Family and Medical Leave](#)" can be found on the DAS website in the Human Resources—Employees section under "Employee Benefits". Also, this general letter and the [Statewide Family and Medical Leave Policy](#) may be found via the DAS website. Employees who have additional questions may also contact their Human Resources Specialist in the Human Resources Office.

*Brenda L. Sisco*

*7/22/2008*

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Brenda L. Sisco, Commissioner  
Department of Administrative Services

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Date

08-04



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

**VIOLENCE IN THE WORKPLACE**  
**PREVENTION POLICY**

The State of Connecticut adopts a statewide zero tolerance policy for workplace violence. Therefore, except as may be required as a condition of employment—

- No employee shall bring into any state worksite any weapon or dangerous instrument as defined herein.
- No employee shall use, attempt to use, or threaten to use any such weapon or dangerous instrument in a state worksite.
- No employee shall cause or threaten to cause death or physical injury to any individual in a state worksite.

Weapon means any firearm, including a BB gun, whether loaded or unloaded, any knife (excluding a small pen or pocket knife), including a switchblade or other knife having an automatic spring release device, a stiletto, any police baton or nightstick or any martial arts weapon or electronic defense weapon.

Dangerous instrument means any instrument, article, or substance that, under the circumstances, is capable of causing death or serious physical injury.

Any weapon or dangerous instrument at the worksite will be confiscated and there is no reasonable expectation of privacy with respect to such items in the workplace. Violation of the above reasonable work rules shall subject the employee to disciplinary action up to and including discharge.

Any employee who fears for their personal safety or for the safety of others should contact building security at (860) 713-5555 for situations that require immediate attention or **call police at 911**. Contact your supervisor or the Human Resources Office, Susie Carlson at (860) 713-8315, for emergency and non-emergency situations.

DPW is responsible for Statewide Security and issued the statewide *Violence in the Workplace Policy and Procedure Manual for Human Resource Professionals* in 1999. This Manual was updated in September 2007 and can be accessed online on the DPW web site: <http://www.ct.gov/dpw/lib/dpw/WPVManualLinked.doc>

*Raeanne V. Curtis*

*September 20, 2008*

*Raeanne V. Curtis, Commissioner*

*Date*



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

## WHISTLEBLOWER POLICY

### Scope of Policy

This document sets forth the policy of the Department of Public Works regarding whistleblower protection.

General Statutes §4-61dd(a) encourages persons to disclose corruption, unethical practices, violation of laws, mismanagement, gross waste of funds, abuse of authority, or danger to the public safety occurring in any state department or agency, any quasi-public agency, or any large state contract. A person disclosing such information is known in lay terms as a "whistleblower." A whistleblower should feel free to report such information without fear of retaliation. The Department of Public Works prohibits retaliation against employees who report such matters.

The State of Connecticut Commission on Human Rights and Opportunities (CHRO) addresses whistleblower retaliation. An overview of this process is encompassed in this policy. This policy is also available on line on the CHRO web site:

<http://www.ct.gov/chro/cwp/view.asp?a=2528&Q=316246&chroPNavCtr=|45688>.

Complaints should be filed with the Chief Human Rights Referee at the Office of Public Hearings, 21 Grand Street, Hartford, CT 06106. A complaint form may be downloaded from the CHRO website ([download Complaint Form here](#)) or may be obtained from the Office of Public Hearings. To obtain a complaint form or any additional information about §4-61dd hearings, please call 860-541-3452.

Additional whistleblower information encompassed herein is available from CHRO, the Attorney General's office, and the Auditors of Public Accounts:

CHRO General Processes and Procedures, Frequently Asked Questions, Complaint Forms, Statute, Regulations, Decisions, Rulings and Index:

[http://www.ct.gov/chro/taxonomy/ct\\_taxonomy.asp?DLN=45584&chroNav=|45584|](http://www.ct.gov/chro/taxonomy/ct_taxonomy.asp?DLN=45584&chroNav=|45584|)

Connecticut Attorney Generals Office, Whistleblower Unit

<http://www.ct.gov/ag/cwp/view.asp?A=2095&Q=296820>

Connecticut Auditors of Public Accounts, Whistle Blower Complaints

<http://cga.ct.gov/apa/whistle1.htm>

All employees shall comply with the expectations outlined in this policy statement.

*Raeanne V. Curtis*

*September 20, 2008*

*Raeanne V. Curtis, Commissioner*

*Date*

## Whistleblower Retaliation Complaints: an Overview

General Statutes §4-61dd(a) encourages persons to disclose corruption, unethical practices, violation of laws, mismanagement, gross waste of funds, abuse of authority, or danger to the public safety occurring in any state department or agency, any quasi-public agency, or any large state contract. A person disclosing such information is known in lay terms as a "whistleblower." A whistleblower should feel free to report such information without fear of retaliation.

According to the statute, no state officer or employee, no quasi-public agency officer or employee, no officer or employee of a large state contractor, and no appointing authority may take or threaten to take any personnel action against a whistleblower who is an employee of the state, of a quasi-public agency, or of a large state contractor in retaliation for disclosing such information. The statute specifically protects those whistleblowers who have disclosed such information (1) to any employee of the Auditors or of the Attorney General; (2) to an employee of the state or quasi-public agency that employs the person who retaliated or threatened retaliation; (3) to an employee of a state agency pursuant to a mandated reporter statute; or, (4) in the case of a large state contractor, to an employee of the contracting state agency concerning information about a large state contract.

In accordance with the statute, an employee who believes he or she is the subject of retaliation for "whistleblowing" may file a "whistleblower retaliation complaint" with the Chief Human Rights Referee at the CHRO's Office of Public Hearings not later than thirty (30) days after the employee learns of the specific incident giving rise to the claim (i.e., the personnel action threatened or taken against him/her).

The complaint will then be assigned to one of the Human Rights Referees, who will conduct a hearing and issue a written decision. If the Referee determines that a violation of the statute occurred, the Referee may award the employee "reinstatement to the employee's former position, back pay and reestablishment of any employee benefits to which the employee would otherwise have been eligible if such violation had not occurred, reasonable attorneys' fees, and any other damages." Any party may appeal the Referee's decision in accordance with the provisions of §4-183 of the General Statutes.

Section 4-61dd also sets forth alternative processes for disposing of allegations of retaliation filed by whistleblowers. A whistleblowing employee who is facing or threatened with retaliatory personnel actions may opt to file a complaint with the Employees' Review Board under §5-202 or, in the case of an employee covered by a collective bargaining agreement, in accordance with contractual procedures. An employee of a large state contractor, after exhausting all administrative remedies, may choose to pursue a civil action in Superior Court. It is important to note that a whistleblowing employee facing or threatened with retaliation may choose only this Office of Public Hearings or one of these alternatives for relief. He or she cannot bring an action in more than one forum.

The statute creates a rebuttable presumption that any personnel action taken or threatened against a whistleblowing employee is deemed retaliatory if it occurs not later than one year after the whistleblower's disclosure.

Complaints should be filed with the Chief Human Rights Referee at the Office of Public Hearings, 21 Grand Street, Hartford, CT 06106. A complaint form may be downloaded from the CHRO website ([download Complaint Form here](#)) or may be obtained from the Office of Public Hearings. To obtain a complaint form or any additional information about §4-61dd hearings, please call 860-541-3452.

NOTE: The text of the whistleblower protection statute (General Statutes §4-61dd) and the pertinent regulations, and additional information are available via the links at the bottom of this section.

NOTE: This overview is not intended to serve as, or in lieu of, legal advice. The CHRO, the Office of Public Hearings, and the Referees cannot give legal advice. A person considering filing a whistleblower retaliation complaint may wish to consult with an attorney.

NOTE: Although the Referees also preside over CHRO discrimination cases, whistleblower retaliation cases are independent of CHRO jurisdiction and are not investigated by CHRO.

***In addition, see:***

[Whistleblower Retaliation Statute](#)

[Whistleblower Retaliation Regulations](#)

[Whistleblower Retaliation Complaint Form](#) (PDF - 31 KB)

[Whistleblower Retaliation Decisions, Rulings and Index](#)

[Uniform Administrative Procedure Act \( General Statutes §§ 4-166 through 4-189g\)](#)

## Connecticut Attorney General's Office Whistleblower Unit

The Attorney General's Whistleblower Unit investigates information communicated to the Auditors of Public Accounts or the Attorney General regarding corruption, unethical practices, violation of state laws or regulations, mismanagement, gross waste of funds, abuse of authority and danger to the public safety occurring in any state agency, quasi public agency (show link that defines quasi public agency as Connecticut Development Authority, Connecticut Innovations, Incorporated, Connecticut Health and Educational Facilities Authority, Connecticut Higher Education Supplemental Loan Authority, Connecticut Housing Finance Authority, Connecticut Housing Authority, Connecticut Resources Recovery Authority, Connecticut Hazardous Waste Management Service, Connecticut Port Authority, Capital City Economic Development Authority and Connecticut Lottery Corporation) or large state contracts. At the conclusion of his investigation, the Attorney General may report his findings to the Governor or the Chief State's Attorney.

### WhistleBlower Reports

All complaints should be filed in writing with the Auditors of Public Accounts, 210 Capitol Avenue, Hartford, CT 06106, or by telephone:

Toll Free within Connecticut: (800) 797-1702

Locally: (860) 566-6150

You can visit [Auditors of Public Accounts](#).

The Whistleblower law prohibits employees and officers of state agencies, quasi public agencies and large state contractors from threatening or taking any personnel action against an employee in retaliation for the employee's reporting information to the Auditors of Public Accounts or the Attorney General. An employee who believes that he or she has been retaliated against can report this to the Attorney General. The employee may have specific legal rights under laws that protect whistleblowers, under union contracts, and may be able to file an administrative complaint with the Chief Human Rights Referee of the Commission on Human Rights and Opportunities. The Attorney General may investigate retaliation claims but cannot provide legal advice or counsel to the employee. You can visit [Commission on Human Rights and Opportunities](#).

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**STATE OF CONNECTICUT**  
**AUDITORS OF PUBLIC ACCOUNTS**  
*Whistle Blower Complaints*

[Section 4-61dd](#) of the Connecticut General Statutes is known as the Whistle Blower Act. It authorizes the Auditors of Public Accounts to receive information concerning matters involving corruption, unethical practices, violation of State laws or regulations, mismanagement, gross waste of funds, abuse of authority or danger to the public safety occurring in any State department or agency. ([For more information see our Other Reviews Page](#))

If you know of anyone in a State office or agency misusing or misappropriating public funds or property, you can file a complaint with the APA by calling (860) 240-5305 or toll free at (800) 797-1702. You can also send the information in writing to :

Auditors of Public Accounts  
18 Trinity Street  
Hartford, CT 06106-1628  
Attention: Patricia Wilson, Administrative Auditor

We will need to know:

- The name and title of the person/persons you are making the complaint about
- The State office or agency for which they work
- Their address (if available)
- As much information about the alleged misuse or misappropriation as possible

You should state whether you actually observed the violations and, if you did, whether you are willing to sign a sworn statement. If you did not personally observe the violations you should have the names of witnesses who did and information on how to contact them.

We request that you let us know your name, address and phone numbers but complaints can be made anonymously if you prefer.

**All information concerning the identity of a person or a group of persons making a complaint is strictly confidential under State law and will not be released by this Office.**

## CONTACTS

Raeanne V. Curtis  
Commissioner  
(860) 713-5800

Jonathan Holmes  
Deputy Commissioner  
Property Management  
(860) 713-5850

Ann Nichols  
Director of Administration  
and Risk Management  
(860) 713-5820

Allen Herring  
Process Management  
and Chief Engineer  
(860) 713-5691

Bruce Bockstael  
Client Teams Administrator and  
Chief Architect  
(860) 713-5630

Manuel Becerra  
Facilities Management  
(860) 713-5660

Doug Frost  
Information Technology  
(860) 713-5691

Douglas J. Moore  
Chief of Staff  
(860) 713-5800

David O'Hearn  
Deputy Commissioner  
Design and Construction  
(860) 713-5850

Kevin Kopetz  
Managing Attorney  
Legal/Legislative  
(860) 713-5886

Patrick Nolan  
Communications  
(860) 713-5790

Raymond Philbrick, CPP  
Security and Workplace Violence  
(860) 713-5811

Bruce Cornish  
Financial Management  
(860) 713-5760

Johnette D. Tolliver  
Equal Employment Opportunity  
Specialist  
(860) 713-5394

Susie Carlson  
Human Resources  
(860) 713-5315



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC WORKS



Raeanne V. Curtis  
Commissioner

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**DPW Acknowledgement of Receipt**

My signature below indicates that I have received a copy of the 2008 *DPW Employee Policy Handbook*.

I acknowledge that it is my responsibility to become familiar with this protocol and that failure to comply will subject me to disciplinary action up to and including dismissal from state service.

\_\_\_\_\_  
*Name (printed)*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*