



APS Employee Handbook

Table of Contents

- APS Non-Discrimination Statement v
 - Equal Opportunity Services and Title IX..... v
 - Section 504..... v
- Introduction 1
- Workplace Standards..... 1
 - Open Communication 1
 - Customer and Community Relations 2
 - Equal Opportunity..... 2
 - Harassment and Discrimination..... 2
 - Reporting Harassment or Discrimination 3
 - Fraternization..... 3
 - Reasonable Accommodation of Individuals with Disabilities 3
 - Participation in Political Activities..... 4
 - Drug Free Workplace 4
 - Use of Legal and Prescription Drugs Authorized By a Physician..... 4
 - Drug and Alcohol Testing 5
 - Violence in the Workplace 5
 - Family Violence and Your Workplace 6
 - Weapons 6
 - Smoking..... 7
 - Employee Technology Acceptable Use 7
 - Social Media 7
 - Gifts 7
 - Dress Code and Personal Appearance 8
 - Solicitations and Distributions 8
 - Tutoring or Advising for Pay..... 8
 - Animals in School/Service Animals 8
- Standards of Conduct..... 8
 - Employee Standards of Conduct..... 9
 - Staff Conduct with Students 9
 - Conflict of Interest 9
 - Unacceptable Activities..... 9

Progressive Discipline Process	11
Administrative Leave Pending Possible Disciplinary Action	11
Employment Matters	11
Employee Background Check.....	11
Immigration Law Compliance	12
Conflict of Interest/Supervision of Relatives	12
Use of District-Owned Vehicles and Use of Personal Vehicles on District Business.....	12
Per Diem.....	12
Health Examinations	13
Personnel Files	13
Medical Records Files.....	13
Employment Classification.....	13
Non-Exempt and Exempt Employees.....	13
Regular Full-time Employees	13
Regular Part-Time Employees.....	14
Substitute Teachers/Substitute Educational Assistants	14
Short-Term Employees	14
Temporary Employees	14
Work Schedule	14
Business Hours	14
Absence or Lateness	15
Holidays.....	15
Severe Weather and Emergency Conditions	15
School and Administration Office Closings	16
School Closings (Administration Offices Open)	16
Abbreviated Days (2-Hour Delay)	16
Early Dismissals	16
Building Access by Employees	17
General Employee Safety.....	17
Reporting Safety Issues.....	17
Non-Life-Threatening Injuries.....	17
Life-Threatening Emergencies	17
Workers' Compensation Insurance.....	18

Time Off for Medical Appointments	18
Parking Areas	18
Compensation	18
Pay Information	18
Direct Payroll Deposit	18
Mandatory Deductions from Paycheck	19
Overpayment of Earnings	19
Overtime Pay.....	19
Compensatory Time Off.....	19
Records of Time Worked	19
Performance Reviews	20
Promotion and Transfer Policy	20
Benefits	20
Social Security	20
Leaves.....	20
Accrual Balances	21
Leave Types and Processes	21
Extended Leaves	22
Donation of Leave	22
Separation of Employment	22
Voluntary Terminations	22
Time of Notice.....	23
Form of Notice	23
Involuntary Terminations.....	23
Transfers	23
Return of District Property.....	23

APS Non-Discrimination Statement

The Albuquerque Public School system does not discriminate nor condone discrimination by students, employees, or third parties on the basis of ethnic identity, religion, race, color, national origin, sex, gender identity, sexual orientation, HIV status, mental or physical disability, marital status, or pregnancy in any program or activity of, or sponsored by, the school district and provides equal access to the Boy Scouts and other designated youth groups. To file a complaint go to: Equal Opportunity Services: Complaint Process .The following departments have been designated to handle inquiries regarding the nondiscrimination policies:

Equal Opportunity Services and Title IX

6400 Uptown Blvd. NE, Suite 240 East
PO Box 25704
Albuquerque, New Mexico 87125-0704
(505) 855-9853 or (505) 855-9855

Section 504

6400 Uptown Blvd. NE, Suite 400 East
PO Box 25704
Albuquerque, New Mexico 87125-0704
(505) 872-6815

Introduction

This Employee Handbook provides a summary of employee benefits and guidelines with respect to your employment. It does not cover all aspects of your employment with APS. You are responsible for reading and understanding this Employee Handbook. If you have any questions, please discuss them with your supervisor.

Schools or departments may establish additional guidelines and procedures appropriate to their school or department. Please learn those guidelines and observe them at all times. They are established for your benefit and that of the school or department and our students.

This Employee Handbook replaces any earlier APS Employee Handbook. In addition, this Handbook may be revised from time to time, as needed, without prior notice as business, employment, legislative and/or economic conditions dictate. Any such revisions apply to existing as well as future employees. Revisions will be made as they are approved.

Only the Superintendent of APS or his/her designee may alter or modify any of the provisions of this Employee Handbook. Statements or promises by an administrator, principal, supervisor, manager or department head may not be interpreted as a change in policy and do not constitute an agreement with an employee.

In the event of a conflict between school or department policies and this Handbook, this Handbook and APS Board of Education Policies and Procedural Directives will govern. When APS Board Policies and Procedural Directives are changed, they supersede the information in the APS Employee Handbook.

This Handbook is not a contract or any part of a contract of employment, express or implied. This is a general publication prepared for all APS employees, many of whom are represented by various unions. If a conflict arises between an item in this Employee Handbook and an item in a negotiated agreement, the terms in the Negotiated Agreement will govern without nullifying any other items in this Handbook. If a conflict arises between an item in this Employee Handbook and an item in APS Board of Education Policies and Procedural Directives, the terms in the APS Board of Education Policies and Procedural Directives will govern without nullifying any other items in this Handbook. Nothing in the Company's policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment; employees have the right to engage in or refrain from such activities.

Workplace Standards

Open Communication

APS encourages you to discuss any issue you may have with a co-worker directly with that person. If a resolution is not reached, please arrange a meeting with your supervisor to discuss any concern, problem or issue that arises during the course of your employment. Retaliation

against any employee for the appropriate use of communication channels is unacceptable. Please remember it is counterproductive for employees to create or repeat rumors or gossip.

Customer and Community Relations

The success of APS depends upon the quality of the relationships between APS, our employees, customers and community. Our customers' impressions of APS and their interest and willingness to send their children to our schools are greatly influenced by the people who serve them. You are an ambassador of APS. The more goodwill you promote, the more our customers will respect and appreciate you, APS and the programs we offer to students.

Equal Opportunity

APS is an equal opportunity employer. The District prohibits discrimination on the basis of race, sex, religion, national origin, color, ancestry, physical or mental handicap, pregnancy (sex), serious medical condition, age (40+), sexual orientation, gender identity, spousal affiliation, veteran status, harassment on these, retaliation for reporting and/or any other protected status as defined by law, in all facets of employment, compensation, promotion, transfer, demotion, layoff, termination/discharge or selection for District-sponsored training programs. Discriminatory behavior violates state and federal laws and regulations.

Harassment and Discrimination

APS intends to provide a work environment that is pleasant, professional, and free from intimidation, hostility or inappropriate behavior which might interfere with work performance. Harassment or discrimination of any sort will not be tolerated.

Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, e-mail jokes or statements, pranks, intimidation, physical assaults, physical contact, or violence. Harassment may or may not be sexual in nature and may not be directed to the individual but take place within their range of hearing. Other prohibited conduct includes retaliatory action against an employee for discussing or making a harassment complaint.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an offensive, hostile or intimidating working environment and/or it prevents employees from effectively performing the duties of their position. It also encompasses such conduct when it is made a term or condition of employment or compensation, either implicitly or explicitly and when an employment decision is based on an individual's acceptance or rejection of such conduct.

Responsibility: All APS employees, particularly supervisors, have a responsibility for keeping our work environment free of harassment and discrimination. Any employee, who becomes aware of an incident of harassment or discrimination, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or to Equal Opportunity Services

(EOS) at APS. When the District becomes aware of the existence of harassment or discrimination, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the District to do so. [View the Procedural Directive>>](#)

Reporting Harassment or Discrimination

If there is no threat of violence, APS encourages you to communicate directly with the alleged harasser and make it clear that the harasser's behavior is unacceptable, offensive or inappropriate, although you are not required to do so. In addition, if you believe you have been subject to harassment or discrimination, you are required to immediately notify your supervisor and/or [Equal Opportunity Services \(EOS\)](#) at APS.

All complaints will be investigated promptly and as discreetly and confidentially as is reasonably possible. If harassment or discrimination by an employee is established, APS will take appropriate disciplinary action against the offender. Disciplinary action can range from verbal warnings to termination/discharge, depending on the circumstances. Retaliation of any sort will not be permitted. No adverse employment action will be taken for any employee making a good faith report of alleged harassment. APS accepts no liability for harassment or discrimination of one employee by another employee.

The individual who makes unwelcome advances, threatens or in any way harasses or discriminates against another employee is personally liable for their actions and the consequences. APS may or may not provide legal, financial or any other assistance to an individual accused of harassment or discrimination if a legal complaint is filed.

APS prohibits any employee from retaliating in any way against anyone who has raised any concern about harassment or discrimination against another individual.

Fraternization

Consensual personal relationships of a romantic or sexual nature between co-workers who are not in a direct supervisory relationship are not of concern to the District unless conduct associated with that relationship:

- constitutes sexual harassment or discrimination,
- affects an employee's job evaluation or treatment,
- interferes with productivity or harmonious work relationships within the workplace.

Consensual dating relationships between a Manager and an employee the Manager directly supervises are inappropriate in the workplace and are inconsistent with the District's management philosophy as well as the Manager's role and responsibilities.

Reasonable Accommodation of Individuals with Disabilities

The District makes reasonable accommodations to qualified employees with disabilities for the performance of essential job functions without undue hardship to the District. Accommodations are reviewed case by case in accordance with the Americans with Disabilities Act (ADA) and any state or local laws that prohibit disability discrimination. Contact the [Equal Opportunity Services](#) at APS for questions or assistance. [View the Accommodation Process>>](#)

Participation in Political Activities

District personnel may hold public offices, except for the Board of Education, regardless of the relationship between the public office and the interests of Albuquerque Public Schools. [View the Board Policy>>](#)

Drug Free Workplace

APS has adopted a Drug Free Workplace Policy. The unlawful possession, dispensing, distribution, manufacture, sale or use of controlled substances and alcohol by an APS employee is prohibited in the workplace, on school premises or as part of any APS activity. Being under the influence of controlled substances and/or alcohol by an employee is prohibited in the workplace, on the school premises or any part of an APS activity. Employees are required to notify their supervisor within five (5) days if they are convicted of a criminal controlled-drug statute violation occurring in the workplace. Failure by an employee to report such a conviction may be grounds for disciplinary action. Supervisors who become aware of a conviction of an employee for a criminal controlled-drug statute violation occurring in the workplace should immediately notify the Human Resources Department. Violation of this policy will result in disciplinary action, up to and including discharge or termination, and referral to law enforcement. [View the Board Policy>>](#)

Use of Legal and Prescription Drugs Authorized By a Physician

Certain legal and prescription drugs can produce changes in persons that might indicate intoxication or illegal drug use and could result in a “positive” result on a substance abuse screening test. Employees may continue to work for APS while taking prescription drugs at the direction of a doctor for the treatment of an illness or non-prescription drugs used for the purposes and in the manner intended, provided the medication does not adversely affect the employee’s ability to perform his or her work in a safe and efficient manner. Each employee is responsible for being aware of and following all cautions associated with the use of prescription or non-prescription drugs. If any prescription or non-prescription drugs being taken by an employee could have side effects which could affect the employee’s job performance, the employee must advise his or her supervisor of the drug being taken and the potential side effects. APS has the right to determine whether an employee who is receiving legal medication should be allowed to continue working during his or her treatment due to possible safety and/or performance problems that could arise from certain legal drug use. Employees failing to disclose

such usage may face disciplinary action, up to and including discharge or termination. APS prohibits the use of cannabis by its employees, even if prescribed by a physician.

Drug and Alcohol Testing

APS has adopted drug testing procedures to ensure the enforcement of APS policies and to safeguard the well-being of students, parents and employees in the District. Testing positive for the use of a controlled substance, except medications prescribed by a physician which do not impair work performance, will result in discipline up to and including discharge or termination. Testing positive for use or being under the influence of cannabis will result in discipline up to and including discharge or termination, even if use of cannabis is prescribed by a physician or authorized by New Mexico law. [View the Procedural Directive>>](#)

Violence in the Workplace

APS prohibits violence in the workplace. Threatening, intimidating or coercing fellow employees on or off district property at any time, for any purpose will not be tolerated. This applies to all persons involved in APS' operations, including personnel, vendors, contractors, temporary employees and anyone else on APS property. Any act or threat of violence will result in disciplinary action, up to and including termination/discharge, and/or referral to law enforcement. [View the Procedural Directive>>](#)

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate manager or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, former employees, family members, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. Any employee who has been threatened with serious bodily injury or property harm in any context (including a personal relationship) must notify the district of the threat. The district will not take any adverse employment actions against an employee who notifies the district of a threat of violence because of the notification. Further, in any circumstance in which the threat relates to a personal relationship the district will not mandate that the employee pursue criminal charges. The district will review each situation as confidentially as possible with the employee and determine whether additional precautions for the workplace are necessary on a short- or long-term basis.

All suspicious individuals or activities should also be reported as soon as possible to a Manager. Do not place yourself or coworkers in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

The district will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the district may suspend employees, either with or without pay, pending

investigation. Failure to cooperate in an investigation may result in disciplinary action up to and including termination. In order to ensure a safe work environment a fitness for duty evaluation may be required before an employee may return to work.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including discharge or termination.

Examples of workplace violence include, but are not limited to:

- a. All threats or acts of violence occurring on APS property, regardless of the relationship between APS and the parties involved.
- b. All threats or acts of violence occurring off APS property involving someone who is acting as a representative of APS.
- c. Grabbing, hitting or shoving an individual.
- d. Threatening an individual or his/her family, friends, associates or property with harm.
- e. Intentional destruction of or threats to destroy APS property.
- f. Making harassing or threatening phone calls.
- g. Harassing surveillance or stalking.
- h. Unauthorized possession or inappropriate use of firearms or weapons.
- i. Intimidating or harassing students, staff or parents.

Family Violence and Your Workplace

Family (Domestic) violence falls into the categories of child abuse, partner/spousal abuse, sibling abuse, elder abuse and dating violence. It is a pattern of assault and coercive behaviors—including physical, sexual, psychological attacks and economic coercion—which results in hurt, fear, injury, suffering or death. Currently, most instances of family violence in the workplace are in the form of partner abuse. Cases of domestic violence often spill into the work setting. If you find yourself or know of a coworker experiencing family violence, it is imperative that you seek assistance. Following are contacts for assistance and information:

- National Domestic Violence Hotline: 800-799-7233
- S.A.F.E House Hotline: 800-773-3645
- Adult Protective Services: 800-797-3260
- New Mexico Coalition Against Domestic Violence: 505-246-9240
- Violence Against Women Division (for referrals): 505-222-9034

Weapons

APS prohibits all persons who enter District property from carrying handguns, firearms, knives or other weapons of any kind regardless of whether the person is licensed to do so. APS also prohibits all employees from having handguns, firearms, knives or other weapons of any kind in their personal vehicle when that vehicle is being used on APS business. The only exceptions to

this policy are police officers, security guards or other persons who have been given written consent by APS to carry a weapon on the property or in their vehicle. [View the Board Policy>>](#)

Smoking

Use of tobacco, tobacco products, E-cigarettes (electronic) and E-cigarette products at all District sites is prohibited. [View the Board Policy>>](#)

Employee Technology Acceptable Use

The use of district technology resources is a privilege granted to employees for the enhancement of job-related functions. **All employees shall use their APS assigned email accounts to conduct all school/district business.** Employees may have limited access to these resources for personal use, if they comply with the professional standards and the district's acceptable use policies. Violations of this policy may result in the revocation of this privilege. Employees may also face disciplinary action up to and including termination/discharge, civil litigation, and/or criminal prosecution for misuse of these resources.

APS does not attempt to articulate all possible violations of this policy. In general, users are expected to use District computers and computer networks in a responsible, polite, and professional manner. [View the Board Policy>>](#) [View the Procedural Directive>>](#)

Social Media

Social media technology can serve as a powerful tool to enhance education, communication, and learning. This technology can provide both educational and professional benefits, including preparing Albuquerque Public Schools ("APS") students to succeed in their educational and career endeavors.

The district is committed to ensuring that all APS stakeholders who utilize social media technology for professional purposes, including staff and students, do so in a safe and responsible manner. APS strives to create professional social media environments that mirror the academically supportive environments of our schools.

Social Media training will be provided to give guidance regarding recommended practices for professional social media communication between APS employees, as well as social media communication between APS employees and APS students.

In recognition of the public and pervasive nature of social media communications, as well as the fact that in this digital era, the lines between professional and personal endeavors are sometimes blurred, the Social Media training will also address recommended practices for use of personal social media by APS staff. [View the Board Policy>>](#) [View the Procedural Directive>>](#)

Gifts

Advance approval from the Human Resources Department is required before an employee may accept or solicit a gift of any kind from a customer, supplier or vendor representative. [View the Procedural Directive>>](#)

Dress Code and Personal Appearance

You are expected to be suitably attired and groomed during working hours and when representing APS. If your supervisor determines that your attire and/or grooming is out of place, you may be asked to leave the workplace until you are properly attired and/or groomed. In no case shall the standards for employees be less than those prescribed for students in the district Student Behavior Handbook. Principals/Supervisors are expected to counsel staff assigned to their location on appearance and conduct. Employees who violate dress code standard may be subject to disciplinary action up to and including termination/discharge. [View the Procedural Directive>>](#)

Solicitations and Distributions

Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-District literature in work areas at any time during working time. Working time is defined as the time assigned for the performance of your job and does not apply to break periods and meal times. Employees are not permitted to sell raffle chances, merchandise, or otherwise solicit or distribute literature without management approval.

Persons not employed by APS are prohibited from soliciting or distributing literature on District property.

Tutoring or Advising for Pay

With the exclusion of school personnel receiving stipends for extra- or co-curricular activities, school personnel are not permitted to receive pay for tutoring or advising any students assigned to them for classroom teaching or other school functions.

Animals in School/Service Animals

Animals may be brought to classrooms only if they serve a direct instructional purpose and if the animal can be cared for in a humane manner. [View the Procedural Directive>>](#)

APS employees and students seeking to use service animals should, in conjunction with the APS Office of Equity or Special Education Department, develop a Section 504 Plan or Individual Education Plan, as appropriate, to identify needed reasonable accommodations and other issues relating to use of a service animal. [View the Procedural Directive>>](#)

Standards of Conduct

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and congenially. By accepting employment with us, you have a responsibility to APS and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary.

Employee Standards of Conduct

APS employees serve as positive role models for students and set good examples in conduct, manners, dress and grooming. APS expects each employee to maintain the highest standards of conduct and act in a mature and responsible manner at all times. Employees must not engage in activities which violate federal, state or local laws or which, in any way, diminish the integrity, efficiency or discipline of the District.

Staff Conduct with Students

Staff members will maintain appropriate professional behavior while working with students and refrain from harassment, malicious or prejudicial treatment, and/or violations of student rights. [View the Procedural Directive>>](#)

Conflict of Interest

Employees are prohibited from using confidential information acquired by virtue of their associations with the District for their individual or another's private gain. Employees are prohibited from requesting, receiving or accepting a gift or loan for themselves or another that tends to influence them or appear to influence them in the discharge of their duties as employees.

Unacceptable Activities

APS expects each employee to act in a mature and responsible way at all times. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed below, please see your supervisor. Note that the following list of unacceptable activities does not include all types of conduct that can result in disciplinary action, up to and including termination/discharge. Nothing in this list alters the at-will nature of employment for some employees of the District.

1. Violation of any APS policy or Procedural Directive.
2. Violation of security or safety rules or failure to observe safety rules or APS safety practices; failure to wear required safety equipment; tampering with APS equipment or safety equipment.
3. Negligence or any careless action which may endanger the health, safety or well-being of the individual or another person.
4. Being intoxicated or under the influence of a controlled substance, including alcohol, while at work; use, possession or sale of a controlled substance in any quantity while on District

- premises, except medications prescribed by a physician which do not impair work performance, except cannabis, which cannot be used or possessed even with a prescription.
5. Possession of dangerous or illegal firearms, weapons or explosives on District property or while on duty.
 6. Engaging in criminal conduct or acts of violence at any time or making threats of violence toward anyone on District premises or when representing APS; fighting, or provoking a fight on District property, or negligent damage to property.
 7. Insubordination or refusing to obey instructions properly issued by your supervisor pertaining to your work; refusal to help out on a special assignment or refusing to cooperate in investigations.
 8. Threatening, intimidating or coercing fellow employees on or off the premises at any time, for any purpose.
 9. Engaging in an act of sabotage; negligently causing the destruction or damage of District property, or the property of fellow employees, customers, suppliers, or visitors..
 10. Theft or unauthorized possession of District property or the property of fellow employees; unauthorized possession or removal of any District property, including documents, from the premises without prior permission from management; unauthorized use of District equipment or property for personal reasons; using District equipment for profit.
 11. Dishonesty; falsification or misrepresentation on your application for employment or other work records; untruthfulness about sick or personal leave; falsifying reason for a leave of absence or other data requested by APS; unauthorized alteration of District records or other documents.
 12. Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another employee on the job; restricting work output or encouraging others to do the same.
 13. Immoral conduct or indecency on District property.
 14. Conducting a lottery or gambling on District premises.
 15. Unsatisfactory or careless work, failure to meet work productivity or work quality standards.
 16. Any act of harassment or retaliation based on disability, race, ethnicity, color, sex, sexual orientation, national origin or ancestry, religion, age, veteran status, HIV status and/or any other protected status as defined by law.
 17. Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your supervisor; stopping work before time specified for such purposes.
 18. Sleeping or loitering during working hours.
 19. Excessive use of telephones or electronic devices for non-business related activities including but not limited to personal calls, text messaging, social networking, etc. .
 20. Smoking on District property or in District vehicles.
 21. Creating or contributing to unsanitary conditions.
 22. Failure to report an absence or late arrival; unauthorized or excessive absences or lateness.
 23. Obscene or abusive language toward any supervisor, employee, parent, or student; indifference or rudeness; any disorderly/antagonistic conduct on District premises.
 24. Speeding or careless driving of District vehicles.
 25. Failure to immediately report damage to, or an accident involving, District equipment.
 26. Unauthorized soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind for charities or others without authorization during business

- hours, or at a time or place that interferes with the work of another employee on District premises.
27. Failure to use required timesheets, alteration of your own timesheet or records or attendance documents, punching or altering another employee's timesheet or records, or causing someone to alter your timesheet or records.
 28. Sharing or disseminating personal, sensitive, or confidential information about an employee, student, or parent. No employee will disclose confidential information unless legal requirements demand such information be revealed or disclosure is necessary to prevent serious and foreseeable harm.
 29. Negligence or any careless action which allows others access to personal or confidential information about employees or students. Willfully providing someone access to personal or confidential information about employees or students.
 30. Any other act or omission which impairs or restricts the ability of the District to provide a safe and healthy environment for employees and students.

Progressive Discipline Process

Managers may use a number of methods to motivate, correct, and/or discipline employees, including but not limited to warnings, reprimands, suspension with or without pay, and termination/discharge, as determined to be appropriate in each individual circumstance.

Progressive discipline may be used to correct employee behavioral or performance problems. However, there may be situations where the severity or seriousness of the offense justifies the omission of one or more of the steps in this process. Likewise, there may be situations where a disciplinary step is repeated.

Employees always have the opportunity to respond to disciplinary action in writing to the supervisor or department which notifies the employee of the action.

Administrative Leave Pending Possible Disciplinary Action

If you are suspected of violating the District's policies, procedures, or work rules you may be placed on administrative leave with or without pay, pending an investigation of the situation.

The New Mexico School Personnel Act, particularly NMSA 22-10A-24 and NMSA 22-10A-25, also provides an opportunity for an employee to state his or her response to being terminated, in the event disciplinary action results in termination.

Employment Matters

Employee Background Check

APS will conduct background checks of all prospective employees (i.e. applicants offered employment) with the district, district contractors and the contractor's employees and volunteers. [View the Board Policy >>](#)

Immigration Law Compliance

All offers of employment are contingent upon verification of your right to work in the United States. You will be asked to provide original documents verifying your right to work and, as required by federal law, to sign Federal Form I-9, Employment Eligibility Verification Form. If you cannot verify your right to work in the United States at any time, APS may terminate your employment.

Conflict of Interest/Supervision of Relatives

Albuquerque Public Schools shall not initially employ or approve the initial employment in any capacity a person who is a family member of a Board of Education member, the superintendent, or the individual responsible for the hiring of that family member. [View the Board Policy>>](#)
[View the Glossary of Terms>>](#)

Supervisors shall be excluded from all hiring, employment and assignment decisions regarding their family members. The relative of an APS administrator or supervisor may not be assigned to any position in which the administrator or supervisor may be able to directly supervise, evaluate, or control the work of the family member.

Use of District-Owned Vehicles and Use of Personal Vehicles on District Business

An employee whose work requires operation of a district-owned vehicle must present and maintain a valid New Mexico driver's license and driving record acceptable to our insurer. Periodically, APS will check your driver's license and driving record or you may be asked to submit a copy of your driving record to APS. Any change in the status of your driver's license must be reported to your supervisor immediately. Failure to do so may result in disciplinary action, up to and including termination/discharge. Contact the Risk Management Department regarding specific driver's license, driving records insurance, maintenance and driving requirements for operation of a District-owned vehicle and/or operation of a personal vehicle on District business. [View the Procedural Directive>>](#)

Per Diem

If you are authorized to travel on APS business, you will be reimbursed for food and lodging expenses at the applicable per diem rate. If you are authorized to use your personal vehicle to conduct APS business, you will be reimbursed based on the applicable mileage rate. [View the Procedural Directive>>](#)

Health Examinations

APS may require an employee's participation in an examination to determine the employee's ability to perform his/her essential job functions.

Personnel Files

Keeping your personnel file up-to-date is important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the items listed below, notify the Human Resources Department as soon as possible. You may review information in your personnel file except for confidential materials relating to pre-employment. Contact the Human Resources Department.

- a. Legal name
- b. Home address; home telephone number
- c. Marital status
- d. Driving record or status of driver's license, if you operate an APS vehicle
- e. Military or draft status
- f. Exemptions on your W-4 tax form
- g. Required training certificates
- h. Required professional license(s)

Medical Records Files

Medical records are kept in a separate confidential file. APS maintains this information in the strictest confidence in accordance with HIPAA.

Employment Classification

At the time you are hired or transferred to a new position, you are classified as a regular full-time, regular part-time, short-term, or temporary employee. In addition, you are classified as non-exempt or exempt in accordance with the Fair Labor Standards Act (FLSA) and applicable state law. If you are unsure into which classification your position fits, please ask your supervisor.

Non-Exempt and Exempt Employees

Employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per work week. These employees are referred to as "non-exempt". This means that they are not exempt from (and therefore should receive) overtime pay. Exempt employees are those whose duties and responsibilities exempt them from statutory overtime pay provisions.

Regular Full-time Employees

An employee, other than a substitute teacher/substitute educational assistant, who is regularly scheduled to work at least 30 hours per week, is considered a regular full-time employee.

Regular Part-Time Employees

An employee who is regularly scheduled to work less than 30 hours per week is considered a regular part-time employee.

Substitute Teachers/Substitute Educational Assistants

Substitute Teachers/Substitute Educational Assistants hired to substitute for licensed teachers or educational assistants on an as-needed basis are not entitled to receive benefits or leave unless specifically stated.

Short-Term Employees

APS hires employees for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a short-term employee. The job assignment, work schedule and duration of the position will be determined on an individual basis. Normally, a short-term position will not exceed nine (9) months in duration, unless specifically extended by a written agreement.

If the position will exist for a pre-designated period of time, such as a federal grant period, the employee will receive a short-term assignment. The employee will be informed of the nature and duration of the assignment. A short-term employee does not become a regular full-time employee by virtue of being employed longer than the agreed upon specified period.

Temporary Employees

Temporary employees include, but are not limited to, hourly, summer employees and interns.

Work Schedule

Business Hours

Your particular hours of work and the scheduling of your meal period will be determined and assigned by your supervisor. Most employees in the District offices are assigned to work a regularly-scheduled work week and are required to take an unpaid lunch period.

Albuquerque Public Schools does not permit working from home (telecommuting) except in infrequent, singular circumstances. All instances of telecommuting must be authorized in advance by both the department director and appropriate Executive Director/Superintendent.

Should you have any questions concerning your work schedule, please ask your supervisor.

Absence or Lateness

If you are unable to report to work, or if you will arrive late, contact your supervisor immediately. If you know in advance that you will be absent, you must request this time off directly from your supervisor. A consistent pattern of absences can be considered excessive. In addition, excessive lateness or leaving early may carry the same weight as an absence. Other factors, like the degree and reason for the absences or lateness, will be taken into consideration. Unauthorized or excessive absences, lateness, or leaving early may lead to disciplinary action, up to and including termination/discharge.



Holidays

Full-time employees and part-time employees on a pro-rated basis may receive paid time off for holidays recognized by APS which include:

- New Year's Day
- Presidents' Day
- Vernal Holiday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve Day
- Christmas Day

All national holidays are scheduled on the day designated by common business practice. In order to qualify for holiday pay, you must be paid for the scheduled workday immediately before and after the holiday. If a holiday occurs during your scheduled vacation, you are eligible for the paid holiday. You are not eligible to receive a paid holiday when you are on an unpaid leave of absence.

Severe Weather and Emergency Conditions

The best resource for information on school delays and closings is the APS website at ww2.aps.edu. Information will also be available through [Facebook](#) , [Twitter](#) , local media, and through SchoolMessenger notifications.

Reporting times for APS employees during severe weather conditions varies depending on contract and work site. The following information outlines reporting times for employees on days when schools are delayed, released early or closed.

School and Administration Office Closings

If schools **and** administrative offices are closed, employees contracted to work 248 or more days a year shall take eight hours of annual or personal leave.

School Closings (Administration Offices Open)

If schools are closed for students, but administrative offices remain open:

- School site administrators are expected to report for duty at their schools as close to their regular schedule as safely possible.
- Custodial staff and clerical staff contracted to work 248 days or more a year are expected to report for duty at their schools as close to their regular schedule as safely possible.
- All district administrative and support personnel are expected to report for duty as close their regular schedule as safely possible. This allows a **maximum** delay of two hours. Arriving late to work is only acceptable when severe weather causes hazardous driving conditions, not due to mechanical issues caused by cold weather.

If an employee does not report to work, she/he shall take eight hours of annual leave or one personal leave day.

Abbreviated Days (2-Hour Delay)

If schools are on a two-hour delay:

- **All** employees (school based and non-school based) are expected to report for duty as close to their regular report time as is safely possible. This allows a **maximum** delay of two hours. Arriving late to work is only acceptable when severe weather causes hazardous driving conditions, not due to mechanical issues caused by cold weather.
- If an employee does not report to work, she/he shall -take eight hours of annual leave or one personal leave day.

Early Dismissals

If administrative offices are dismissed early:

- There will be no loss of pay or leave for those employees who reported to work.
- If an employee does not report to work, she/he shall take eight hours of annual leave or one personal leave day.

If schools are dismissed early:

- School-based staffs are also dismissed after the last student is picked up, since the school will be locked up. This includes the principal, custodial staff, and clerical staff. There will be no loss of pay or leave for those employees who reported to work.

- All district administrative and support personnel are expected to remain on duty at their work locations until their regular release time.

Building Access by Employees

District buildings will customarily be opened, closed, and secured only by the designated building manager, assigned custodian or another district employee specifically designated to perform those functions. The building manager may allow other employees to apply for access privileges and building keys under certain circumstances that are beneficial to the district and or the operation of the building in question District employees shall not give building keys to an outside organization or person not employed by the district. Any employee granted access privileges is required to enforce and abide by all district policies and procedural directives regarding the use of the building and any equipment therein. [View the Board Policy>>](#) [View the Procedural Directives>>](#)

General Employee Safety

Reporting Safety Issues

APS complies with regulations governing injury and accident prevention and employee safety consistent with the needs of our industry. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your supervisor for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. Each supervisor shall make the safety of employees an integral part of her/his regular management functions. Each employee shall accept and follow established safety regulations and procedures. [View the Procedural Directive>>](#)

Non-Life-Threatening Injuries

- Notify your supervisor and call the APS Risk Management Injury Reporting Hotline at (505) 830-8466.
- Submit completed New Mexico Workers' Compensation Administration Notice of Accident Form to your supervisor within fifteen (15) days of the accident or injury. If an injury does not require medical attention, a Supervisor and Employee Report of Accident Form (add link to forms page) must still be completed in case medical treatment is later needed and to ensure that any safety hazards are corrected.

Life-Threatening Emergencies

- **Call 911 or seek immediate attention at the nearest hospital emergency facility.**

Federal law requires that we keep records of all illnesses and accidents that occur during the workday. The New Mexico State Workers' Compensation Act also requires that you report any workplace illness or injury, no matter how slight. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits.

Workers' Compensation Insurance

Workers' compensation fraud costs everyone. It is against state law. If you are aware of a potential fraud or abuse of the workers' compensation system, report it using the Fraud Report Form. [View Worker's Compensation Information>>](#)

Time Off for Medical Appointments

If the worker returned to work, the law does not require the employer to let the worker use paid work time for medical appointments. If the worker must take unpaid time off from work to go to medical appointments and if the total time exceeds seven (7) work days, the claim will become indemnity claim and the worker will be entitled to indemnity benefits. Consult Risk Management for guidance.

Parking Areas

You are encouraged to use the parking areas designated for employees. Remember to lock your car and park within the specified areas. APS is not responsible for any loss, theft, or damage to your private vehicle or any personal property. If you should damage another car while parking or leaving, immediately report the incident, along with the license numbers of both vehicles and any other pertinent information you may have to APS Police.

Compensation

APS encourages employees to review the Human Resources Department Compensation website. [View the HR Compensation Website>>](#)

Pay Information

You will receive your pay via direct deposit or a Wells Fargo PayCard.

If you were hired after a payroll deadline your first paycheck may be delayed. You will, however, be paid from the day you started. Refer to the APS website for detailed payroll information. If you do not receive your check or you believe that any amount on the check is in error, notify the payroll department immediately. [View the Payroll Website>>](#)

Direct Payroll Deposit

Direct payroll deposit is the automatic deposit of your paycheck directly into a financial institution account. Contact the Payroll Department for details and the necessary authorization forms. APS encourages you to use this benefit.

Mandatory Deductions from Paycheck

APS is required by law to make certain deductions from your paycheck. Among these are your federal, state and local income taxes, your contribution to Social Security and Medicare, and New Mexico Retirement and Retiree Healthcare. These deductions are itemized on your check stub. The amount of the deduction depends upon your earnings and the information you furnished on your W-4 form. Other mandatory deductions that may be made from your paycheck, such as court ordered garnishments, will be explained whenever APS is ordered to make such deductions.

Overpayment of Earnings

If you have been overpaid in your paycheck, you must contact the APS Payroll Department immediately. Any overpayment must be returned to APS in full upon request by the Payroll Department.

Overtime Pay

If you are a non-exempt employee, you are eligible to receive overtime pay at the rate of one and one-half (1 1/2) times your regular hourly wage for hours worked over forty (40) hours in one (1) work week. Hours away from the job because of a job-related injury, holiday, jury duty, vacation, or sick leave are not counted as hours worked for the purpose of computing eligibility for overtime pay. All overtime must be approved in advance by your supervisor. APS retains sole discretion to determine when employees must work overtime. Working unauthorized overtime hours may result in disciplinary action.

Compensatory Time Off

Non-exempt employees have the option of receiving compensatory time off ("comp time") instead of overtime pay for overtime hours worked. Compensatory time off is earned at the rate of one and one-half (1 1/2) times for hours worked over forty (40) hours in one (1) work week. The use of accrued comp time must be approved and scheduled through your supervisor. If a supervisor approves comp time, the employee must take the comp time within twenty working days or it is paid as overtime automatically.

Records of Time Worked

Non-exempt employees who record time worked via time cards or time sheets are responsible for recording their own time. No one may record hours worked on another's timecard or timesheet. Tampering with another's time record is cause for disciplinary action, up to and including

termination, of both employees. In the event of an error in recording your time, report the matter to your supervisor immediately.

Performance Reviews

APS periodically conducts a formal review for each employee. APS' goal is to conduct this review on an annual basis. A review may also be conducted in the event of a promotion or change in duties and responsibilities. Your review provides an opportunity for collaborative, two-way communication between you and your supervisor. This is a good time to discuss your interests and future goals. Your supervisor can recommend further training or additional opportunities for you and answer any questions you may have about the performance review process.

Promotion and Transfer Policy

APS provides employees with an opportunity to apply for a promotion or transfer to other positions within the District. Approval of promotions or transfers depends largely upon training, experience, and work record. APS is an equal opportunity employer and will consider qualified applicants within and outside the District. APS encourages employees to review the APS website for career opportunities. [View the APS Job Posting Website>>](#)

Benefits

APS sponsors a comprehensive benefits program for all eligible employees. APS periodically reviews its benefits program and may make modifications as appropriate. APS reserves the right to amend, add to or terminate these plans at any time. This right of amendment/termination shall apply equally to all participants, including retirees. Benefits information in its entirety can be found on the Benefits website. [View the Benefits Website>>](#)

Social Security

In accordance with the applicable federal law, all employees are required to participate in and contribute to Social Security. The District also makes a mandatory matching contribution on behalf of employees. Contribution levels are established by law, and are subject to change. To obtain information about Social Security and related programs, you may contact the local Social Security office.

Leaves

Leaves of Absence less than 11 days are applied for and approved by the worksite supervisor. All extended leaves of absence greater than 10 work days (except annual leave) are approved, processed, and tracked by the APS Extended Leaves Office.

Accrual Balances

Accrual balances are listed on employee pay stubs/checks. If you have questions or concerns, please contact: Payroll (505) 872-6880. [View the Payroll Website>>](#)

Leave Types and Processes

Learn more about each type of leave and its associated process: [View the Extended Leaves Website>>](#)

- Administrators Sick Leave Bank
- Adoption Leave
- Advance Study Leave
- Annual/Vacation Leave
- Assault Leave
- Association Leave (refer to appropriate Negotiated Agreement)
- Bereavement (Funeral) Leave
- Catastrophic Illness or Injury Leave
- Court Leave
- Domestic Violence Leave
- Family Medical Leave Act (FMLA)
- Holiday Leave
- Illness in the Immediate Family Leave
- Intermittent Medical Leave
- Lactation/Breastfeeding Leave
- Medical Leave
- Medical Appointment Leave
- Military Leave
- Military Family Leave
- Parental (Maternity) Leave
- Parental (Non-Birth) Leave
- Personal Emergency Leave
- Personal Leave
- Personal Extended Leave of Absence
- Political Leave
- Professional Leave
- Qualifying Exigency
- Religious Leave
- Severe Weather and Emergency Closures
- Sick Leave
- Sick Leave Bank
- Vacation/Annual Leave
- Voting Leave

Extended Leaves

The Human Resources Leaves of Absence office administers all leaves of absence in excess of ten (10) consecutive days with the exception of Annual Leave. Leaves of absence require thirty (30) calendar days notification to the Human Resources Leaves of Absence office prior to the commencement of leave of absence. This notification can be waived in emergency situations. However, it is the employee's responsibility to provide the leave information to the Human Resources Leaves of Absence office as soon as possible.

Both paid and unpaid time off may be granted to eligible employees according to leave policies. Time off is paid at the employee's base rate, excluding shift premiums and overtime compensation. [View the Extended Leaves Website>>](#)

Donation of Leave

Albuquerque Public Schools district personnel who are not members of a bargaining unit covered by a negotiated agreement may donate annual/personal leave days to another district employee who is not a member of or protected by a negotiated agreement and who has exhausted their annual, sick and personal leave in the event of a catastrophic illness or injury of the employee or the employee's immediate family member. Employees may not donate sick leave to another employee.

All donations and receipts of donated annual/personal leave shall be subject to approval by the Assistant Superintendent of Human Resources, or his/her designee. Denial for annual/personal leave donation and receipt may be appealed, in writing, to the superintendent.

Separation of Employment

There are two types of terminations, Voluntary and Involuntary:

Voluntary Terminations

APS will consider you to have voluntarily terminated your employment if you:

- *Resign from APS*
A letter of resignation from your employment with APS must be given to your immediate supervisor with a copy to the Human Resources Department. In some cases a verbal resignation or other form of communication will be accepted.
- *Retire from APS*
A letter of retirement must be sent to the Superintendent with a copy to your supervisor and the Human Resources Department.
- *Abandonment*
 - Failure to return from an approved leave of absence on the date specified; or

- Failure to report to work or call in for three (3) or more consecutive work days.

Time of Notice

Teachers and administrators should give a minimum of 30 days' notice for voluntary termination of employment. All other employees should provide at minimum 14 days' notice for voluntary termination of employment.

Form of Notice

Include the following information in your Resignation or Retirement letter:

- Name
- Employee #
- APS Work Location
- Home Address
- Personal Phone #
- Personal Email Address
- Last day of Work
- Clear statement of your intention to resign or retire your position

Involuntary Terminations

Below are two types of involuntary terminations:

- APS may terminate/discharge you from your employment for poor performance, misconduct, excessive absences, tardiness, discrimination or other violations of APS policies. If your employment is at will, you or APS may terminate the employment relationship at any time and for any or no reason.
- APS may elect not to renew the expiring contracts of some employees. This is considered **Non-Renewal**.

Transfers

If you are remaining employed by APS but are transferring to a different position or location, the appropriate documentation must be submitted to HR by your new supervisor.

Return of District Property

ALL district, department, school, and/or outside agency (i.e. PTO) purchased equipment and supplies **MUST** remain at the original work site. This includes but is not limited to:

- Computers/Laptops
- Hardware

- Software
- iPads
- Furniture
- Shredders
- Office and cleaning supplies
- Sound systems

Any property APS issues to you, such as keys, uniforms, computer equipment, parking passes or vehicles, etc., must be returned to your supervisor at the time of termination. You will be responsible for any lost or damaged items. The value of property issued and not returned may be deducted from your paycheck. You may be required to sign a wage deduction authorization form for this purpose.