



Delaware State University

University Area(s) Responsible: Office of Human Resources

Policy Number & Name: 4-27: Children in the Workplace

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I. Purpose

Delaware State University (“the University”) values an atmosphere that fosters a healthy balance between work and family responsibilities. Therefore, the University provides many opportunities for families with children on campus, through campus events, scheduled programming and/or as the guest(s) of students and employees. The University recognizes its obligation for the safety and well-being of children present on campus.

The frequent and recurring presence of children not enrolled at the daycare center during work hours is unsuitable. In addition to being a liability for the University, the presence of unauthorized children decreases productivity and may cause health and safety issues to University visitors as well as to the campus community.

The purpose of this Policy is to establish a criteria that welcomes family members and children to the University while promoting an environment conducive to accomplishing the University’s mission by minimizing incidents or accidents that may result from the unauthorized presence of children.

II. Scope and Applicability

This Policy applies to all University employees wishing to bring their children to the workplace during times that are not designated as acceptable activities or University sponsored events, as those defined below.

III. Definitions

1. Acceptable Activities/University Sponsored Events - Participation in an organized and approved educational event that permits children to observe and/or participate in parents' work activities.

2. Child or Minor - An individual under the age of 18 years of age who is not a student or employee of Delaware State University.
3. Sick Child - A child who has an illness that prevents him or her from being accepted by a regular day care provider or school, particularly a child with infectious disease.
4. Child Care - The act, practice or occupation of supervising and taking care of young children.
5. Emergency Exceptions - when the employee cannot be absent from the workplace. (Approved exceptions are subject to the requirements.)
6. Hazardous location - means a job site or work place declared to be dangerous including but not limited to laboratories, kitchens, workshops, construction or demolition projects or work areas where there is the operation, cleaning or adjusting of any power-driven machinery, appliances or tools, where the moving parts are exposed to the operator as well as those areas where fire or explosion hazards may exist due to flammable gases or vapors, flammable liquids, combustible dust, or ignitable fibers exist. Hazardous (classified) locations may be found in places such as, but not limited to: aircraft hangars, gasoline dispensing and service stations, bulk storage plants for gasoline or other volatile flammable liquids, paint-finishing process plants, health care facilities, agricultural or other facilities where excessive combustible dusts may be present, marinas, boat yards, and petroleum and chemical processing plants.
7. Hazardous occupation - means a job or work declared to be dangerous including but not limited to laboratories, kitchens, workshops, construction or demolition projects or work areas where there is the operation, cleaning or adjusting of any power-driven machinery, appliances or tools, where the moving parts are exposed to the operator. This also includes any other occupations assigned as such by the Delaware Secretary of Labor or by the Secretary of Labor of the United States pursuant to the provisions of the Fair Labor Standards Act [29 U.S.C. § 201 et seq.];
8. Employ, "employed," or "employment" means to suffer or permit to work.
9. Incidental or intermittent: Non-regular and brief (30 minutes or less) presence on campus.
10. Parent/Legal Guardian: Any employee, student, or visitor who begets or brings forth another person or a person and or who is legally responsible for the health and welfare of a person.
11. Host: A person other than the parent who will be responsible for the non-student child in the workplace.
12. Workplace: Room, office, laboratory, university vehicle, or other areas in the immediate vicinity of where persons are conducting work on behalf of the University. An area off campus where University work is being conducted is a workplace (workplace does not include an employee's home.)

IV. Policy

The University does not permit the continual presence of children who require direct supervision in the workplace in lieu of other childcare arrangements. Delaware State University prohibits employees from bringing minor children to the workplace during work hours for purposes other than officially acceptable activities or University sponsored events involving children. Employees with dependent children are expected to make regular

arrangements for proper care of their children while at work. Children and infants are welcome to visit the workplace for a brief period of time (30 minutes or less) on an occasional basis.

1. It is inappropriate for employees to bring children to the workplace during hours of campus operation and when the employee is scheduled to perform his or her work related duties. The workplace may not be used as an alternative for regular child care. When child care arrangements break down, an employee should seek alternatives to bringing the child to the workplace. In such cases, an employee typically will use accrued leave hours or leave without pay and care for a child at home. The same applies in instances in which schools are closed or when early dismissal and delays due to weather or other emergencies are applied. The University recognizes that in spite of best efforts, it is sometimes impossible to secure adequate childcare. In such instances an employee may bring a minor child or children on campus for a short period of time (30 minutes or less) in order to make arrangements for someone else to perform your duties in your absence and/or someone to pick up your child. In this instance, the child or children must be under the direct and immediate supervision of the employee. Requesting fellow employees to provide childcare or supervision is an unacceptable practice. Employees are not to volunteer to take responsibility for another employee's child or minor in the workplace.
2. The University is sensitive to its employees' child-related circumstances; however, DSU cannot permit children to remain unattended or unsupervised in the workplace because of the potential for legal liability, perceptions of unprofessionalism and decreased student learning. Exceptions to this Policy are permitted under extenuating circumstances and with written request from the Unit supervisor to the Sr. Associate Vice President of Human Resources. This Policy is not intended to prohibit children or other minors and family members from being in the workplace during acceptable activities or University-sponsored events. As necessary, supervisors may grant leave at their discretion in emergency or unforeseen circumstances related to childcare needs. University employees are not to bring children to the workplace except as permitted by this Policy.
3. **When Children Are Brought To the Workplace, the following requirements apply:**
 - a. Visits must be incidental or intermittent, this includes visits to introduce children to co-workers or, short-term visits. Incidental or intermittent presence is acceptable only under circumstances where there is not a safety hazard beyond that usually encountered in a typical home or office environment, and as long as the child remains under the direct supervision of the parent. Incidental or intermittent presence does not include situations where children need to be supervised more than momentarily by University employees other than the parent.
 - b. **Children are expressly prohibited from entering hazardous areas.** The employee who brought the child to the workplace during the intermittent or incidental time frame is responsible for keeping the child within his or her "sight and sound" at all

- times. The employee may not ask any other employee or student to supervise the child.
- c. The employee who brought the child to the workplace is responsible for all aspects of the child's behavior. **The employee is responsible for the child's safety and is financially responsible for any damages caused by the child.**
 - d. The presence of the child cannot disrupt the work environment or negatively impact the productivity of the employee who brought the child or other employees or students.
 - e. The employee's supervisor may direct the employee to remove the child from the workplace at any time if the supervisor determines that this Policy has been violated or that the child's presence negatively impacts University interests.
4. Any violation of this Policy may result in progressive discipline up to employment termination.

V. Procedure

A. Employees

1. If an employee needs to bring children to work for an incidental amount of time (30 minutes or less) the following requirements and processes apply.
2. The employee must be the parent of or have a legal responsibility for the care of the child.
3. The employee must request written permission to bring the child to the worksite from their Unit supervisor, Department chair and/or the Office of Human Resources.
4. The employee must verify that the child does not pose a risk of exposing others to infectious diseases (flu, common cold, chicken pox, etc.)
5. The employee must sign a waiver of liability.
6. The child must be 11 years of age or younger (Exceptions for children 12 years of age and older may be made in the case of a child with developmental delays or physical disabilities).
7. The child may not enter a hazardous area.
8. The employee who brought the child to the workplace must keep the child within his or her sight and sound at all times

B. Unit Supervisor/Department chair/Human Resources Representative

1. The Unit supervisor, Department chair or Human Resources representative must consider the following factors before approving an employee's request to bring a child or children to work:
2. Is the workplace of the employee a risk or hazard for children?
3. Is there a risk of contamination of products (lab specimens etc.) by the child?
4. Will the presence of the child inhibit the work of other employees?
5. Will the child or children create an undue disruption to the accomplishment of the University's work?

6. What is the age of the child or children and how does this relate to issues of safety and disruption?
7. What are the behavioral characteristics of the child and how does this relate to issues of safety and disruption?
8. Is the workplace adaptable to the presence of the child or children?
9. Will there be a confidentiality or professionalism problem in this circumstance?
10. The employee's unit supervisor may at any time direct the employee to remove the child from the workplace if he or she determines that that the child's presence negatively impacts University interests.

VI. Notice

1. This Policy does not apply to University programs that involve children in education or research.
2. This Policy does not apply to children enrolled in University child care/school lab facilities.
3. This Policy does not apply to University activities and activities sponsored by the employee's unit which have been approved and allow children of University employees to be present.
4. DSU reserves the right to change this Policy at any time without prior notice.

VII. Responsibility

Department directors or Unit Supervisors are responsible for informing their employees about the restrictions on children in the workplace. Directors or Supervisors are responsible for establishing and enforcing this policy in their respective departments based on the type of work or service provided. Directors or Supervisors are to address violations, accommodation requests and any other issue that arises and will communicate with the Office of Human Resources (HR) to ensure the policy is being implemented correctly. Directors or Supervisors should ask for intervention and clarifications from HR.

Department directors or supervisors will determine whether or not an employee is allowed to incidentally or intermittently bring a child into the work place for his or her particular job. Employees whose children are ill or disruptive will be sent home and required to take leave. In sensitive situations, a supervisor should use good judgment and ask for the assistance from HR if necessary.

Responsible authorities should consult with the Risk & Safety Manager before granting permission for any children not enrolled as students at the University to be present in high-risk safety areas.