

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
ATTENDANCE AND LEAVE MANUAL
POLICY BULLETIN 2018-03

Section 26.3

February 2018

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TO: Manual Recipients
FROM: Scott DeFruscio, Director of Staffing Services
SUBJECT: Attendance and Leave Items in the 2016-2021 Negotiated Agreements Between the State of New York and CSEA for Employees in the Administrative Services Unit (ASU), Institutional Services Unit (ISU), Operational Services Unit (OSU) and the Division of Military and Naval Affairs (DMNA)

The following material describes the new or revised attendance and leave provisions contained in the 2016-2021 Agreements between the State of New York and CSEA for employees in the Administrative Services Unit (ASU), Institutional Services Unit (ISU), Operational Services Unit (OSU) and the Division of Military and Naval Affairs (DMNA).

Questions concerning this material should be directed to the Attendance and Leave Unit of the Department of Civil Service at (518) 457-2295.

Article 4 – Employee Organization Leave (EOL)

Clarification is provided that granting EOL for the investigation and processing of contract grievances is appropriate at all steps of the grievance process.

Article 10 – Attendance and Leave

Family Sick Leave

Effective on the date of ratification, August 8, 2017, employees may use up to 25 days of accumulated sick leave per calendar year for death or illness in the family.

Accounting of Time Accruals and Hours Worked Side Letter

The agreements are clarified that employees are required to keep daily time records showing actual hours worked on forms, or on an electronic or mechanical timekeeping system, subject to review and approval by the employee's supervisor.

Productivity Enhancement Program

The program will be available in calendar years 2017-2021. Effective calendar year 2019, the amount of the credit applied toward health insurance premiums increases from \$500 or \$1,000 to \$600 or \$1,200. The number of days forfeited remains unchanged.

Time and Attendance Issues Side Letter

The parties will review discretionary time and attendance policies with the intent to standardize such policies across agencies.

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Article 11 – Workers' Compensation Benefit

*Workers' Compensation Labor/Management Committee
Annual Leave Accruals*

Effective April 1, 2019, an employee who is terminated as a result of being found permanently disabled by the State Insurance Fund or pursuant to Civil Service Law Section 71 shall be compensated for all accrued and unused annual leave.

Article 27 – Distribution of Overtime

Compensatory Time for Overtime Worked Side Letter

The program continues to be available to eligible employees in each year of the Agreement and is no longer a pilot program.

Article 32 – Workday/Workweek

Written Statement of Work Schedule Deviations

Agencies are no longer required to furnish the Governor's Office of Employee Relations (GOER) with a list of work schedule deviations.

Rest Periods

The agreements were clarified that rest periods shall be administered in accordance with Civil Service Attendance Rule 20.1 as interpreted by the Attendance and Leave Manual Section 20.1.

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Unit Specific Provisions

ISU-specific Provisions

Article 46 – Continuous Hours of Work

In order to address excessive overtime for employees at Office for Persons with Developmental Disabilities (OPWDD) and Office of Mental Health (OMH), effective August 8, 2017, those employees in a direct care title who are mandated to work more than 16 consecutive hours of actual work will receive double time for any such time worked over 16 hours.

Overtime in Direct Care Titles Side Letter

In an effort to address persistent overtime:

- Floating clusters will be established for direct care titles in OPWDD and OMH with float staff assigned to clusters in a 25-mile radius to provide staffing relief.
- Per-diem and temporary employees in OPWDD and OMH who are otherwise qualified will be offered permanent employment where needed to alleviate persistent overtime or to fill needed positions.
- A labor/management committee comprised of representatives from GOER, DOB, DCS, CSEA, OPWDD, OMH, OCFS, and SUNY will address and review voluntary, mandatory, and extreme overtime in direct care titles. A plan to reduce and eliminate overtime will be created.

DMNA-specific Provisions

Appendix IV – Attendance and Leave

Recognizing that the Airport Firefighters have unique schedules that do not lend themselves to easily calculating earned accruals, and for clarification, information relevant to their accrual earnings calculations have been incorporated into Appendix IV.