

Human Resources

July 1, 2021

TO: CSEA Staff

FROM: Robin Farrell, Payroll Manager
Human Resources/Payroll Office

SUBJECT: 2021-2022 Over40 Comp Time II

The Over40 Comp Time II Pilot Program (Over40 II) that began under the 2007-2011 agreements with CSEA and PEF has been continued. Under this pilot program, state employees represented by CSEA, or DC-37 may opt to earn compensatory time at the time and one-half rate in lieu of overtime pay for overtime worked in excess of 40 hours in a workweek. Up to 240 hours of Over40 II credits may be accumulated under this program. Over40 II credits have no expiration date and cannot be charged as a leave accrual; however, up to 120 hours of accrued Over40 II credits may be cashed out once a year during the pilot program. This program replaces any current agency or local-level policies, practices and labor-management agreements regarding compensatory time for hours in excess of 40 in a workweek.

To enroll in the 2021-2022 program year of Over40 II, employees must complete the attached “Over40 Comp Time II Pilot Program Enrollment Form” and **submit it to the Payroll Office no later than close of business July 16, 2021.**

Prohibition on Use of Over40 Comp Time II Credits as a Leave Accrual

Note: ***Over40 II credits cannot be charged as a leave accrual***, even when all other credits have been exhausted. Such credits cannot be charged to cover absences from work, as is permitted with regular overtime compensatory time credits for hours worked between 37.5 and 40 in a workweek. Employees who are absent and have exhausted all other credits are deemed to have exhausted all available leave credits for purposes of being eligible for sick leave at half-pay or receiving donated leave under the Leave Donation Program, even though they have a balance of Over40 II credits on their time record.

Annual Cash-Out of Over40 Comp Time II Credits

Employees who have accrued Over40 II credits may cash out up to 120 hours of accrued credits once per year during each year of the pilot program, payable in the payroll period closest to December 1, at the employee’s straight-time rate of pay at the time of that cash-out. In any given program year, employees need not be enrolled in the program and need not be currently employed in an eligible position in order to participate in the annual cash-out, provided they have Over40 II credits on their time records. Credits an employee elects to cash out are deducted from the employee’s time record as of the date the agency receives the employee’s election form. There will be an annual cash-out election period in October of each year. Appropriate election forms will be distributed before the start of the annual election period.

If you have any questions, please contact Robin Farrell, Payroll Manager, at 914-251-6096 or via email at robin.farrell@purchase.edu, or Susan Ciliberti, Time and Attendance Coordinator at 914-251-6057 or via email at Susan.ciliberti@purchase.edu

Human Resources

Over40 Comp Time II Pilot Program Enrollment Form – 2021-2022 Program Year

Directions: To participate in the 2020-2021 Over40 Comp Time II (Over40 II) Pilot Program, please complete and submit this form to your payroll office no later than July 16, 2021.

Name: _____

Agency: _____

Work Location: _____

Title: _____ **Salary Grade:** _____

Bargaining Unit (check one): ASU ISU OSU DMNA RRSU

I am an employee in an overtime-eligible position in salary grade 22 or below in one of the above-listed bargaining units. I understand that under the overtime rules, I am eligible to be compensated in cash at the time and one-half rate for time worked in excess of 40 hours per workweek. However, I have read the Over40 II description and wish to earn Over40 II credits at the time and one-half rate for hours worked in excess of 40 hours per workweek in lieu of overtime pay. (For firefighters in the Division of Military and Naval Affairs, hours in excess of 106 in a biweekly pay period will earn Over40 II credits.)

I understand that the maximum accumulation of Over40 II credits is 240 hours each program year, including any credits carried forward from Over40 I under the 2003-2007 State-CSEA agreements. Such credits carried forward will become subject to the provisions of Over40 II, including prohibition on use as a leave accrual. If I reach the 240-hour maximum of Over40 II credits during the program year, any additional hours of overtime will be paid at the time and one-half overtime rate and Over40 II credits will not be earned until my balance is reduced below the 240-hour maximum.

My election to earn Over40 II credits will remain in effect for 26 pay periods beginning June 24, 2021 (Administration Payroll), or June 17, 2021 (Institution Payroll).

Signature: _____

Submit this form to your agency personnel or payroll office no later than July 16, 2021.