



## Information Announcement

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# Over40 Comp Time II Pilot Program

**May 6, 2015**

The Governor's Office of Employee Relations (GOER) has recently announced the Over40 Comp Time II Pilot Program (Over40 II) for program year 2015-16. Under this Program, employees represented by CSEA in an overtime eligible position, allocated to a Grade 22 or below, can earn compensatory time at the time and one-half rate in lieu of overtime pay for hours worked in excess of 40 in a work week, and will be provided the opportunity to cash-out that time at a later date.

Please note that the Over40 II Program for **PEF-represented** employees will expire on July 1, 2015. As a result, PEF employees are not eligible to enroll in the 2015-2016 program year. Accordingly, these employee will have a final opportunity to cash-out up to 120 hours of Over40 II credits in December 2015.

### **Eligibility**

Eligible CSEA employees may opt to participate in this Program for one or more program years during the term of the pilot, but need not participate in all program years. Once enrolled, employees may not withdraw and must participate for the entire program year as long as they continue to be employed in an overtime-eligible position in a participating bargaining unit.

Employees may earn up to a total of 240 hours of Over40 II credits, and are not allowed to charge these credit hours as a leave accrual, even if all other accruals are exhausted.

Employees with Over40 II credits on their time records can cash out up to 120 hours each year. The annual cash-out election period is in October and the payment will be made in the payroll period closest to December 1. It will be paid at the employee's straight-time rate of pay at the time of cash-out. Election forms will be distributed before the start of the annual election period.

In issuing the guidelines for this program, GOER communicated that the determination of whether overtime is required remains a management prerogative, subject to an agency's operational and program needs. Over40 II does not create any new obligation to offer overtime to employees.

### **2014-15 Program Year Conclusion**

The 2014-2015 Over40 II program year will conclude on June 17, 2015 for employees on the Administration pay cycle and June 24, 2015 for employees on the Institution pay cycle. Employees currently enrolled in the Program, who do not submit an enrollment form for the 2015-2016 program year, will be removed from the Program. Those employees will be eligible to receive overtime pay at

time and one-half for overtime worked beginning on June 18, 2015 for the Administration pay cycle and June 25, 2015 for the Institution pay cycle.

### **2015-16 Program Year Enrollment**

Employees who enroll in the 2015-2016 program year will be eligible to receive Over40 II credits for overtime worked beyond 40 hours in a workweek for 26 pay periods beginning on June 18, 2015 for the Administration pay cycle and June 25, 2015 for the Institution pay cycle. To enroll in the 2015-2016 program year of the Over40 II, please complete the Over40 Comp Time II Pilot Program Enrollment Form that can be found on the BSC website at <http://bsc.ogs.ny.gov/content/time-attendance> under Time and Attendance Forms & Publications. Once completed, employees should return the form to the BSC Time and Attendance Unit no later than **May 15, 2015**, close of business.

If you need assistance or have any questions regarding the Over40 Comp Time Program, please contact the BSC Time & Attendance Unit at [BSCTimeAdmin@ogs.ny.gov](mailto:BSCTimeAdmin@ogs.ny.gov) or by phone at (518) 457-4272.