

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
ATTENDANCE AND LEAVE MANUAL

**Payment for Overtime Accruals Upon
Appointment, Promotion or Transfer**

Section 23.3

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Purpose

The purpose of this Section is to provide cash payment by the releasing agency for overtime compensatory time credits accrued and unused when an employee moves from a position in the classified service to another position in the classified service in a different department or agency. (Section 23.1 of the Attendance Rules provides for such payment when an employee leaves the classified service.)

Eligibility

All employees subject to the Attendance Rules are entitled to cash payment for overtime compensatory time credits accrued and unused, up to 30 days, whenever they are appointed, promoted or transferred from one department or agency to another. When movement takes place between facilities or institutions within such agencies as the Division for Youth, State University of New York, the Departments of Correctional Services and Health, the Offices of Mental Health or Mental Retardation and Developmental Disabilities, overtime compensatory time credits are transferred.

Liquidation Versus Lump Sum Payment

In all cases the releasing agency should make every effort to afford compensatory time off for overtime compensatory time credits prior to the employee's moving so as to reduce the amount of cash payment for such credits.