

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE

**ATTENDANCE AND LEAVE MANUAL**

POLICY BULLETIN 2020-03

Section 21.1

June 2020

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TO: Manual Recipients  
FROM: Jessica Rowe, Director Staffing Services Division  
SUBJECT: Executive Order Recognizing Juneteenth as a Holiday for State Employees –  
June 19, 2020

On June 17, 2020, Governor Andrew M. Cuomo issued an Executive Order recognizing Juneteenth (June 19, 2020) as a holiday for state employees, commemorating the end of slavery in the United States. The Governor will also advance legislation to make Juneteenth an official state holiday next year. **The benefits described in this memorandum apply to Juneteenth 2020 only.** New guidance will be issued for future observance of Juneteenth.

This policy applies to all Executive branch classified service employees regardless of Attendance Rules coverage.

Employees scheduled to work on Friday, June 19, 2020 will be granted the day off with pay without charge to leave credits.

The amount of time granted will be equivalent to the number of hours the employee was scheduled to work on Friday as part of their basic workweek. Employees who were scheduled to work additional or overtime hours beyond the 37.5 or 40 hour basic workweek on Friday, June 19, 2020 are not granted paid time off for such hours.

Employees who are required to work on Friday, June 19, 2020 will be granted with Juneteenth Compensatory Time Off (CTO) equivalent to the number of hours in their normal work schedule.

The number of hours of paid time off is not capped at 7.5 or 8 hours. For example, an employee on a compressed work schedule who is scheduled to work 10 hours on Friday, June 19 as part of their basic workweek is entitled to time off with pay for 10 hours on Friday.

Employees on Voluntary Reduction in Work Schedule (VRWS) who were scheduled to charge a day of VR time on Friday bank the VR time and receive paid leave for an equivalent number of hours. Employees on VRWS who were scheduled to work part of the day on Friday and charge the balance of the day to VR time, bank the VR time and receive paid leave for the number of hours that would have been worked and charged to VR time.

Part-time employees are entitled to time off with pay on Friday, June 19 for the number of hours they are scheduled to work on that day as part of their basic workweek. A half-time employee who works 5 half days per week who is scheduled to work 4 hours on Friday receives time off with pay for 4 hours and a half-time employee scheduled to work 8 hours on

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Friday receives 8 hours of time off with pay. For part-time annual salaried employees, this includes hours the employee was scheduled to work on Friday beyond their payroll percentage but not beyond 37.5 or 40 hours in the workweek.

Employees who are required to work on Friday, June 19, 2020 will be credited with CTO equivalent to the number of hours they are required to work as part of their basic workweek. Employees scheduled to work hours beyond their 37.5 or 40 hour basic workweek on Friday, June 19, 2020 are not granted CTO for those hours beyond the basic workweek

The number of hours of CTO which can be credited for time worked on June 19 is not capped at 7.5 or 8 hours. For example, an employee on a compressed work schedule who works a 10-hour day on Friday as part of their 40 hour basic workweek will be credited with 10 hours of CTO.

A part-time employee who works a 12.5-hour day on Friday as part of their 37.5 hour basic workweek is credited with 12.5 hours of CTO. Part-time annual salaried employees are granted CTO for hours worked beyond their payroll percentage but not for hours beyond the 37.5 or 40 hour basic workweek.

**For Employees, who have a Pass Day on June 19, 2020**

Full-time employees for whom Friday, June 19, 2020 is a scheduled pass day will be credited with 7.5 or 8 hours of CTO, based on whether their basic workweek is 37.5 or 40 hours. This applies to all full-time employees, including those on compressed work schedules and VRWS.

Part-time employees for whom Friday, June 19, 2020 is a scheduled pass day will be credited with a prorated day of CTO.

For part-time annual salaried employees, a prorated day is based on the employee's payroll percentage and does **not** reflect any time the employee was scheduled to work beyond his/her payroll percentage.

For part-time hourly or per diem employees, a prorated day is based on the percentage of full time the employee was employed to work in the payroll period that includes June 19.

**Employees Scheduled to be Absent on Pre-Approved Leave Charged to Credits**

Employees scheduled to be absent on Friday, June 19, 2020 charged to leave credits will not be required to charge credits for that absence and will be granted paid leave as described above.

However, this policy does not apply to employees charging leave credits whose status is leave without pay such as employees on Leave Donation and employees on disciplinary suspension charging leave credits.

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**Employees on Unpaid Leave or Leave with Pay Not Charged to Credits**

Employees on leave without pay or leave with pay not charged to credits, such as workers' compensation leave, Federal Emergency Paid Sick Leave (FEPSLA), Expanded Family Medical Leave (EFMLA), military leave, sick leave at half-pay, STD/LTD, child care leave without pay and disciplinary suspension, are not eligible to be granted paid leave or to be credited with CTO in accordance with this policy. Employees on leave donation and disciplinary suspension charged to credits are also not covered by this policy since their status is leave without pay.

**Compensatory Time Off**

As noted above, CTO can be credited only for hours worked within the 37.5 or 40 hour basic workweek. CTO credited for hours worked is not subject to a 7.5 or 8 hour cap. However, CTO credited to employees for whom Friday, June 19 is a pass day is subject to a 7.5 or 8 hour cap and is prorated for part-time employees.

CTO may be used in quarter hour units, or in smaller units where local arrangements so permit.

CTO expires on June 19, 2021.

Employees cannot elect to receive cash payment in lieu of CTO.

There is no provision for cash payment for CTO at separation.

Agencies must ensure employees receive an appropriate amount of CTO on their timecard. For ease of programming automated timekeeping systems, Juneteenth CTO may be recorded in any leave category, but the hours must be set to expire on June 19, 2021.

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