

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE  
ATTENDANCE AND LEAVE MANUAL

TABLE OF CONTENTS  
Seasonal Employment

Appendix E

Page 1 of 1

<u>Title</u>	<u>Page</u>	<u>Issued</u>
Attendance Rules Coverage	1	1/3/87
Holidays	1	1/3/87
Workers' Compensation	2	1/3/87
Seasonal Leave Credits in Administrative, Institutional and Operational Services Units	2	1/3/87
Seasonal Leave Credits in Security Services Unit	3	1/3/87

**NOTE**

**THIS SECTION IS UNDERGOING REVISION.  
BEFORE RELYING ON THIS MATERIAL,  
PLEASE CONTACT THE EMPLOYEE RELATIONS  
SECTION AT (518) 457-2295 TO VERIFY  
ITS ACCURACY.**

**NEW YORK STATE DEPARTMENT OF CIVIL SERVICE**  
**ATTENDANCE AND LEAVE MANUAL**

Seasonal Employment

Appendix E

Page 1 of 4

Negotiating Units:

Administrative Services Unit Appendix IV  
Institutional Services Unit Appendix III  
Operational Services Unit Appendix III  
Professional, Scientific and Technical  
Services Unit Appendix I  
Security Services Unit Appendix D

Effect:

The subject appendices were first included in the agreements effective April 1, 1985, and they constitute the entire agreement with respect to employees in positions designated seasonal in each of these units. (Previously, separate memoranda of understanding were developed, usually following negotiation of the contracts.)

Since this Manual is organized by topic, it includes specific references to seasonal employees in each applicable section; the subject appendices provide a useful summary of which provisions apply. This Appendix identifies which seasonal employees have Attendance Rules coverage and the benefits that flow from that, lists what attendance and leave benefits are available to seasonal employees who do not have Rules coverage and discusses eligibility for crediting and use of Seasonal Leave credits.

Attendance Rules Coverage

Seasonal employees in all the subject units who are employed on a per diem or hourly basis to work a qualifying schedule (either at least 1/2 time per pay period or at least 3 3/4 hours a day, five days a week) for 19 continuous pay periods (without a break in service which exceeds one pay period) are eligible for Attendance Rules coverage and to earn leave accruals. Annual salaried employees are covered by the Rules without regard to a "seasonal" designation and those working a qualifying schedule are eligible to earn leave accruals.

Holidays

Seasonal employees who have Rules coverage are eligible to observe holidays and to receive holiday pay if they work on a holiday. Seasonal employees do not have the option of waiving holiday pay for those holidays they work. (There is also a holiday pay provision in these appendices for certain seasonal employees who do not have Attendance

**NEW YORK STATE DEPARTMENT OF CIVIL SERVICE**  
**ATTENDANCE AND LEAVE MANUAL**

**Seasonal Employment**

Appendix E

Page 2 of 4

Rules coverage. See pp. C-2 - C-3 of Section 21.1 of this Manual for a discussion of holiday benefits for seasonal employees.)

Workers' Compensation

Seasonal employees in the subject units who have Rules coverage are eligible for the workers' compensation benefits provided in the various agreements. For seasonal employees who do not have Rules coverage, these appendices provide workers' compensation leave up to a maximum of three days or 24 hours, whichever is less, in each season for the employee who incurs an occupational injury or disease as defined by the Workers' Compensation Board. Seasonal employees are not eligible to be kept on the payroll beyond the last day of the season in order to continue to receive the benefit. (See Section 21.8, pp. C-11 and C-21.)

Seasonal Leave Credits in Administrative, Institutional and Operational Services Units

Effective April 1, 1985, certain seasonal employees in the Administrative, Institutional and Operational Services Units who are not covered by the Attendance Rules have a new leave benefit. Specifically, such employees are eligible to be credited with three days of Seasonal Leave provided they meet the following criteria:

1. have been employed to work a qualifying schedule of at least 1/2 time per pay period in each of three continuous fiscal years or more

and

2. are anticipated to continue to work a qualifying schedule for 19 cumulative pay periods in the current fiscal year (or subsequent years of this agreement)

and

3. have completed two months of such qualifying service in the present fiscal year.

For seasonal employees in these three units who completed the three years of qualifying service prior to April 1, 1985, the earliest possible date on which Seasonal Leave may be credited is June 1, 1985.

**NEW YORK STATE DEPARTMENT OF CIVIL SERVICE**  
**ATTENDANCE AND LEAVE MANUAL**

Seasonal Employment

Appendix E

Page 3 of 4

These Seasonal Leave credits are provided under the following conditions:

1. They are available for absence for personal reasons, subject to prior approval.
2. They are available for unscheduled absence due to illness, subject to such verification as the agency may require.
3. Appointing authorities may not require that Seasonal Leave credits be used in units greater than 1/4 hour.
4. Seasonal Leave accruals are noncumulative from fiscal year to fiscal year.
5. Seasonal Leave credits are transferable between seasonal positions within a fiscal year. There is no provision for a lump sum payment if the employee moves to a position not covered by these provisions or if the employee gains Attendance Rules coverage for any reason.
6. There is no provision for lump sum payment at time of separation nor may these credits be applied at time of retirement for health insurance or retirement service credit purposes.

Service with more than one State agency must be counted in determining whether a seasonal employee in one of the three CSEA Units has met the 19 cumulative pay period requirement.

Seasonal Leave Credits in Security Services Unit

Effective April 1, 1985, certain seasonal employees in the Security Services Unit not covered by the Attendance Rules have a new leave benefit. Specifically, such employees are eligible to be credited with one day of Seasonal Leave provided they meet the following criteria:

1. have completed at least eight years of continuous service of at least six cumulative pay periods per year

and

2. were employed to work at least half-time in each of those eight years

and

**NEW YORK STATE DEPARTMENT OF CIVIL SERVICE**  
**ATTENDANCE AND LEAVE MANUAL**

Seasonal Employment

Appendix E

Page 4 of 4

3. are expected to work such a qualifying schedule during the current fiscal year (or subsequent years of this agreement)

and

4. have completed 100 cumulative hours of service in the current fiscal year.

For seasonal employees in the Security Services Unit who completed the eight years of qualifying service prior to April 1, 1985, the earliest point at which Seasonal Leave may be credited is following completion of 100 hours of service rendered subsequent to April 1, 1985.

These Seasonal Leave credits are provided under the following conditions:

1. Use is subject to prior approval. Reasons for which such leave may be used are not specified in the agreement; however, use for illness or disability is subject to such documentation as the agency may require.
2. Appointing authorities may not require that Seasonal Leave credits be used in units greater than 1/4 hour.
3. Seasonal Leave accruals are noncumulative from fiscal year to fiscal year.
4. Seasonal Leave credits are transferable between seasonal positions within a fiscal year. There is no provision for a lump sum payment if the employee moves to a position not covered by this provision or if the employee gains Attendance Rules coverage for any reason.
5. There is no provision for lump sum payment at time of separation nor may credits be applied at time of retirement for health insurance or retirement service credit purposes.

Service with more than one State agency must be counted in determining whether a seasonal employee has met the length of service requirement described above.