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MNHS

10 April 2012

MEMORANDUM FOR All DMNA CSEA Employees and Supervisors

SUBJECT: HUMAN RESOURCES BULLETIN 2012-02: *CSEA Deficit Reduction Plan and Timesheet Guidance*

1. In the 2011-2016 collective bargaining agreement between New York State and the Civil Service Employee's Association, Inc. (CSEA), all employees in the Division of Military and Naval Affairs (DMNA) bargaining unit, regardless of funding source or attendance rules coverage, are subject to the SFY 2012-13 Deficit Reduction Plan (DRP).
2. For SFY 2012-13, full-time employees will be provided with the equivalent of four (4) days of Deficit Reduction Leave (DRL) to be used in the current SFY ONLY. DRL will be pro-rated for less than full-time employees.
3. The DRP for SFY 2012-13 reduces full-time employees' compensation by 1.538% for each payroll period starting with payroll number 26 (March 15-28, 2012) paid on 11 April 2012 and will last 26 biweekly pay periods.
4. Generally, the four days of DRL will be based on a full-time employee's basic workday of either 7.5 or 8 hours. For DMNA firefighters, the DRL will be based on a 10.6 hour workday.
5. Deficit Reduction Leave commenced on 1 April 2012 for employee use. Supervisors and employees must ensure that all employees are able to use their entire allotment of DRL prior to the end of SFY 2012-13 (31 March 2013). DRL days off are at the employee's election but are subject to supervisory approval.
6. Essentially, supervisors and employees should follow the same guidelines as Annual Leave accruals for the utilization of DRL. Deficit Reduction Leave:
 - a) Must be requested in advance.
 - b) Is subject to operational needs and supervisory approval.
 - c) May be used in ¼ hour units.

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d) May not be used for unscheduled absences such as calling in sick.

e) In the event more than one request for the same day is received within the same timeframe, requests should be approved based on seniority and operational needs.

7. The DRP made a one-time exception for SFY 2011-12 for annual leave accruals. On 01 April 2012, DRP full-time employees were able to carry a balance up to 45 days of annual leave (AL) rather than the usual maximum of 40 days. The annual leave balance for an employee may not exceed 40 days on April 1, 2013.

8. Time charged to DRL is considered full pay status for the purpose of earning accruals, holiday eligibility, overtime and health benefits.

9. Where applicable, the DRP biweekly deductions will be applied to certain benefits such as location pay, holiday pay, inconvenience pay and military stipend payments. Other benefits are not impacted such as longevity payments, pre-shift briefing payments, overtime pay and overtime meal allowances.

10. Hourly employees: Deficit Reduction withdrawals are mandatory for all state employees regardless of temporary or hourly status. Leave accruing hourly personnel will be pro-rated an appropriate amount of DRL based on an individual's schedule during SFY 2012-13. Hourly employees' DRL will be calculated on an individual basis. State Human Resources (MNHS) will contact individuals and/or supervisors with DRL amounts for time record purposes.

11. Separations: Employees that are separated from service for any reason during the DRP period will forfeit all unused DRL credits. The State will recoup monies from employees separating from state service during the DRP period who have used DRL days in excess of the State's biweekly deductions. The monies will be deducted from any lump sum payout due and owing to the employee. If a lump sum payout is not owed, the State will use legal means available to recoup the funds. There is no lump sum payment for unused days of DRL.

12. Personnel Matters: DRP calculations will be impacted by various personnel matters such as Worker's Compensation Leave, Sick Leave at Half Pay, leave under the Family and Medical Leave Act and Leave without Pay status. Supervisors and employees must ensure timely notification to MNHS if an employee has any change in status. Where applicable, MNHS will provide DRL adjustments and notifications on a case-by-case basis.

13. DRL may not be used for the Leave Donation Program.

14. New Hires: Any employees who join the bargaining unit after the commencement of the DRP for SFY 2012-13 will be appropriately pro-rated an amount of DRL that corresponds to the number of pay periods left in the fiscal year. The pro-rated amounts will be calculated on a case-by-case basis and DRL will be credited to a new employee as soon as practicable from date of hire. MNHS will notify individuals and supervisors directly.

15. Time Records: The existing DMNA timesheet has been modified to accommodate DRL for SFY 2012-13. The information page has been updated to allow for the DRL entry and a DRL

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charges column has been added. At this time, all other aspects of the timesheet remain the same. An updated version of the timesheet will be issued at a later date.

16. Supervisors must help ensure employees are using DRL credits by 31 March 2013. MNHS will send out notifications in January to any individuals who have not yet started using DRL to ensure they are submitting requests for DRL use before 31 March 2013.

17. **Overtime:** Per the Division of Budget, "The flexible design of the DRP will facilitate agency management in scheduling coverage of all needed shifts without the use of additional overtime. Agency management must ensure that overtime is not worked or utilized that would not have otherwise been worked or utilized in the absence of the DRP....The Division of the Budget will closely monitor biweekly agency overtime reports." All supervisors are reminded that overtime requires prior approval from MNHS.

18. As questions with the DRP/DRL program arise, supervisors and individuals are encouraged to contact MNHS with any concerns. While this memorandum will answer some of the specifics relating to DRL use, many individualized situations may not be covered. Please do not try to interpret the procedures independently. To contact MNHS please call (518) 786-4830/DSN 489-4830.

19. This memorandum will be posted on the DMNA website under the State Employees tab at www.dmna.ny.gov.

FOR THE ADJUTANT GENERAL:


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