



## OFFICE OF HUMAN RESOURCES

**TO:** Faculty and Staff

**FROM:** The Office of Human Resources

**DATE:** April 1, 2025

**SUBJECT:** Guidelines for Compensatory Time and Overtime for Non-Teaching Instructional and Classified Staff

The University has set forth policies and procedures that specify how the College's Non-Teaching Instructional and Classified employees earn compensatory time and overtime

The purpose of this memorandum is to clarify Non-Teaching Instructional and Classified employees compensatory time and overtime eligibility and provide Deans, Vice Presidents and other College Administrators, who serve as designees of the President, with guidance to support their processes for reviewing and approving compensatory time and overtime for the College's Non-Teaching Instructional and Classified employees.

Factors for determining a Non-Teaching Instructional or Classified employee's eligibility to be remunerated for compensatory time or overtime include but are not limited to the following:

1. Pre-authorization by the President, or their designee – ***i.e., the President's designee is a Dean, Vice President or other Senior College Administrator.***
2. Pre-approval from Finance for funding of hours in excess of regularly scheduled work hours.
3. The applicable employee collective bargaining agreement.
4. The HEO Compensatory Time Agreement, which governs the use of compensatory and overtime for employees in HEO-Series titles<sup>1</sup>.
5. The employee's FLSA (Fair Labor Standards Act) status, i.e., Exempt or Non-Exempt (see below for clarification).

**ADDITIONAL HOURS WORKED MUST BE PRE-AUTHORIZED TO BE COMPENSABLE**

Additional hours worked in excess of an employee's scheduled weekly work hours (35 or 40 per week, whichever applicable) must be authorized, by the President's designee, in advance of the employee working the extra hours or else the hours will not be compensable.

As an initial step, the President's designee should consult the College's Finance Department about the availability of funding to cover costs associated with an employee working extra hours. With Finance's approval, the **President's designee should then issue written preauthorization for the extra hours to Human Resources (HR)**. In the event of an emergency and obtaining such pre-authorization is not feasible, then the approval for authorized extra hours should be requested as soon as possible.

To the extent possible, the employee should be notified by their supervisor at least 48 hours in advance (of the extra hours to be worked), that they have been approved to work extra hours. When this is not possible, the employee should be notified as soon as practicable.

### **DOCUMENTING ADDITIONAL HOURS**

- Timesheets submitted on the [E-Central Timesheet Portal](#) with additional hours beyond 35, or via email to [timeandleave@ccny.cuny.edu](mailto:timeandleave@ccny.cuny.edu) for Classified Blue Collar represented staff exceeding 40 hours per week, must reflect only pre-approved hours in accordance with the process outlined above.
- These additional hours must be indicated on the employee's timesheet and signed by the immediate Supervisor and/or President's Designee to authorize such time.
- Timesheets submitted on the [E-Central Timesheet Portal](#) with additional hours beyond 35, or via email to [timeandleave@ccny.cuny.edu](mailto:timeandleave@ccny.cuny.edu) for Classified Blue Collar represented staff over 40 hours weekly, that were not approved in accordance with the required process, can only be processed for up to 35 (or 40) hours per week.

### **COMPENSATING EMPLOYEES FOR APPROVED EXTRA HOURS BY TITLE**

#### **HEO Title Series and Research Associates and Assistants Covered by the [PSC/CUNY Agreement](#):**

- **Non-Exempt<sup>2</sup> Employees:** Employees whose FLSA status is Non-Exempt, earn compensatory time of one hour for each hour worked between 36 and 40 hours in a workweek. Additionally, these employees would be entitled to overtime at a rate of time and a half or applicable blended rate[2] for hours worked in excess of 40 hours per week, calculated on a Sunday to Saturday basis.
- **Exempt<sup>3</sup> Employees:** Employees in this title whose FLSA status is Exempt, would be entitled to compensatory time on an hour for hour basis for all hours worked in excess of 35 hours per week.

- **Compensatory Time<sup>4</sup>:** Compensatory time earned during a quarter of the contractual HEO “leave year” (September 1 – August 31) must be used as promptly as possible within the quarter in which it was earned, but no later than 30 calendar days after the end of the quarter in which the compensatory time was earned. See below for expiration of compensatory time:

Comp Time Earned	Expires
September, October, November	December 31st
December, January, February	March 31st
March, April, May	June 30th
June, July, August	September 30th

### College Laboratory Technicians (CLTs) Covered by [PSC/CUNY Agreement](#):

- In accordance with [Article 24.7\(e\)](#) of the PSC/CUNY collective bargaining agreement, employees in the College Laboratory Technician series are entitled to payment for hours in excess of the 35- hour work week
- **Non-Exempt<sup>5</sup> Employees:** Employees whose FLSA status is Non-Exempt and are assigned to work in excess of 35 hours in the work week record the time worked on the timesheet and are paid at the Adjunct CLT rate for work done between 35-40 hours. Additionally, these employees would be entitled to overtime at a rate of time and a half or applicable blended rate<sup>6</sup> for hours worked in excess of 40 hours per week, calculated on a Sunday to Saturday basis.
- **Exempt<sup>7</sup> Employees:** Employees whose FLSA status is Exempt and are assigned to work in excess of 35 hours in the work week record the time worked on the time-sheet and are paid at the Adjunct CLT rate for work done.

### Classified Titles Covered by [CUNY’s White-Collar Agreement](#):

- **Represented CCNY Staff:** Business Data and Reporting Analyst, Clerical Associate, College Graphic Designer, College Print Shop Titles, CUNY Office/Admin Assistant, Disability Accommodations Specialist, Facilities Coordinator, IT Titles, Mail/Message Services, Project Manager, Purchasing Agents, Staff Nurse, University Architect Titles, Media Service Technicians and University Payroll Analyst
- **Straight Time:** Employees who are assigned to work in excess of 35 hours in the work week will be paid at straight time (i.e., one hour for one hour worked) for each hour worked between 36 and 40 hours.
- **Overtime Eligibility:** Employees assigned to work in excess of 40 hours earn overtime at time and a half (i.e., one and one-half hour for one hour worked) for each hour worked in excess of 40 hours.<sup>8</sup>
- **Compensatory Time:** Compensatory time must be used within three (3) months (or 90 days) of the date it was earned. Employees who have earned compensatory time

will receive notification of when their compensatory time expires. The use of compensatory time must be scheduled by the supervisor in consultation with the employee

- **Holiday Compensation:** Employees assigned to work on a holiday, or whose regular day off falls on a holiday, will be compensated with compensatory time (comp time) for all hours worked on the holiday, or one day (7 hours) respectively.

### **Classified Titles Covered by CUNY's Blue-Collar Agreement:**

- **Represented CCNY Staff:** Custodial Titles, Stock Worker, Motor Vehicle Operator and Security
- **Straight Time:** Stock Workers who are assigned to work in excess of 35 hours in the work week will be paid at straight time (i.e., one hour for one hour worked) for each hour worked between 36 and 40 hours.
- **Overtime Eligibility:** Employees assigned to work in excess of 40 hours earn overtime at time and a half (i.e., one and one-half hour for one hour worked) for each hour worked in excess of 40 hours.[3]
- **Compensatory Time:** Compensatory time must be used within three (3) months (or 90 days) of the date it was earned. Employees who have earned compensatory time will receive notification of when their compensatory time expires. The use of compensatory time must be scheduled by the supervisor in consultation with the employee.
- **Holiday Compensation:** Employees assigned to work on a holiday, or whose regular day off falls on a holiday, will be compensated with compensatory time (comp time) for all hours worked on the holiday, or one day (8 hours) respectively<sup>9</sup>.

### **Section 220 Skilled Trade Employees**

#### **Covered by the applicable NYC Comptrollers' Consent Determination**

- The overtime and compensatory time rules for employees in this classification varies widely across individual titles. Therefore, specific questions related to overtime and compensatory time for a Section 220 Skilled Trade title should be directed to HR's Time and Leave unit.

## **QUESTIONS**

For questions, please do not hesitate to contact HR's Time and Leave unit at [timeandleave@ccny.cuny.edu](mailto:timeandleave@ccny.cuny.edu).

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<sup>1</sup> The HEO Compensatory Time Agreement outlines the accrual, use, and payout of compensatory time for employees in HEO- Series titles. This agreement is currently governed by existing policies but may be subject to updates under the 2023-2027 PSC/CUNY collective bargaining agreement pending final implementation

<sup>2</sup> Non-exempt employees are protected by the FLSA, meaning they are entitled to at least the minimum wage and overtime pay for hours worked beyond 40 in a work week.

<sup>3</sup> Exempt employees are excluded from the minimum wage and overtime pay requirements of the FLSA.

<sup>4</sup> The HEO Compensatory Time Agreement outlines the accrual, use, and payout of compensatory time for employees in HEO-Series titles. This agreement is currently governed by existing policies but may be subject to updates under the 2023-2027 PSC/CUNY collective bargaining agreement pending final implementation

<sup>5</sup> Non-exempt employees are protected by the FLSA, meaning they are entitled to at least the minimum wage and overtime pay for hours worked beyond 40 in a work week.

<sup>6</sup> If an employee is entitled to blended rate, University Payroll will determine the applicable rate.

<sup>7</sup> Exempt employees are excluded from the minimum wage and overtime pay requirements of the FLSA.

<sup>8</sup> Pursuant to CUNY's Blue- and White-Collar contracts, Classified employees may be subject to an overtime cap.

<sup>9</sup> If a holiday observance applies, employees will be compensated in accordance with the Holiday Compensation Guidance Memorandum