The following correspondence was received from Michael Stanisich of the Office of Labor Relations on March 31, 1994 in response to a question regarding the CUNY service requirements for eligibility for terminal leave benefits for a 220 employees. As is true for white and blue collar employees as well, service credit within the University, for terminal leave as well as most other leave categories, begins as of the date of original appointment to the University. The guiding policy (see 13-90 chart trans3) for 220 employees even when transferred in a HARD TO RECRUIT title states:

SERVICE

NONE

Clock starts as of date of appointment to title in CUNY

I have attached copies of the two documents which he cites. They support my earlier guidance to Lehman College that CUNY employees in 220 titles, similar to all other white and blue collar University employees, do not receive terminal leave if they have less than ten years of CUNY service. "Terminal leave with pay shall be granted prior to final separation to employees who have completed at least ten years of service." University employees are given credit for prior service at another jurisdiction only if service has been included under the definition of "original appointment date" located in CUNY Personnel Regulation 1.2.24 or within Personnel Policy Bulletin 13-90 or Interpretive Memorandum 9-90.

Attachments
March 15, 1994

Rosmarie O’Rourke  
University Personnel Office  
CUNY  
535 East 80th Street  
New York, NY 10021

Dear Ms. O’Rourke:

This letter is in regards to your question on terminal leave for prevailing rate employees. Appendix A of the Comptroller’s Time and Leave Regulations is the appropriate document for "220 employees" while the Citywide agreement covers only those titles listed in its index.

Terminal Leave is found in Section 10, Article 1 of Appendix A. The language in this section references the Career and Salary Leave Regulations which therefore must be read in conjunction with Appendix A.

Sincerely,

Michael Stanisich  
Labor Relations Analyst
2.8 INTERPRETATIONS

A. In addition to significant verified and unforeseen public transportation delays, the phrase "transportation circumstances beyond the ability of the tardy employee to control" encompasses other circumstances which may arise after an employee leaves for work and which cannot be anticipated (e.g., elevator breakdown or private transportation breakdowns).

2.9 TERMINAL LEAVE

2.9 a. Effective January 1, 1975, the terminal leave provision for all employees except as provided in paragraphs b. and c. below shall be as follows:

Terminal leave with pay shall be granted prior to final separation to employees who have completed at least ten (10) years of service on the basis of one (1) day terminal leave for each two (2) days of accumulated sick leave up to a maximum of one hundred twenty (120) days of terminal leave. Such leave shall be computed on the basis of work days rather than calendar days.*

b. Any employee who as of January 1, 1975 has a minimum of fifteen (15) years of service as of said date may elect to receive upon retirement a terminal leave of one (1) calendar month for every ten (10) years of service prorated for a fractional part thereof in lieu of any other terminal leave. However, any sick leave taken by such employees subsequent to July 1, 1974 in excess of an average annual usage of six (6) days per year shall be deducted from the number of days of terminal leave to which the employee would otherwise be entitled at the time of retirement, if the employee chooses to receive terminal leave under this paragraph.* Per diem employees who qualify under Section 1.2 of these Regulations are excluded from this provision b.

* For an agency whose presently existing rules (as of June 30, 1956) permit the use of sick leave credits of an employee in connection with terminal leave with pay upon retirement, the agency is authorized to grant an employee on staff prior to the effective date of these Regulations but who retires subsequent thereto, either terminal leave with pay as specified in Regulation 2.9 or terminal leave with pay calculated under such presently existing agency rules, whichever is the most liberal for the employee, provided that the sick leave balance used in application of the agency formula does not exceed the sick leave balance to the credit of the employee at the time these Regulations go into effect (July 1, 1956).
Section 10

Terminal Leave shall be allowed to employees who work at least 250 days per year at the rate of one month for every ten years of service, (a) the rates of which are fixed in accordance with a Comptroller's determination made under Section 220 of the Labor Law of the State of New York, and (b) of service under the Career and Salary Plan Leave Regulations, pro-rated for a fractional part thereof.

If the employee so selects, and as an alternative to the above method of computation, his Terminal Leave allowance may be computed on the basis of one day of Terminal Leave for each two days of unused sick leave accumulation, to a maximum of one hundred (100) days Terminal Leave Allowance. Under the latter option, Terminal Leave shall be computed on the basis of work days, rather than calendar days.

II - SICK LEAVE ALLOWANCE

Section 1

Sick leave allowance of one day per month of service shall be credited to permanent employees, provisional employees and temporary employees and shall be used only for personal illness of the employee.

Section 2

Sick leave allowance shall be cumulative up to a maximum of 180 work-days. After this maximum is reached, no more sick leave credits may be earned by the employee except to the extent of restoring credits subsequently drawn for sick leave and thereby building up accruals again to the maximum of 180 work-days. Existing balances to the credit of employees at the time of adoption of these regulations shall remain to their credit.

Section 3

Sick leave may be granted in the discretion of the agency head and proof of disability must be provided by the employee, satisfactory to the agency head. Presentation of a physician's certificate in the prescribed form may be waived for absences up to and including three consecutive work days. In case of a protracted disability, such certificate shall be presented to the agency head at the end of each month of continued absence.

Section 4

The normal unit for computation of sick leave shall be not less than one-half day. The agency head may authorize smaller units of charge in exceptional and unusual circumstances. Credits cannot be earned for the period an employee is on leave of absence without pay. For the earning of sick leave credits, the time recorded on the payroll at the full rate of pay, and the first six months of absence while receiving Workmen's Compensation payments shall be considered as time "served" by the employee.

In the calculation of sick leave credits, a full month's credit shall be given to an employee who has been in full pay status for at least 15 calendar days during that month, provided however, that (a) where an employee has been absent without pay for an accumulated total of more than 30 calendar days in the vacation year, he shall lose the sick leave credits earnable in one month for each 30 days of such accumulated absence even though in full pay status for at least 15 calendar days in each month during this period, and (b) if an employee loses sick leave credits under this rule for several months in the vacation year because he has been in full pay status for fewer than 15 days in each month, but accumulates during said months a total of 30 or more calendar days in full pay status, he shall be credited with the sick leave credits earnable in one month.
December 23, 1993

To: Eugene Reiser
From: Rosemarie K. O'Rourke
Re: Terminal Leave 220 Employees

Samuel T. Phillips has asked me to respond to your memorandum dated December 10, 1993. It is University practice and the current policy that terminal leave upon retirement is only granted to 220 employees who have 10 or more years of University service. Service credits as a CUNY employee begins upon appointment within the University. As per CUNY Civil Service Personnel Regulation 1.2.24, Original Appointment Date, an employee appointed to CUNY in 1986, is appointed as a new employee and would not be eligible for a terminal leave retirement benefit until 1996. The time and leave guidelines which identify the benefits which may be credited for an employee are found in Personnel Policy Bulletin 13-90, dated July 26, 1990, Time and Leave Provisions Governing Civil Service Appointments To and Within CUNY. Benefits for 220 employees (p.25) can only be accomplished through Reciprocal Agreement entered into by the Vice Chancellor. There is no reciprocal agreement on record for the title Maintenance Worker since it has not been identified as Hard To Recruit. However, even for titles identified by the Vice Chancellor as Hard To Recruit under the terms of PPB 13-90, found on chart TRANS3, located on page 16, service starts as of date of appointment to title in CUNY. It is University policy that service is not combined with service from another jurisdiction for employees in civil service titles for white collar, blue collar or 220 employees.

If, as you reason, a 220 employee is eligible to receive prorated terminal leave entitlement who has provide less that 10 years of service within the separate jurisdiction of CUNY, I need to inform all the colleges and not merely resolve this identified issue. I am requesting that you procure a written determination from the Comptroller’s Office, since providing an entitlement to prorated terminal leave to a 220 employee would change the present practice within the University. I recall your indicating that
staff from the Office of Labor Relations declined to put their comment in writings. Therefore, since Appendix A is under the authority of the Comptroller's Office, the written opinion should I believe come from their office.

I will not be advising the college to make such a payment until written verification from the Comptroller's is received recommending such payment. I will inform the college of the status of their inquiry.

pc Samuel T. Phillips
Helene Lund
Judith Yoepp
Jeanette Geraci
reiser.danko
1.2.20. **Position Classification** means the process by which a position is assigned to an appropriate title based on the duties of the position and or the qualifications and specifications established.

1.2.21. **Career Series** means two or more titles ordered by increasing minimum pay, increasing responsibilities, or some other measure by which eligibility for successive higher titles is determined by promotional exam or by maturation.

1.2.22. **Reclassification** means the movement of a position from one title to another title in order to rectify a prior classification error or because of a permanent and material change of the duties of that position.

1.2.23. **Covered-in** means the continuation in service without further examination of an employee who was legally appointed to the classified or unclassified service of CUNY, whose position has been reclassified to a different class in the classified service.

1.2.24. **Original Appointment Date** means (1) for a CUNY employee with a permanent appointment as of July 1, 1979, the date of first such appointment in any agency under the jurisdiction of the New York City Department of Personnel followed by continuous service, or (2) for employees with a permanent appointment who transferred from the City of New York to CUNY in a permanent position after July 1, 1979 but prior to September 14, 1982, the date of first such appointment in any agency under the jurisdiction of the New York City Department of Personnel followed by continuous service, or for employees appointed to CUNY after July 1, 1979 from a competitive
service list that was promulgated prior to July 1, 1979, or for which the
examination was announced prior to July 1, 1979, the date of first permanent
appointment in a CUNY College or the date of first permanent appointment in
agency under the jurisdiction of the New York City Department of Personnel,
whichever is earlier, followed by continuous service, or (4) for an incumbe
in the unclassified service of CUNY who does not have a prior permanent
appointment in the classified service of CUNY, upon being "covered in" the
classified service, subject to these Regulations, following the reclassifi
cation of the position, the date calculated to be the initial performance of the
reclassified duties followed by continuous service in CUNY, or (5) for all
others, the date of the first permanent appointment in CUNY, followed by
continuous service, subject to these Regulations. A permanent appointment or
reinstatement to a position following a break in continuous service shall be
regarded as a new original appointment date.

1.2.25 Continuous Service means: for purpose of pay and benefits, see
2.3.1; for purpose of reinstatements see 5.9.1; for purpose of seniority on
layoff see 7.1.1; for purpose of fingerprinting and filing fees, see 3.1.1.

1.2.26 Transfer and Reassignment, see 7.1.1

1.2.27 Maintenance Pay means all additions to base salary provided by CUNY,
including additions provided under negotiated agreement, which compensates
employee for covered expenses (e.g., meal allowances, uniform allowances,
etc.).
ELIGIBILITY:
ONLY PERMANENT EMPLOYEES FROM ANOTHER JURISDICTION IN TITLES WHICH HAS BEEN DESIGNATED AS HARD TO RECRUIT BY THE VICE CHANCELLOR WHO ARE BEING TRANSFERRED TO CUNY TO A POSITION WITH THE SAME OR SIMILAR DUTIES.additional benefits may be granted on a title by title basis as a result of an agreement which may be reciprocal between the jurisdictions

CIVIL SERVICE STATUS PROBATIONARY
ANNUAL LEAVE ACCRUAL RATE
At rate applicable as if all full-time preceding public service had been at CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES None
SICK LEAVE BALANCES None
LONGEVITY** As of date of first civil service appointment to CUNY or another covered jurisdiction or employer (minus time off payroll) provided all service was continuous
SERVICE None
Clock starts as of date of appointment to title in CUNY
SENIOIRITY None
Clock starts as of date of transfer to CUNY

** At present, prior service ONLY applies if other jurisdiction employer is designated on CHART A under LONGEVITY
The attached document incorporates the Time and Leave Provisions governing the appointment process to positions within the civil service of The City University of New York. It delineates the provisions for twenty-four (24) different categories of appointment by identifying for each:
1. the civil service status and annual leave accrual rate, as well as
2. the guidelines for determining prior credit in the areas listed below:
   a. annual leave balances
   b. sick leave balances
   c. longevity
   d. service
   e. seniority

Although an attempt has been made to identify all major appointment categories, please contact the University Personnel Director for a policy interpretation should an appointment question arise which requires additional guidance.

As a guide in locating the governing policies to be implemented for each appointment category, please consult the Index which can be found on pages I, II, III, and IV. Definitions of some terms are found on page 25. Charts identifying public employers which are external to CUNY and for whom special provisions may apply in certain circumstances can be found on pages 26 and 27. In addition, please consult Interpretive Memo 6-90 regarding the explicit policies which govern the Vacation Stretch provisions.
**CUNY Civil Service Status:** PROVISIONAL

### ELIGIBILITY CRITERIA

<table>
<thead>
<tr>
<th>CHART NAME</th>
<th>PAGE NUMBER</th>
<th>ELIGIBILITY CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROV1</td>
<td>1</td>
<td>NO prior CUNY or &quot;city&quot; service</td>
</tr>
<tr>
<td>PROV2</td>
<td>2</td>
<td>CUNY provisional on leave of absence for childcare, military, worker's comp</td>
</tr>
<tr>
<td>PROV3</td>
<td>3</td>
<td>Prior &quot;city&quot; provisional appointed following a break in service of 31 calendar days or less</td>
</tr>
<tr>
<td>PROV4</td>
<td>4</td>
<td>CUNY provisional re-appointed following a break in service of 31 calendar days or less</td>
</tr>
<tr>
<td>PROV5</td>
<td>5</td>
<td>Prior CUNY or &quot;city&quot; provisional re-appointed following a break in service of more than 31 calendar days</td>
</tr>
<tr>
<td>UNC1</td>
<td>18</td>
<td>Provisional appointment with prior CUNY unclassified service; NOT as a result of UNIVERSITY initiated reclassification</td>
</tr>
<tr>
<td>BETW1</td>
<td>17</td>
<td>Provisional appointment of permanent CUNY employee to a higher title at a different college; permanent status in lower title follows employee</td>
</tr>
</tbody>
</table>

**CUNY Civil Service Status:** Permanent

**SPECIAL PROVISIONS GRANTED AS A CONSEQUENCE OF UNIVERSITY INITIATED CLASSIFICATION STUDIES CONDUCTED THROUGH DECEMBER 31, 1993**

<table>
<thead>
<tr>
<th>CHART NAME</th>
<th>PAGE NUMBER</th>
<th>ELIGIBILITY CRITERIA</th>
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</thead>
<tbody>
<tr>
<td>UNC2</td>
<td>19</td>
<td>Permanent appointment of an employee with prior CUNY unclassified service AS A RESULT of a UNIVERSITY initiated reclassification</td>
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</tbody>
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APPROVED
<table>
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<tr>
<th>CHART NAME</th>
<th>PAGE NUMBER</th>
<th>LIST ESTABLISHED BY</th>
<th>ELIGIBILITY CRITERIA</th>
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<tbody>
<tr>
<td>UNC3</td>
<td>20</td>
<td>EITHER</td>
<td>Probationary appointment with immediately prior CUNY unclassified service; not as a result of a UNIVERSITY initiated reclassification.</td>
</tr>
<tr>
<td>BETW1</td>
<td>17</td>
<td>EITHER</td>
<td>Probationary appointment of permanent CUNY employee to a higher title at a different college from a promotional list; permanent status in lower title maintained until probation completed.</td>
</tr>
<tr>
<td>TRANS1</td>
<td>14</td>
<td>TRANSFER ROSTER ESTABLISHED BY CUNY</td>
<td>Transfer within CUNY in the same classified title from a transfer roster; Probation is called a TRIAL Period lasting for 3 months.</td>
</tr>
<tr>
<td>TRANS2</td>
<td>15</td>
<td>NOT APPLICABLE</td>
<td>Transfer to CUNY of a Permanent employee of the &quot;city&quot; in a white or blue collar title designated by the Vice Chancellor as Hard To Recruit.</td>
</tr>
<tr>
<td>TRANS3</td>
<td>16</td>
<td>NOT APPLICABLE</td>
<td>Transfer to CUNY from another jurisdiction of a Permanent employee in a title designated by the Vice Chancellor as Hard To Recruit.</td>
</tr>
<tr>
<td>REIN1</td>
<td>21</td>
<td>NOT APPLICABLE</td>
<td>All reinstatements have a 1 year probation see next page for types of reinstatements.</td>
</tr>
<tr>
<td>REIN2</td>
<td>22</td>
<td>NOT APPLICABLE</td>
<td></td>
</tr>
<tr>
<td>REIN3</td>
<td>23</td>
<td>NOT APPLICABLE</td>
<td></td>
</tr>
<tr>
<td>REIN4</td>
<td>24</td>
<td>NOT APPLICABLE</td>
<td></td>
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</tbody>
</table>
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS
PROVISIONAL APPOINTMENT TO CUNY

ELIGIBILITY:
PROVISIONAL APPOINTMENT WITH NO PRIOR CUNY, OR "CITY"
SERVICE

CIVIL SERVICE STATUSプレビュー
PROVISIONAL

ANNUAL LEAVE ACCRUAL RATE
At entry rate of civil service
accrual schedule in effect on date
of appointment to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES
ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES
None

SICK LEAVE BALANCES
None

LONGEVITY
None
Clock starts as of date of
appointment to CUNY

SERVICE
None
Clock starts as of date of
appointment to title in CUNY

SENIORITY
None

- 1 -
ELIGIBILITY:
ANY PROVISIONAL EMPLOYEE WITH PRIOR "CITY" SERVICE, OR SERVICE IN ANOTHER JURISDICTION WHO IS APPOINTED PROVISIONALLY TO CUNY FOLLOWING A BREAK IN SERVICE OF 31 CALENDAR DAYS OR LESS FROM LAST DATE FOR WHICH THEY WERE PAID FOR ACTIVE(*) SERVICE.

(*)Time on payroll solely for the payment of accrued annual leave credit is NOT counted in determining the last day paid

CIVIL SERVICE STATUS PROVISIONAL
ANNUAL LEAVE ACCRUAL RATE at entry rate of civil service accrual schedule in effect on date of appointment to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES None
SICK LEAVE BALANCES None
LONGEVITY** As of date of first civil service appointment to CUNY, or to another covered jurisdiction or employer (minus time off payroll) provided all service was continuous
SERVICE None Clock starts as of date of appointment to title in CUNY
SENIORITY None

** At present, prior service ONLY applies if other jurisdiction or employer is designated on CHART A under LONGEVITY
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS
PROVISIONAL APPOINTMENT TO CUNY

ELIGIBILITY:
PROVISIONAL APPOINTMENT WITH PRIOR CUNY OR "CITY"
SERVICE WITH A BREAK IN SERVICE OF MORE THAN 31
CALENDAR DAYS FROM LAST DATE FOR WHICH THEY WERE PAID
FOR ACTIVE(*) SERVICE.
(*)Time on payroll solely for the payment of accrued annual
leave credit is NOT counted in determining the last date
paid

CIVIL SERVICE STATUS PROVISIONAL

ANNUAL LEAVE ACCRUAL RATE At entry rate of civil service
accrual rate in effect on date of
THIS appointment to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES
ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES None
SICK LEAVE BALANCES None
LONGEVITY None
Clock starts as of date of THIS
appointment to CUNY
SERVICE None
Clock starts as of date of THIS
appointment to the title in CUNY
SENIORITY None

APPROVED
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS
APPOINTMENT TO CUNY FROM NYC CIVIL SERVICE LIST
PRIOR SERVICE IN ANOTHER JURISDICTION

ELIGIBILITY:
EMPLOYEES IN WHITE AND BLUE COLLAR COVERED TITLES FROM OTHER JURISDICTIONS WITH PRIOR PROVISIONAL STATUS IN THE FORMER JURISDICTION WHO ARE APPOINTED WITH CONTINUOUS SERVICE TO CUNY FROM AN ELIGIBLE LIST ESTABLISHED BY THE NYC DEPARTMENT OF PERSONNEL

CIVIL SERVICE STATUS PROBATIONARY

ANNUAL LEAVE ACCRUAL RATE At entry rate of civil service accrual schedule in effect on date of appointment to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES Up to the maximum number of days earnable in two (2) years shall be credited when supported by official documentation

SICK LEAVE BALANCES Up to the maximum number of days earnable in two (2) years shall be credited when supported by official documentation

LONGEVITY** As of date of first civil service appointment to CUNY or another covered jurisdiction or employer (minus time off payroll) provided all service was continuous

SERVICE None
Clock starts as of date of appointment to title in CUNY

SENIORITY None
Clock starts as of original appointment date to CUNY from a civil service list

** At present, prior service ONLY applies if other jurisdiction or employer is designated on CHART A under LONGEVITY

APPROVED
CIVIL SERVICE STATUS

CIVIL SERVICE STATUS

PROBATIONARY

ANNUAL LEAVE ACCRUAL RATE

At the same rate and in the same accrual
original schedule of eligibility in
effect for employee on date of first
appointment to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES

ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES

Up to the maximum number of days
earnable in two (2) years plus current
year’s earnings shall be credited when
supported by official documentation

SICK LEAVE BALANCES

All sick leave balances supported by
official documentation shall be credited

LONGEVITY**

As of date of first civil service
appointment to CUNY or another covered
jurisdiction or employer (minus time off
payroll)

SERVICE

As of date of appointment to title in
CUNY (minus time off payroll)

SENIORITY

None, if prior status was provisional
If prior status was permanent, clock
started as of original appointment date
to CUNY from a civil service list

* A former PROVISIONAL CUNY employee who was TERMINATED due to
the ESTABLISHMENT of a civil service LIST and subsequently REHIREd
from that LIST within 90 calendar days is eligible for these annual
leave accrual rates, as well as a PROVISIONAL CUNY employee who
RESIGNED and is REHIREd from a LIST and returns to payroll WITHIN 31
days from last day paid

** At present, prior service ONLY applies if other jurisdiction
or employer is designated on CHART A under LONGEVITY

APPROVED
ELIGIBILITY:
EMPLOYEES IN WHITE AND BLUE COLLAR COVERED TITLES WITH PRIOR PERMANENT STATUS IN THE FORMER JURISDICTION WHO ARE APPOINTED WITH CONTINUOUS SERVICE TO CUNY FROM AN ELIGIBLE LIST ESTABLISHED BY THE VICE CHANCELLOR

CIVIL SERVICE STATUS PROBATIONARY

ANNUAL LEAVE ACCRUAL RATE
If jurisdiction or employer is designated on CHART A under VACATION STRETCH: At rate applicable as if all full-time continuous preceding service had been at CUNY
If jurisdiction or employer is NOT designated on CHART A under VACATION STRETCH: At a rate based on service as determined by civil service schedule in effect on date of first appointment to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES None
SICK LEAVE BALANCES None
LONGEVITY** As of date of first civil service appointment to CUNY or another covered jurisdiction or employer (minus time off payroll) provided all service was continuous
SERVICE None Clock starts as of date of appointment to title in CUNY
SENIORITY None Clock starts as of original appointment date to CUNY from a civil service list

** At present, prior service ONLY applies if other jurisdiction or employer is designated on CHART A under LONGEVITY
ELIGIBILITY:
COLLEGE ASSISTANTS WHO ARE BEING APPOINTED TO A FULL-TIME
CIVIL SERVICE POSITION FROM AN ELIGIBLE LIST ESTABLISHED BY
THE VICE CHANCELLOR OR CITY PERSONNEL DIRECTOR, FOLLOWING A
BREAK IN SERVICE OF 31 CALENDAR DAYS OR LESS FROM LAST DATE
FOR WHICH THEY WERE PAID FOR ACTIVE(∗) SERVICE

(*Time on payroll solely for the payment of accrued annual leave
credit is NOT counted in determining the last day paid

CIVIL SERVICE STATUS PROVISIONAL

ANNUAL LEAVE ACCRUAL RATE
College Assistants who have been consecutively re-appointed following their initial appointment whether prior to 7/1/85 or thereafter shall, upon appointment to a full-time position, have each year of consecutive service credited towards additional accumulation of annual leave benefits, provided that a break in service of not more than 31 days has occurred prior to full-time appointment.

GUIDELINES FOR CREDITING SERVICE OR BALANCES ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES
Up to the maximum number of days earnable in current vacation year (7/1 - 6/30 for College Assistant) may be credited when supported by official documentation.

SICK LEAVE BALANCES
All sick leave balances supported by official documentation shall be credited.

LONGEVITY
As of date of first civil service appointment (minus time off payroll) provided all service was continuous.

SERVICE
None
Clock starts as of date of appointment to full-time title in CUNY.

SENIORITY
None
Clock starts as of original appointment date to CUNY from a civil service list.
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS
TRANSFER TO CUNY BY AN EMPLOYER OF THE "City"
IN A HARD TO RECRUIT TITLE

ELIGIBILITY:
ONLY PERMANENT EMPLOYEES IN A WHITE OR BLUE COLLAR TITLE WHICH
HAS BEEN DESIGNATED AS HARD TO RECRUIT BY THE VICE CHANCELLOR WHO ARE
BEING TRANSFERRED TO CUNY TO A POSITION WITH THE SAME OR SIMILAR
DUTIES

CIVIL SERVICE STATUS PROBATIONARY

ANNUAL LEAVE ACCRUAL RATE At rate applicable as if all full-time
preceding public service had been at
CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES
ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES All annual leave balances up to the
maximum number of days earnable in two
(2) years shall be credited when
supported by official documentation

SICK LEAVE BALANCES All sick leave balances up to the
maximum number of days earnable in two
(2) years shall be credited when
supported by official documentation

LONGEVITY** As of date of first civil service
appointment to CUNY or another covered
jurisdiction or employer (minus time off
payroll) provided all service was
continuous

SERVICE None
Clock starts as of date of appointment
to title in CUNY

SENIORITY None
Clock starts as of date of transfer to
CUNY

** At present, prior service ONLY applies if other jurisdiction or
employer is designated on CHART A under LONGEVITY

APPROVED
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS

PROVISOINAL APPOINTMENT OF PERMANENT EMPLOYEE TO A HIGHER TITLE
AT ANOTHER COLLEGE
OR

PROBATIONARY APPOINTMENT OF A PERMANENTLY CLASSIFIED EMPLOYEE
PROMOTED FROM A CIVIL SERVICE LIST TO A HIGHER TITLE
AT A DIFFERENT CUNY COLLEGE

ELIGIBILITY:
ONLY PERMANENT CUNY EMPLOYEE ACCEPTING A POSITION AT A DIFFERENT CUNY
COLLEGE FROM A PROMOTIONAL CIVIL SERVICE LIST; OR, PERMANENT CUNY EMPLOYEE
ACCEPTING A HIGHER PROVISIONAL POSITION FROM A VACANCY POSTING AT A
DIFFERENT CUNY COLLEGE

CIVIL SERVICE STATUS

See also PPB 1-87

Provisional appointment of permanent
employee to a higher title at another college:
permanent status in lower title in transferred
to the receiving college

Permanently classified employee promoted to
a higher title from a civil service list at a
different CUNY college: employee is placed on
one year leave from permanent title at sending
college while serving probation at receiving
college; upon completion of satisfactory
probation, leave line is ended

ANNUAL LEAVE ACCRUAL RATE

At same rate and in same original accrual
schedule of eligibility as established at the
sending college

GUIDELINES FOR CREDITING SERVICE OR BALANCES
ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES

Up to the maximum number of days earnable in
two (2) years plus current year's unused
earnings shall be credited when supported by
official documentation

SICK LEAVE BALANCES

All sick leave balances supported by official
documentation shall be credited

LONGEVITY**

As of date of first civil service appointment
to CUNY or another covered jurisdiction or
employer (minus time off payroll) provided all
service is continuous

SERVICE

As of date of appointment to title in CUNY
(minus time off payroll)

SENIORITY

As of date of original appointment to CUNY
from a civil service list

** At present, prior service ONLY applies if other jurisdiction or
employer is designated on CHART A under LONGEVITY

APPROVED
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS
PERMANENT OR PROBATIONARY APPOINTMENT TO CUNY
AS A RESULT OF UNIVERSITY INITIATED RECLASSIFICATION

ELIGIBILITY:
PERMANENT AND PROBATIONARY APPOINTMENTS WITH IMMEDIATELY PRIOR
UNCLASSIFIED CUNY SERVICE; APPOINTED AS A RESULT OF UNIVERSITY INITIATED
RECLASSIFICATION. SEE ALSO REGULATION 2.2.5

CIVIL SERVICE STATUS
Dependent on employee's prior service in
performing the duties of the reclassified
title will be either
(A) PERMANENT or (B) PROBATIONARY

ANNUAL LEAVE ACCRUAL RATE
At a rate based on continuous years of
service, whether in the classified or
unclassified service, as calculated by
civil service accrual schedule in effect on
earliest date of continuous appointment to
CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES
ACCUMULATED PRIOR TO THIS ACTION:

ANNUAL LEAVE BALANCES
All annual leave balances supported by
official documentation shall be credited,
provided that, in instances where balances
exceed the maximum number of days earnable
in two (2) years in a civil service title,
those days in excess will be reduced to
adhere to the civil service maximum within
three (3) subsequent vacation years
following the appointment to the civil
service title. In instances where the
annual leave is not reduced, the excess
annual leave will be converted to increase
the employee's sick leave balance.

SICK LEAVE BALANCES
All sick leave balances supported by
official documentation shall be credited

LONGEVITY
Calculated through same method as used for
identifying Seniority date (see below)

SERVICE
None
Clock starts as of date of appointment to
classified title in CUNY

SENIORITY
If permanent - date on which duties were
first performed becomes the original
appointment date
If probationary - as of date of original
appointment to the classified service title
(i.e. date when probation began)

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APPROVED
THE CITY UNIVERSITY OF NEW YORK
EMPLOYEE TIME AND LEAVE PROVISIONS
REINSTATMENT FROM ANOTHER JURISDICTION
WITHIN ONE YEAR OF THEIR PRIOR SERVICE

ELIGIBILITY:
ONLY PERMANENT EMPLOYEES TO AN ELIGIBLE TITLE WITH THE SAME OR COMPARABLE DUTIES WHO FORMERLY SERVED IN ANOTHER JURISDICTION FOR AT LEAST ONE YEAR

CIVIL SERVICE STATUS PROBATIONARY for one (1) year as of date of reinstatement to CUNY

ANNUAL LEAVE ACCRUAL RATE At entry rate of civil service accrual schedule in effect on date of reinstatement to CUNY

GUIDELINES FOR CREDITING SERVICE OR BALANCES ACCUMULATED PRIOR TO THIS ACTION:

<table>
<thead>
<tr>
<th>ANNUAL LEAVE BALANCES</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>SICK LEAVE BALANCES*</td>
<td>None</td>
</tr>
<tr>
<td>LONGEVITY**</td>
<td>As of date of first civil service appointment to CUNY or another covered jurisdiction or employer (minus time off payroll) provided all service was continuous</td>
</tr>
<tr>
<td>SERVICE</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Clock starts as of date of appointment to title in CUNY</td>
</tr>
<tr>
<td>SENIORITY</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Clock starts as of date of reinstatement to CUNY</td>
</tr>
</tbody>
</table>

NOTE
* At the discretion of the College Appointing Officer, the employee from another jurisdiction who is reinstated may be advanced up to a maximum which is the equivalent of two years accumulation of sick leave time for the title prior to its having been earned if such time has been verified as having been accrued at the prior jurisdiction (i.e. since present white and blue collar contracts permit 12 days or 84 hours sick leave accumulation per year, in 1990 this benefit would equal 24 days or 168 hours). Upon completion of the probationary year at the receiving college, the college appointing officer may credit up to the equivalent of two years accumulation of sick leave or the balance, whichever is less. If the employee resigns or does not successfully complete the one year probation at CUNY, payment for any time which has been advanced will be recovered by the college such as a reduction in the final paycheck or other alternative means.

** At present, prior service ONLY applies if other jurisdiction or employer is designated on CHART A under LONGEVITY.
ELIGIBILITY:

ONLY PERMANENT CUNY EMPLOYEES

(1) Within one year of CUNY resignation, or retirement, or
(2) Within four years from a preferred list as a result of abolition or reduction of position, or
(3) Within one year after the cessation of a disability which was the result of occupational injury or disease as defined in the worker's compensation law; if no position exists to which the former employee may be reinstated, the person's name shall be placed on a preferred list and eligibility will continue for up to an additional four years.

CIVIL SERVICE STATUS

PROBATIONARY for one (1) year as of date of reinstatement to CUNY.

ANNUAL LEAVE ACCRUAL RATE

At rate attained prior to resignation or retirement. Time off payroll is not counted in determining when employee becomes eligible for higher accrual rate.

CREDITING OF:

ANNUAL LEAVE BALANCES

None

SICK LEAVE BALANCES

All sick leave balances supported by official documentation shall be re-credited.

LONGEVITY**

As of date of first civil service appointment to CUNY or another covered jurisdiction or employer (minus time off payroll) provided all service was continuous.

SERVICE

As of date of appointment to title in CUNY (minus time off payroll).

SENIORITY

As of original appointment date to CUNY from a civil service list.

** At present, prior service ONLY applies if other jurisdiction or employer is designated on CHART A under LONGEVITY.
GLOSSARY

SENIORITY DATE: The date of original appointment, in the competitive class from a civil service list in probationary status or to a title in the labor or non-competitive class to which layoff rights have been granted, provided service has been continuous; this date is used in determining inverse order for layoff.

SERVICE INCREMENT DATE: the date of first appointment to a specific title or title/level provided service has been continuous; this date is used in determining eligibility for negotiated salary increments based on length of time in a title or title/level; length of service in CUNY civil service titles includes provisional time

LONGEVITY INCREMENT: this identifies the number of years in which an employee has been in active CUNY and/or "CITY" service. It calculates total service often covering advancements through different classified positions although the time off paycol on an authorized leave without pay is not counted. The date at which the longevity clock starts is recalculated if there has been a break in continuous service. Eligibility is limited to employees with 15 years or more years of service in pay status who are NOT in a title already eligible for a longevity differential or service increment as established by the Salary Review or Equity Panel.

REINSTATEMENT: The probationary appointment to an eligible title within CUNY of a candidate, to a position with the same or similar duties without the need for examination. Only a candidate who had attained permanent civil service status within CUNY or another jurisdiction is eligible for reinstatement. A reinstatement action can occur up to a maximum of four years or, equal to time served following permanent appointment, whichever is less, from the date of resignation or retirement.

TRANSFER: The appointment of a candidate from a CUNY TRANSFER roster (benefits defined by union contract); or the appointment of a candidate from another jurisdiction in an eligible title which has been designated as HARD TO FILL by the Vice Chancellor (current benefits for white and blue collar defined by union contract, any additional ones can only be accomplished through Reciprocal Agreement entered into by the Vice Chancellor; benefits for 220 employees can only be accomplished through Reciprocal Agreement entered into by the Vice Chancellor).

JURISDICTION: A term used to designate a division of the State Civil Service which is empowered by State Law to implement its own Civil Service Rules and generally provides for and implements unique and distinct time and leave provisions for its employees. Examples of Civil Service Jurisdictions in New York State separate from CUNY are: City of New York (which includes the agencies under the NYC Department of Personnel); City of Albany; School Construction Authority; County of Nassau; Health and Hospitals Corporation; State Dormitory Authority; City of Yonkers.
<table>
<thead>
<tr>
<th>New York City Mayoral Agencies &amp; Departments</th>
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<tbody>
<tr>
<td>Aging</td>
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<td>Buildings</td>
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<td>CDOSA</td>
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<td>City Planning Commission</td>
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<td>Comm. Ed. Assist. Unit</td>
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<td>Comm. on Human Rights</td>
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<td>Consumer Affairs</td>
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<td>Correction</td>
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<td>Cultural Affairs</td>
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<td>Department of Records</td>
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<td>Dept. of Employment</td>
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<td>Dept. of Environmental Protection</td>
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<td>Dept. of General Services</td>
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<td>Dept. of Investigation</td>
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<td>Dept. of Juvenile Justice</td>
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<td>Dept. of Personnel</td>
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<td>Dept. of Social Services/HR&amp;R</td>
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<td>Dept. of Transportation</td>
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<td>Dept. of Youth Services</td>
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<td>Economic Development</td>
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<td>Finance</td>
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<td>Financial Information Services Agency</td>
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<td>Fire Department</td>
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<td>Health Department</td>
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<td>Housing Preservation and Development</td>
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<tr>
<td>Law Department</td>
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<tr>
<td>Mental Health and Standards</td>
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<td>NYCERS</td>
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<tr>
<td>Office of Collective Bargaining</td>
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<tr>
<td>Office of Management &amp; Budget</td>
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<tr>
<td>Office of Municipal Labor Relations</td>
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<tr>
<td>Office of Payroll Administration</td>
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<td>Office of the Mayor</td>
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<tr>
<td>Parks and Recreation</td>
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<td>Police Department</td>
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<tr>
<td>Ports &amp; Int'l Trade</td>
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<td>Probation Department</td>
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<td>Sanitation Department</td>
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<tr>
<td>Tax Commission</td>
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<td>Taxi and Limo</td>
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<tr>
<td>Teacher's Retirement. Sys</td>
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</tbody>
</table>
### THE CITY UNIVERSITY OF NEW YORK
EMPLOYEES COVERED BY BLUE COLLAR AGREEMENT
ANNUAL LEAVE ACCRUAL SCHEDULE
FULL-TIME or HOURLY PAID, 40 hour Work week
EMPLOYEES HIRED AFTER JULY 1, 1985

<table>
<thead>
<tr>
<th>YEARS OF SERVICE</th>
<th>ALLOWANCE HOURS</th>
<th>ALLOWANCE DAYS</th>
<th>MONTHLY ACCRUAL HOURS</th>
<th>MONTHLY ACCRUAL DAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning of 1st Year**</td>
<td>80</td>
<td>10</td>
<td>6 - 2/3 hours</td>
<td>1 day per month after the first 2 months</td>
</tr>
<tr>
<td>Beginning of 2nd Year</td>
<td>104</td>
<td>13</td>
<td>8 - 2/3 hours</td>
<td>1 day per month plus 1 additional day at end of 2nd year or 1,083 days per month</td>
</tr>
<tr>
<td>Beginning of 3rd Year</td>
<td>104</td>
<td>13</td>
<td>8 - 2/3 hours</td>
<td>1 day per month plus 1 additional day at end of 3rd year or 1,083 days per month</td>
</tr>
<tr>
<td>Beginning of 4th Year</td>
<td>120</td>
<td>15</td>
<td>10 hours</td>
<td>1-1/4 days per month (1.25 days per month)</td>
</tr>
<tr>
<td>Beginning of 5th Year</td>
<td>160</td>
<td>20</td>
<td>13 - 1/3 hours</td>
<td>1-2/3 days per month (1.667 days per month)</td>
</tr>
<tr>
<td>Beginning of 6th Year</td>
<td>200</td>
<td>25</td>
<td>16 - 2/3 hours</td>
<td>2 days per month plus one additional day at end of the leave year (2.084 days per month)</td>
</tr>
<tr>
<td>Beginning of 15th Year</td>
<td>216</td>
<td>27</td>
<td>18 hours</td>
<td>2-1/4 days per month (2.25 days per month)</td>
</tr>
</tbody>
</table>

### EMPLOYEES HIRED PRIOR TO JULY 1, 1985

<table>
<thead>
<tr>
<th>YEARS OF SERVICE</th>
<th>ALLOWANCE HOURS</th>
<th>ALLOWANCE DAYS</th>
<th>MONTHLY ACCRUAL HOURS</th>
<th>MONTHLY ACCRUAL DAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to 8th Year</td>
<td>160</td>
<td>20</td>
<td>13 - 1/3 hours</td>
<td>1-2/3 days per month (1.667 days per month)</td>
</tr>
<tr>
<td>At the beginning of the employee’s 8th Year</td>
<td>200</td>
<td>25</td>
<td>16 - 2/3 hours</td>
<td>2 days per month plus one additional day at the end of the leave year (2.084 days per month)</td>
</tr>
<tr>
<td>At the beginning of the employee’s 15th Year</td>
<td>216</td>
<td>27</td>
<td>18 hours</td>
<td>2-1/4 days per month (2.25 days per month)</td>
</tr>
<tr>
<td>At the beginning of the employee’s 15th Year if BHE (CUNY) service began prior to 1/1/57</td>
<td>240</td>
<td>30</td>
<td>20 hours</td>
<td>2-1/2 days per month (2.5 days per month)</td>
</tr>
</tbody>
</table>

**USAGE OF ANNUAL LEAVE CREDITS**
Any employee who has completed four (4) months of service may be permitted to take approved annual leave as it accrues. Prior to the completion of four months of service, annual leave may not be used for other than religious holidays.

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