



Regulation of the Chancellor

Category: **ADMINISTRATIVE PERSONNEL**

Number: **C-607**

Subject: **SALARY, ATTENDANCE AND LEAVE OF MANAGEMENT EMPLOYEES**

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FORMERLY CHANCELLOR'S REGULATION D-605

Summary and Contents

This regulation sets forth the policy and procedures covering employees in the Management Pay Plan and other non-pedagogical staff members not covered by collective bargaining agreements.

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Attachments

1. Timesheet (Attachment "A")
2. Unified Checklist Form (for TRS covered managers only) (Attachment "B")



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1. **Purpose and Applicability**

In accordance with resolutions of the Board of Education, this regulation relates to the salary, attendance, leave and other working conditions of non-pedagogical staff who are in the Management Pay Plan and not covered by any collective bargaining agreement. It supersedes the previous Chancellor's Regulation D-605 issued August 17, 1988.

2. **Compensation of Managerial Employees**

Managerial employees shall be placed on the appropriate salary level and compensated in accordance with the Management Pay Plan in effect at the time and subject to such changes and amendments as may be adopted by the Board of Education.

3. **Special Conditions of Employment**

a. **Outside Earned Income**

Unless the Chancellor shall have given prior written approval, no managerial employee shall expend time or otherwise engage in any private employment, profession, business or other activities from which compensation, direct or indirect, is derived, nor shall such an employee serve as director or officer of any corporation or institution.

b. **Political Party Positions**

No managerial employee shall serve as an officer of any political party or political organization, or serve as a member of any political party committee, or as a political party leader (by whatever title designated), or as a district leader. This prohibition is not intended to deter political activity but only to bar the exercise of official partisan responsibility.

4. **Hours of Work**

a. Management employees shall work whatever hours and days are required to carry out their responsibilities, subject to approval of persons listed in subdivision 4.b of this regulation. The regular work week shall be not less than thirty-five (35) hours.

b. However, in addition to no less than the regular 35 hour week, such employees shall work whatever hours and days are required for the proper performance of the duties and responsibilities of the position. In establishing hours for a particular day on which the employee is working, account may be taken of unusually long hours worked in a previous period (adjusted work day). This period may not extend further than two weeks into the past.

Under exceptional circumstances, a manager who has consistently accumulated extraordinarily long hours may have a reduced work week (4 days instead of 5 days); however, under no circumstances may the work week be less than 35 hours. A request for an adjusted work week must have prior written approval. Such written



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approval must be attached to the timesheet and maintained in the employee's personnel file.

The work schedule of an employee who is covered by this regulation shall be subject to the approval indicated below:

- The Chancellor or designee of the Chancellor for offices of the Chancellor or for any staff member who reports directly to the Chancellor;
- A Deputy Chancellor or a designee for Chief Executives/Executive Directors/Directors or for any staff member who reports directly to the Deputy Chancellor;
- A Chief Executive or a designee for Executive Directors/Directors or for any staff member who reports directly to the Chief Executive;
- A Community Superintendent for employees of the Community School District;
- An Executive Director or a designee for staff in offices under the supervision of the Executive Director;
- Each Member of the Board of Education for that member's office staff;
- The Secretary of the Board of Education for staff in that office; and
- The Director of a major office, bureau or unit or the head of an equivalent organizational unit not under the jurisdiction of an Executive Director, for staff of such office, bureau or unit.

5. **Timekeeping**

Employees covered by this regulation shall be required to keep monthly timesheets as issued and updated by the Division of Human Resources. A copy of the appropriate timesheet is attached to this regulation. These timesheets must indicate the days and specific hours of service performed and must be submitted with appropriate forms, e.g., OP 221, PD 19, no later than ten (10) business days after the close of the month to the authorized signatory as indicated in section 4.b above for written confirmation that the timesheet has been submitted as required. The written approval of the Chancellor or his/her designee should be affixed to timesheets submitted by Executive Directors or staff in the Chancellor's office. Signature stamps are not permitted. All time records are to be retained in the responsibility center indefinitely. However, if this is not feasible, these records must be kept a minimum of ten (10) years after payment of the final entitlement. In addition, employees should be instructed to maintain a copy of each signed/approved monthly timesheet. It is important to note that accurate and complete time records are required in order to process lump sum payment. A cumulative time summary record, i.e., Managerial Attendance Report, shall be retained in the responsibility center for a minimum of 10 years after the employee's separation from service.



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6. **Work Year**

The work year of managerial employees shall commence as of each September 1 and end as of the close of business on the following August 31.

7. **Meal Allowance**

Meal allowances are not granted to individuals in this category. This restriction does not apply to reimbursements for the cost of meals incurred as a portion of authorized travel expenses.

8. **Annual Leave**

a. **General**

A combined vacation, personal business and religious holiday leave allowance shall be established which shall be referred to as "Annual Leave Allowance." It is intended that annual leave be taken during the year in which earned rather than accumulated from year to year to provide for extended periods of vacation or substantial lump-sum payment at some later date. Accordingly, the use of annual leave should be deferred beyond the current work year only in exceptional cases and to the extent required by the needs of the system

b. **Annual Leave Allowance**

Annual leave allowance shall be credited to managerial employees in active payroll status who work a regularly-scheduled five day week as indicated in Table C-607.1 below. Annual leave shall be credited as earned and charged as days are used. The normal minimum charge to annual leave shall be one (1) hour.

TABLE C-607.1 - ANNUAL LEAVE ACCRUAL RATES

Continuous New York City Service Required	Annual Rate (Work Days)	Monthly Accrual Rate (Days/ Hrs./ Minutes)	Standard Maximum Annual Carryover
During 1st through 7th year of service	20	1 4 40	40 days
During 8th through 14th year of service	25	2 0 35	50 days
During and beyond 15th year of service	27	2 1 45	54 days

Entitlement Based on Prior New York City Service

All employees in titles covered by this regulation shall be entitled to annual leave based on prior continuous New York City service as indicated above in Table C-607.1.

For the purpose of this subdivision, "New York City Service" means paid, full time



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service as an employee of the Board of Education, a Community School District or a department or agency of the City of New York (but not of the State of New York or any other state or the United States government). "Continuous service" is defined as unbroken service, except where:

- (a) the employee is on approved leave of absence;
- (b) there is a break in service of 31 calendar days or less; or
- (c) a former employee returns within one year to permanent service in a competitive class position either by appointment under the reinstatement rules or by appointment from an open competitive list.

c. Vested Annual Leave

Any annual leave balances credited as of March 31, 1979 to an employee who was covered by the managerial regulations that were in effect on that date shall be vested and remain to the employee's credit. For an employee who entered the managerial service on or after April 1, 1979, the accrued annual leave balances to the employee's credit on the day preceding the managerial assignment shall be vested and remain to the employee's credit. Such balances may be used in accordance with relevant regulations and are applicable toward lump sum payment as set forth in subdivision 14.

Note: There is no carryover or vesting of vacation days for a CSA covered pedagogue, other than an Education Administrator, who subsequently becomes a manager.

d. Carryover of Annual Leave

(1) Normal Maximum Annual Carryover

Normally, the maximum number of days of accumulated, unused annual leave that can be carried over as a balance from one work year to the next is the amount of such annual leave that the employee is entitled to accrue in the two-year period prior to the end of each work year. However, an employee with vested annual leave may continue to carry such time in addition to the normal two-year accrual. Preceding the end of the work year, it shall be the responsibility of the employee to request permission, in writing, to use sufficient annual leave so as to keep within the maximum annual leave balance that can be carried over at the end of the year. With the exception specified by subparagraph (2) below, any accumulated, unused annual leave which exceeds the maximum accumulated limits established by this subparagraph shall be transferred to the employee's sick leave bank.



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(2) Carryover of Foregone Annual Leave

Should the Chancellor or designee of the Chancellor, the appropriate Chief Executive, Executive Director or Community Superintendent direct in writing that an employee covered by this regulation forego the use of annual leave for which the employee has submitted a request, the number of days of annual leave denied shall be carried over even though this annual leave exceeds the balance otherwise permitted.

The letter authorizing the carryover of annual leave in excess of the two year maximum must be on a contemporaneous basis within each vacation year in which the annual leave will exceed the maximum. The letter must specify the reason the use of annual leave was denied, the total annual leave balance and the balance that is approved for carryover and it must be placed in the employee's personnel folder. A new letter is required each year that the employee's annual leave balance exceeds the two year maximum. Any newly issued carryover letter which covers a retroactive period will not be accepted. A copy of such letter approving the carryover must be retained by the employee.

In the absence of a letter which authorizes the carryover of excess annual leave, such excess annual leave must be transferred to the employee's sick leave balance at the end of the employee's vacation year. This subdivision shall not be construed as authorizing the use of such excess balances for the purpose of lump-sum payment beyond the normal limits prescribed by subdivisions 8.g and 14.e of this regulation or of any other regulations.

This carryover letter requirement will be met if the Chancellor, at the end of the work year, issues a statement authorizing the carryover of excess annual leave into the new year. Such statement must indicate that the responsibilities of the employee's position are such that the employee was expected to use his or her judgment in determining whether the workload would permit an absence for any length of time, and that if the employee had requested leave, he or she would have been ordered to forego it.

e. Crediting Monthly Accrual of Annual Leave

In calculating annual leave credits, a full month's credit shall be given to an employee covered by this regulation who has been in full pay status for at least 15 calendar days during the month provided that:

- (1) Where the employee has been absent without pay for an accumulated total of more than 30 calendar days in the work year, the employee shall lose the annual 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



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- (2) If an employee loses annual leave credits under this rule for several months in the work year because the employee has been in full pay status for fewer than 15 days in each month, but accumulated during such months a total of 30 or more calendar days in full pay status, that employee shall be credited with annual leave credits earnable in one month for each 30 days of such full pay status.

f. Advances of Annual Leave

Earned annual leave allowances shall be taken by the employee at times convenient to the department or office to which the employee is assigned and may be used in units of one hour. In exceptional and unusual circumstances, upon written request, the Executive Director of the Division of Human Resources, for central staff, or responsible Superintendents, for their staff, may authorize the use of a maximum of ten (10) days of annual leave before it has been earned. Written authorization of such advance must be maintained in the employee's personnel file. Subsequent accruals of annual leave shall be applied first to reduce the debt.

g. Lump Sum Payment of Annual Leave Upon Cessation of Service

Upon resignation, retirement, or other cessation of service, including death, an employee covered by this regulation shall be given a lump sum payment for all current unused annual leave carried over pursuant to the provisions of subdivisions 8.d (1) and 8.d (2) above. Lump sum payments based on continuous service in the school system and/or in City government, shall be limited as follows:

- (1) For managers with up to 5 years of continuous service - up to a maximum of 3 years of accrual;
- (2) For managers with between 5 years and 10 years of continuous service - up to a maximum of 4 years of accrual; and
- (3) For managers with more than 10 years of continuous service - up to a maximum of 5 years of accrual.

This is in addition to payment for vested or banked annual leave as permitted in sections 8.c above.

If a manager uses more annual leave than can be earned in one year during the twelve (12) months preceding final separation, the lump sum payment may require adjustment to reflect any difference between the salary at which he or she was paid for the additional leave used and the salary at which such leave would have been paid for in a lump sum. However, if the manager has been permitted to carry over more than two years accrual of annual leave, the amount of annual leave that can be used without reduction of the final lump sum payment is one year's accrual of annual leave plus the amount of such approved excess carryover. Such time used shall not



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be contiguous with separation from City service. If such time is so used, i.e., contiguous with separation, the following actions will be taken:

- adjust the retirement date as if retirement occurred on the last date of in-person service;
- deduct the annual and sick leave accrued after the adjusted retirement date;
- add the leave used after the adjusted retirement date; and
- deduct the salary received after the adjusted retirement date.

Note: The unused annual leave of a manager covered by this regulation who was formerly a pedagogue and who reverts to a non-managerial position which does not provide for the carryover of annual leave and does not provide summer vacation pay shall be vested and payment will be made at the time of final separation from service. Such payment shall be made in accordance with Sections 8.d., 8.g. and 14 at the salary at which it was earned.

9. Sick Leave

- a. Sick leave allowance of one day per month of service shall be credited to full-time annual employees and shall be used only for personal illness of the employee and may never be used to provide for care of an ill member of the family or for any other reason. Credits cannot be earned for the period an employee is on leave without pay. For the earning of sick leave credits, the time recorded on the payroll at the full rate of pay shall be considered as time "served" by the employee. There is no limit on the accrual of sick leave days. All of the time earned may be used for personal illness but the amount that may be included for the computation of lump-sum payment is subject to the restrictions of paragraph i., below.
- b. 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 that:
 - (1) When an employee has been absent without pay for an accumulated total of more than 30 calendar days in the work year, the employee shall lose the sick leave credits earnable in one month for each 30 days of such accumulated absence even though in active payroll status for at least 15 calendar days in each month during the period of absence without pay; and
 - (2) If an employee loses sick leave credits under this rule for several months in the work year because the employee has been in full-pay status for fewer than 15 days in each month, but accumulated during such months a total of 30 or more calendar days in full-pay status, that employee shall be credited with the sick leave credits earnable in one month for each 30 days of such full-pay status.



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- c. Use of accrued sick leave may be approved at the discretion of the responsible officer cited in subdivision 4b of this regulation. The minimum unit of charge shall be one hour. Medical certification must be provided on appropriate forms provided by the Division of Human Resources for all illnesses of more than three (3) consecutive workdays, consistent with City policy, but there is no limit, otherwise, on the number of occasions of self-treated absence during a specified period of time. The responsible officer may request an evaluation by the Medical Bureau for absences of any duration if the circumstances warrant. The responsible officer should request a medical examination in problematic situations or cases of prolonged illness.
- d. Upon written approval of the Executive Director of the Division of Human Resources and upon recommendation of the appropriate Superintendent or Executive Director, employees except provisional and temporary employees, who have exhausted all earned sick leave and annual leave balances due to personal illness may be permitted to use unearned sick leave allowance up to a maximum of twelve (12) days, chargeable against future sick leave.
- e. Upon the recommendation of the Executive Director of the Division of Human Resources and the approval of the Personnel Board, permanent employees may also be granted sick leave with pay for three (3) months after 10 years of City service, after all credits have been used. In special instances, sick leave with pay may be further extended with the approval of the Executive Director of the Division of Human Resources and the Personnel Board. The Executive Director of the Division of Human Resources shall be guided in this matter by the nature and extent of illness and the length and character of service. Such extension, if granted, may not exceed nine (9) months.

Note: There is no accrual of annual or sick leave during leave of absence with or without pay.

- f. Where an employee is hospitalized while on annual leave, the period of such verified hospitalization shall be charged to sick leave and not to annual leave. Where an employee is seriously disabled, but not hospitalized, while on annual leave, and the employee submits proof of such disability satisfactory to the Executive Director of the Division of Human Resources, such leave time may be charged to sick leave and not to annual leave, at the employee's option.
- g. Accrued sick leave credits may be used for maternity leave purposes in accordance with the provisions of Chancellor's Regulations and Section 6.15 of the Rules and Regulations for Administrative Employees.
- h. For purposes of lump-sum payment, employees in the management service prior to April 1, 1979 will vest sick leave earned prior to that date and submanagerial



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employees entering the management service after April 1, 1979 will vest sick leave as of the day preceding entry into the management service. Vested sick leave may be used either for lump-sum payments or for personal illness, when the accrual of sick leave earned after the vesting date is not sufficient to cover an employee's illness.

i. The number of sick leave days allowable for lump-sum payment is determined as follows:

- (1) Vested Days - All employees with at least ten years of continuous service may be credited with one work day for each two days of sick leave earned. The amount of vested time on which this benefit is based may not exceed 200 days. Accordingly, the maximum payment possible is 100 days.
- (2) Days Earned Subsequent to Vesting - Only employees with more than 10 years of continuous service and a final balance of at least 60 days after vesting may be credited with one work day for each three days earned.
- (3) The total payment for vested sick leave credits and sick leave earned subsequent to vesting may not exceed 120 days.
- (4) Transfer contributors to the New York City Teachers' Retirement System shall be credited one day for every two days of earned but unused sick days up to a maximum of 200 days. Therefore the maximum payment shall not exceed 100 days. The dollar amount shall be calculated at the rate of 1/200 of their final salary.

Note: Sick leave balances transferred from other New York City agencies are subject to adjustment in cases where the rate of accrual in the other agency was greater than that allowed for service in the New York City public school system. For example, since sick leave accrues by virtue of City University of New York (CUNY) service at the rate of 20 days per year, any such balance transferred to the sick leave of an employee in a title for which the annual accrual rate of 12 days is prescribed, would require an adjustment and 30 days of CUNY sick leave would be credited as 18 days of sick leave (12/20 or 3/5 of 30). Any fractional amounts resulting from such computations shall not be credited.

10. Overtime

- a. As of April 1, 1979, there shall be no credit for time worked beyond the regular work-week by persons covered in these regulations.



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- b. Prior to April 1, 1979, management employees were permitted to be credited for overtime work on an hour-to-hour basis. Half of the overtime was placed in an Active Overtime Bank and the other half into a Reserve Overtime Bank. In accordance with City Personnel Order 24/77, all overtime credits in a managerial employee's Active Overtime Bank and/or Reserve Overtime Bank should have been transferred to one Overtime Bank.
- c. The managerial overtime credit earned prior to April 1, 1979 shall continue to be applicable for compensatory time off and lump-sum payments, subject to the written prior approval of the head of the Division, Bureau or District in accordance with the following guidelines:
 - (1) The maximum number of days from the Overtime Bank that may be used by the employee as compensatory time in any vacation year is equal to the amount of annual leave accrued by the employee in that vacation year.
 - (2) The Overtime Bank may be used without limit in the event of catastrophic illness, but only if all sick leave and annual leave have been exhausted.
 - (3) Lump sum payment for unused overtime in the Overtime Bank will be made in conformance with the following formula: 10 days of overtime for each year of continuous city service up to a maximum of 100 days.
 - (4) Any overtime up to and including the maximum amount specified in paragraph (1) above not used in the vacation year of the employee's separation from service will be paid as an addition to the lump sum payment described in paragraph (3) above, e.g., an employee who earns 27 annual leave days a year and has not used any overtime in the vacation year of final separation could receive a maximum lump sum payment for overtime of 127 days in addition to lump sum payment for unused annual and/or sick leave.
 - (5) Lump sum payment for overtime, annual leave and sick leave shall not exceed the compensation earnable in the 12-month period immediately preceding separation from service.
- d. On assignment, reassignment, appointment or promotion from a non-managerial position to a managerial position subject to these regulations, the employee's overtime credits shall be transferred to the employee's Overtime Bank and shall be usable pursuant to the terms in this section.



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11. Leaves of Absence Without Pay and Other Absences

Regulations governing the grant of leaves of absence without pay and the excuse of other types of absence without charge to leave balances governing administrative (non-pedagogical) employees as set forth in Section 6 of the Rules and Regulations for Administrative Employees shall be applicable to this category of personnel.

12. Changes in Status

Annual and sick leave balances of submanagerial employees who are promoted, appointed, assigned or reassigned to positions covered by these regulations shall be treated in the following manner:

- a. Accrued annual leave shall remain to the employee's credit and shall be governed by the provisions of these regulations.
- b. Sick leave accrued prior to placement in a management position (i.e., submanagerial) may be used in either of the following ways:
 - (1) For illness where necessary, in accordance with subdivision 9 of this regulation.
 - (2) Towards lump-sum payments upon separation from service. Computation for lump-sum payments shall be made in accordance with subdivision 14.c of this regulation.

13. Vested Benefits

All annual leave, sick leave and compensatory time balances to the credit of an employee covered by these regulations as of March 31, 1979 shall remain to the employee's credit. For an employee who entered the managerial service after April 1, 1979, the time balances to the employee's credit on the day preceding the assignment shall remain to the employee's credit. Such balances may be used in accordance with these regulations and are applicable toward lump sum termination payment as set forth in subdivision 14.

14. Lump-Sum Payment Upon Cessation of Service

- a. Upon retirement, termination or any other separation from employment, including death, there shall be a lump sum payment which may include annual leave as described in subdivision 8, sick leave as described in subdivision 9, and overtime as described in subdivision 10. This payment shall not be creditable for purposes of computing compensation on retirement.



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- b. Payments under this regulation for unused annual leave balances shall be made in the following manner:
- (1) For vested annual leave:
 - (a) An employee in a management position as of April 1, 1979 shall be compensated at the rate of pay he or she was earning in the twelve-month period preceding March 31, 1979 or the current minimum rate of pay for the managerial level held at that time, whichever is greater.
 - (b) Annual leave credits earned as a submanagerial employee who subsequently enters the management service shall be compensated at the current minimum rate of pay for the position in which the employee was serving immediately preceding entry in the management position or the rate at which the employee was paid, or the current rate of pay the employee would have been earning in the permanent title held prior to entering the managerial service, whichever is greatest.
 - (2) Effective January 3, 2000, compensation for annual leave credits earned as a managerial employee shall be as follows:
 - (a) All current unused leave earned during the six-year period immediately preceding separation shall be paid at the salary rate at which it was earned. In using annual leave, that which was earned first shall be used first either as time or as pay. Vested or banked annual leave may be used only after current annual leave has been exhausted.
 - (b) All current unused annual leave earned more than six years prior to the date of final separation shall be paid at the average weighted salary rate received or receivable during the year ending six years prior to the date of final separation.
 - (c) During the twelve months immediately preceding final separation, managerial employees are not permitted to use more annual leave than can be earned in one year without a reduction in final lump sum payment; however, the amount of annual leave that can be used in the final year of service can be increased by the amount of excess leave that the manager was directed to forego by the Superintendent/Chief Executive/ Executive Director. No annual leave may be taken contiguous with termination, resignation or retirement.



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- c. Payments made under this regulation for unused sick leave shall be made in the following manner:
- (1) For vested sick leave:
 - (a) An employee in a management position as of April 1, 1979 shall be compensated at the rate of pay he or she was earning in the twelve-month period preceding March 31, 1979 or the current minimum rate of pay for the managerial level held at that time, whichever is greater.
 - (b) A submanagerial employee entering a management position after April 1, 1979 shall be compensated at the current minimum rate of pay for the position in which the employee was serving immediately preceding entry in the management position or the rate at which the employee was paid, or the current rate of pay the employee would have been earning in the permanent title held prior to entering the managerial service, whichever is greatest.
 - (2) Effective January 3, 2000, sick leave accrued subsequent to vesting is creditable toward lump sum payment as follows:
 - (a) All current unused sick leave earned during the six-year period immediately preceding the date of final separation shall be paid at the salary rate at which it was earned. In using sick leave, that which was earned first shall be used first either as time or as pay. Vested or banked sick leave may be used only after current sick leave has been exhausted.
 - (b) All current unused sick leave earned more than six years prior to the date of final separation shall be paid at the average weighted salary rate received or receivable during the year ending six years prior to the date of final separation.
- d. Payments under this regulation for unused overtime credits, to the extent allowable under the provisions of Subdivision 10, shall be made in the following manner:
- (1) Overtime credits earned as a submanagerial employee will be paid at the current minimum rate for the position in which the employee was serving immediately prior to entry in the management service or the rate at which the employee was paid, or the current rate of pay the employee would have been earning in the permanent title held prior to entering the managerial service, whichever is greatest.
 - (2) Overtime credits earned as a managerial employee will be paid at the rate earned in the twelve-month period preceding March 31, 1979 or the current minimum rate of pay for the managerial level held at that time.



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- e. The maximum total lump-sum payment for all entitlements shall not exceed the compensation earnable in the 12 month period immediately preceding separation from service.
- f. When catastrophic illness has exhausted all or most of the employee's accrued sick leave, accrued annual leave and overtime, the Chancellor, for central units, or the community superintendent, for district employees, may grant approval for the crediting of 2.2 work days for each year of service as the basis for computing the lump-sum payment.
- g. An employee may elect to receive lump-sum payment upon termination of services other than by retirement under one of the following optional methods:
 - (1) In one lump sum payment in the calendar year of termination services.
 - (2) In one lump sum payment in the calendar year immediately following the calendar year of termination of services.
 - (3) In two installments, with the first payment made in the calendar year of termination of services and the second installment in the next calendar year.

Where the employee makes no election before the effective date of termination of services, the employee shall be deemed to have elected option (1).

In the case of retirement, lump sum payments shall be made under one of the following optional methods, as elected by the employee.

- (1) In one lump sum payment in the calendar year of retirement if retirement takes place prior to July 1 of such year and in two installments with the first payment made in the calendar year of retirement and the second installment in the next following calendar year if retirement takes place on or after July 1 of the calendar year of retirement.
- (2) In one lump sum payment in the calendar year of retirement.
- (3) In one lump sum payment in the calendar year immediately following the calendar year of retirement.
- (4) In two installments, with the first payment made in the calendar year of retirement, the second installment in the next following calendar year.
- (5) In three installments, with the first payment made in the calendar year of retirement, the second installment in the next following calendar year, and the third installment in the second calendar year following the calendar year of retirement.
- (6) In two installments, with the first payment made in the calendar year immediately following the calendar year of retirement and the second installment in the next



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following calendar year.

- (7) In three installments, with the first payment made in the calendar year immediately following the calendar year of retirement, the second installment in the next following calendar year and the third installment in the third calendar year following the calendar year of retirement.

In all cases, selection of the foregoing options must be made at least ten days prior to the time application for retirement is filed. If no such selection is made, the employee shall be deemed to have selected option (1).

15. Interpretations

The Division of Human Resources is authorized to make interpretations of this regulation. Inquiries from heads of offices or timekeepers should be addressed to the Office of Support Services, 65 Court Street, (Room 505), Brooklyn, New York 11201. Individual employees should be advised to refer questions to their timekeepers and not to contact the Division of Human Resources directly.

16. Submission of Final Entitlement Requests

All timekeepers should be instructed to calculate vacation used in the last year of service by preparing a Form 9946 (Management Lump Sum Payment) for every manager separating from service, regardless of whether the manager is filing for lump sum payment. The timekeeper must maintain a copy of this form.

In the event that the vacation time used during the last year of service is in excess of one year's accrual, the 9946 form, along with a completed 9909 form (Time Balances for Management Employee Pay Plan), must be forwarded to the Division of Human Resources.

A copy of the employee's Managerial Attendance Record and, if applicable, a record of the Cumulative Absence Reserve must be attached to Form 8744.

Note: For managerial employees not covered by TRS, the Unified Checklist form is not required. The timekeeper must forward all documents to the Division of Financial Operations, Administrative Lump Sum Unit, 65 Court Street (Room 1400), Brooklyn, New York 11201. For managerial employees in TRS, the Unified Checklist form along with all the documents listed thereon must be forwarded to the Office of Support Services, 65 Court Street (Room 505), Brooklyn, New York 11201

17. Financial Disclosure

No employee covered by this regulation who is terminating or being separated from City service shall receive any lump sum payment to which he/she may be entitled until such employee has obtained a statement from his/her agency's Financial Disclosure Liaison that he/she has filed a financial disclosure report.



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18. **Inquiries**

Inquiries concerning this regulation should be directed to:

Office of Support Services
New York City Board of Education
65 Court Street - Room 505
Brooklyn, New York 11201
Telephone: **(718) 935-2282**

EXAMPLES OF TITLES COVERED BY THIS REGULATION

- Administrator, Office of Fiscal Affairs
- Assistant Secretary
- Administrator, Impartial Hearing Office
- Auditor General
- Counsel - Board of Education
- Chief Executive for School Facilities
- Deputy Chancellor for Operations
- Deputy Executive Director
- District Plant Manager
- Director of Building Services
- Director, Capital Administration
- Director of Labor Relations
- Executive Assistant to the Chancellor
- Executive Director
- Executive Director (Board of Education Retirement System)
- Executive Director of Public Affairs
- Public Relations Specialist
- Secretary - Board of Education
- Special Assistant – Office of the President
- Special Assistant to the Chancellor
- Special Assistant to Member of the Board of Education

Note: All non-pedagogical positions in the Management Pay Plan are covered by this Regulation