

**Subject:** UFT Nurse/Therapist Timekeeping Guidelines

DHR has received requests for clarification on the timekeeping procedures for UFT nurses and therapists. Please distribute this to concerned staff.

- I. As you are aware, the nurse and therapist schedule was changed from a 12 month to a 10 month school-based schedule effective September 1, 2005.
- II. The change to the 10 month work year for nurses and therapists eliminated the accrual for annual leave, and reduced the sick leave accrual to 10 total days per year, or one day for every month worked during the school year.
- III. Nurses and therapists will have the same work year schedule as teachers. All annual leave accruals credited to the nurses and therapists as of August 31, 2005 shall remain to the employee's credit (vested) and to the extent not used be paid out to the nurses and therapists upon separation of service on a one for one basis in accordance with existing DOE policy.
- IV. A nurse or therapist may apply to use vested annual leave upon showing a hardship. The disposition of such applications shall be decided by the program director and shall not be grievable.
- V. Annual nurses and therapists receive one tenth of the summer vacation pay entitlement for each month of service, provided that they serve at least 16 calendar days in each month. For example, an annual nurse who starts working on November 10 and continues to work until the end of the school year, June 2006 is entitled to 80% of the summer vacation pay.
- VI. Correspondingly, pro-rated summer vacation entitlement is also applied if the employee begins a leave of absence and returns to duty in the same school year. The days of service are converted to a summer vacation pay entitlement.
- VII. Annual nurses and therapists will accrue sick leave on the same basis as teachers, one (1) day for every month worked during the school year, three days of which may be used for personal business.
- VIII. Part-time (hourly) nurses and therapists will continue to be paid for each hour worked. Part-time nurses and therapists accrue one (1) hour of sick leave for every twenty (20) hours worked.
- IX. Part-time (hourly) nurses and therapists are to be paid for hours they are scheduled to work during the school breaks. The school breaks for this purpose are the winter break (December), mid-winter break (President's week) and spring break. Part timers do not get paid for the individual holidays such as MLK and July 4th unless they actually work.
- X. Effective 2/1/06 the work day schedule for nurses and therapists was extended by an additional ten (10) minutes per day so that they will work a six (6) hour and fifty five (55) minute day including a thirty (30) minute lunch. Effective February 1, 2006, Supervisors of Nurses, Supervisors of Physical Therapists and Supervisors of Occupational Therapists shall have a regular workday of seven hours and thirty minutes exclusive of an unpaid lunch period of thirty minutes.

- XI. Beginning in 2006, nurses and therapists will begin work on the Thursday before Labor Day. That date this year is August 30, 2007.
- XII. Anniversary Day (Brooklyn-Queens Day) is a holiday for all students and a professional development day for all staff. Anniversary date for 2006/2007 school year is June 7, 2007.
- XIII. Nurses and therapists who work during July and/or August will now accrue sick leave in the same manner as teachers who work in summer per session programs. However, nurses and therapists are still Administrative employees, and still adhere to the established timekeeping guidelines, procedures, and forms for Administrative employees.
- XIV. Nurses and therapists who work the full summer program will accrue one session of sick leave for each month worked, i.e., one session for July and one session for August. A session is equal to the number of hours in the program's workday.
- XV. Part-time (hourly) nurses and therapists who work during the summer program will continue to accrue sick leave at the same rate as during the school year, i.e., one (1) hour of sick leave accrual for every twenty (20) hours worked.

#### **Questions & Answers:**

- 1. Q. What happens if the nurse or therapist used annual leave time since September 2005 that they accumulated during the prior timekeeping year?  
A. Nurses and therapists who received approval to use annual leave will have their annual leave deducted from their unused vested annual leave on a one for one basis.
- 2. Q. What happens if the nurse or therapist used the annual leave time that they thought they accrued since September 2005?  
A. Nurses and therapists who received approval to use annual leave will have their personal absence deducted from their unused vested annual leave on a one for one basis.
- 3. Q. What happens to the annual leave that the nurse or therapist accrued in the past that they have not used?  
A. All annual leave accruals credited to the nurses and therapists as of August 31, 2005 shall remain to the employee's credit and to the extent not used be paid out to the nurses and therapists upon separation of service on a one for one basis in accordance with existing DOE policy.
- 4. Q. What if the nurse or therapist had a minus annual leave balance prior to September 1, 2005?  
A. Nurses and therapists no longer accumulate annual leave so the deduction for this negative balance cannot be based upon future annual leave accruals. However, payroll deductions should not be made on negative annual leave balances until instructed by the Office of Labor Relations.
- 5. Q. What happens if the nurse or therapist must use sick leave time?  
A. If a nurse or therapist utilizes sick leave, you must deduct the use from the nurse's or therapist's unused sick leave accrual.

6. Q. What happens if the nurse or therapist becomes ill that requires a day out and the nurse or therapist does not have a sick leave balance?  
A. If the nurse or therapist does not have a sick leave accrual, they may apply to use unused vested annual leave upon showing a hardship. The disposition of such applications shall be decided by the program director and shall not be grievable.
7. Q. What if the nurse or therapist has no sick leave balance or annual leave balance and must be absent from work?  
A. If the nurse or therapist does not have unused sick leave accrual and either doesn't apply or isn't granted the right to use accrued annual leave upon a showing of hardship, please process a payroll deduction according to the administrative timekeeping rules & regulations governing nurses and therapists.
8. Q. May a nurse or therapist borrow annual leave?  
A. Nurses and therapists no longer accumulate annual leave so they cannot borrow annual leave.
9. Q. May a nurse or therapist borrow sick leave?  
A. Nurses or therapists who have exhausted all earned sick leave and unused vested annual leave may be permitted to use unearned sick leave allowance up to an amount earnable in one year of service.
10. Q. Should a part-time (hourly) therapist who is scheduled to work Monday, Tuesday and Thursday be paid for hours scheduled to work when school is not in session for spring break?  
A. Part-time nurses and therapists are to be paid for hours they are scheduled to work during the school breaks. The school breaks for this purpose are the winter break (December), mid-winter break (President's week) and spring break.
11. Q. Is a part-time (hourly) therapist entitled to pay for single holidays?  
A. Part-time therapists do not get paid for the individual holidays such as MLK and July 4th unless they actually work.

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