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OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 56
APRIL 2, 1976

CONTROL OF OVERTIME AND PART-TIME HOURS

Whereas, The City of New York is currently in a fiscal crisis which mandates economies in every area of governmental operations and expenditures; and

Whereas, The payment of overtime to employees is an expenditure which must be curtailed in order to achieve necessary economies; and

Whereas, Situations could arise in which inordinate amounts of overtime paid to employees in their final year of service totally disproportionate to that received in prior years, would result in severely inflated costs to The City of New York; and

Whereas, Part-time employees who are eligible to receive pension benefits upon retirement from service could, by working an inordinate number of hours immediately prior to retirement, seriously inflate costs for The City of New York; and

Whereas, It is necessary and desirable to control any abuses which might arise in these areas.

Now, therefore, by the power vested in me as Mayor of The City of New York, it is hereby ordered as follows:

Section 1. Each agency head shall be directly responsible for assuring that the allocation of overtime is controlled in such a manner as to achieve the most economy and eliminate the possibility of abuse.

§ 2. Authorization to work overtime compensable in cash shall be evenly distributed, where practicable, within each agency or agency subdivision, among all those employees who are eligible to perform the overtime work required. No authorization shall be granted to an employee to work overtime compensable in cash in excess of 5 percent of the base salary received by the employee during the preceding 12 month period unless such authorization is signed by the agency head or deputy to whom the agency head has granted authorization power.

§ 3. Monthly reports shall be filed by each agency head with the Office of Management and Budget, detailing the distribution of authorized overtime each month by individual employee name, social security number, title, date of birth, length of service, current base salary and amount of overtime compensation received during the preceding 12 calendar

months grouped by bureau, institution or program within the agency. Such reports shall also set forth any and all special circumstances which made it necessary to authorize cash overtime during the month to any employee in excess of the 5 percent limitation imposed by this Order. Requests for approval of Certificates of the Mayor submitted to the Office of Management and Budget, covering the payment of overtime will not be approved unless all the overtime for which payment is requested has been previously reported in these monthly reports. All such reports shall be received by the Office of Management and Budget no later than the 15th day of each succeeding month.

§ 4. Each employee who is working for The City of New York in more than one position in the same or different agencies must reapply for a Certification of Compatibility of Dual Employment in accordance with Personnel Policy and Procedure Bulletin No. 6-70 of March 13, 1970, within 60 days of the date of this Order.

§ 5. A part-time employee shall not receive compensation from The City of New York in excess of 1,000 hours during any 12 month period unless authorized in writing by the head of an agency by which he or she is employed.

§ 6. Each agency head shall file monthly reports with the Office of Management and Budget, detailing the number of hours worked by each part-time employee of the agency and the rate of hourly compensation received by such employee; a cumulative total of the hours and rates received by each part-time employee for the preceding 12 month period; and an indication of what other City agencies, if any, employ each part-time employee. This report shall also set forth any and all special circumstances which made it necessary to authorize any part-time employee to work in excess of the 1,000 hour limitation imposed by this Order. These reports shall be received by the Office of Management and Budget no later than the 15th day of each succeeding month.

§ 7. Each agency shall maintain its records regarding overtime and part-time hours and compensation in good order and shall be subject to periodic audits by the Office of Management and Budget.

§ 8. This Order shall take effect immediately.

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ABRAHAM D. BEAME, Mayor.