

State of New York Unified Court System
Alternative Work Schedule Request Form (UCS-70)

Part I: Completed by Employee requesting an Alternative Work Schedule (AWS)

Print name

Title

Court or Office

Instructions:

- Do not submit this form for a management-assigned work schedule.
- Submit AWS request form to manager/supervisor and local administrative office.
- Request must be submitted at least six (6) weeks prior to the proposed start date.
- AWS cannot begin until final approval by the Deputy Chief Administrative Judge/OCA Executive Director.
- Employees on probation are not eligible for AWS.
- AWS requests are approved for a maximum of six (6) months.
- Part-time schedules greater than 50% or less than 100% are approved for 12 weeks. Limited extensions may be granted.
- Compressed schedules with Monday as the regular day off (RDO) are not approved absent extenuating circumstances.
- Full-time schedules should include an hour lunch. A request with a minimum 45-minute lunch will only be approved in extenuating circumstances.

AWS Proposed: Start Date _____

End Date _____

Is this an extension of a current AWS?

Yes No

Week 1

Thursday: _____ am _____ pm
Friday: _____ am _____ pm
Saturday: _____ am _____ pm
Sunday: _____ am _____ pm
Monday: _____ am _____ pm
Tuesday: _____ am _____ pm
Wednesday: _____ am _____ pm

Week 2

Thursday: _____ am _____ pm
Friday: _____ am _____ pm
Saturday: _____ am _____ pm
Sunday: _____ am _____ pm
Monday: _____ am _____ pm
Tuesday: _____ am _____ pm
Wednesday: _____ am _____ pm

Is the AWS Request made pursuant to FMLA?

Yes No

Is the AWS Request made pursuant to the ADA?

Yes No

If you checked Yes to either, please contact the human resources professional in your local administrative office prior to submitting this form to discuss your request and ensure that you have the required medical documentation to submit with the form.

Is the AWS request for Part-time 50%

Yes No

If you are requesting a part-time 50% schedule - note that once you have completed a full year (two successive AWS at 50%) you must return to your full-time position. If you request to continue part-time 50% after a full-year, and the request is granted, you will become permanent part-time-50% and will forfeit your right to a full-time position.

Please sign and date before submitting the AWS request to your manager/supervisor and/or local administrative office.

Signature

Date

Part II: Completed by Local Management

Employee Hire Date: _____

Time in Current Title: _____

- If employee is probationary in current title, return the AWS request.
- Complete every question below and provide detailed explanations in the space provided.
- Submit Recommendation to Deputy Chief Administrative Judge/OCA Executive Director.
- If all questions below are not answered in detail, the form will be returned.

Basis for request: What reason, if any, was provided in support of the employee's AWS request?

Court operations: Will the proposed schedule impact service to the public, quality of work and/or quantity of work performed? Yes No

Explain

Overtime implications: Will the proposed schedule generate overtime and/or compensatory time? Yes No

Explain

Management and Supervision: During the proposed schedule, is supervision in place? Yes No

Explain

Does employee requesting AWS have managerial or supervisory responsibilities? Yes No

Explain: If Yes, explain specifically how employee's managerial or supervisory responsibilities will be performed in the employee's absence.

Is security in place at all times during the requested schedule? Yes No

Explain

Does the proposed schedule have an impact on other employees, including work assignment and/or morale? Yes No

Explain:

Manager/Supervisor completing form (print)

Signature

Date

Recommended Not Recommended

Recommendation of Administrative Judge (or designee: Chief Clerk/District Executive)/OCA Director:

Recommended Not Recommended

Print name

Signature

Date

Determination of Deputy Chief Administrative Judge/Executive Director: Granted Denied

Print name

Signature

Date

REDUCED SCHEDULES UNDER THE FMLA

Eligible employees are entitled to be absent from work for up to 12 weeks each calendar year for an approved FMLA purpose, as listed below:

1. To request a schedule in connection with the birth of a child, the adoption of a child, or the placement (by the state) of a child for foster care. FMLA leave for child care may be used only within the year following the birth, adoption or foster care placement. You may be asked to supply documentation of the birth, adoption or foster care placement.
2. To request a schedule in order to provide necessary care for a spouse, child or parent who has a serious health condition. You must attach a properly completed medical certification Form WH-380-F (available from your payroll/personnel office).
3. To request a schedule in connection with your own serious health condition. Attach a properly completed medical certification Form WH-380-E (available from your payroll/personnel office).

For more information on the FMLA, ask your payroll/personnel office for assistance and/or for a copy of the Guide to the Family and Medical Leave Act for Nonjudicial Employees.



STATE OF NEW YORK-UNIFIED COURT SYSTEM ALTERNATIVE WORK SCHEDULE FACT SHEET

While recognizing that not all jobs lend themselves to an alternative work schedule, the policy of the Court System is to accommodate employee requests for alternative work schedules consistent with the operating needs of the employee's work unit and the collective Agreements.

Alternative work schedules are arranged at the discretion of management. An employee working an alternative work schedule may be required to return to his or her original schedule if the alternative work schedule is detrimental to operations or if operational needs change.

How to Apply

To request an alternative work schedule, complete and submit an Alternative Work Schedule Option Request Form (Form No. UCS-70), available from your administrative office. For assistance in finding possible job-share partners, contact the office of the Deputy Chief Administrative Judge for locations in NYC and the District Administrative Offices for locations outside NYC.

Compensation and Benefits

Before requesting an alternative work schedule, consider your salary needs and the effect of a change in work schedule on your benefits. Employees requesting part-time schedules should be particularly attentive to the effect of reducing their hours of work on compensation, and benefits. Be aware that if you reduce your schedule, you may not be able to return to a full-time schedule upon your request.

Salary is pro-rated for part-time employees. If you work half time, for example, you receive half the full-time salary. Part-time employment also may impact on your eligibility for annual increments, bonuses and other contractual salary benefits. Part-time employees in overtime-eligible titles who are approved to work more than their specified part-time hours are eligible to earn the overtime rate of pay only when they work more than 40 hours in an overtime workweek. They will be paid for such work at their regular pay rate. Part-time employees who are not in overtime-eligible titles will be paid for approved work beyond approved part-time hours up to 35 hours.

The State will continue to pay its share of your premium for the NYS Health Insurance Plan, provided you work at least half time on a regular basis (and, under some limited circumstances, even if you work less than half time). You will have the same benefit, costs and responsibilities as a full-time employee. If you change to a less than half-time schedule, you have the right under federal law ("COBRA") to continue your health insurance enrollment at your own expense. Contact your agency Health Benefits Administrator for more information.

If you already are a member of the NYS Employees' Retirement System when you begin part-time employment, you must continue your membership. Contact the Retirement System for information on the effect of part-time work on retirement service credit.

If you work at least half time per pay period on a regularly scheduled basis, you will be eligible to earn and accrue annual leave and sick leave on a pro rata basis. Your annual leave "bonus days" will be pro rated, based on your work schedule on the date that the bonus days are awarded. You will be eligible to observe holidays, which also will be pro rated. Note that if you work a reduced schedule and normally would work the full day on a day celebrated as a holiday, you may be required to charge your leave credits for the difference between the full day and your pro-rated holiday entitlement.

If you are requesting a full-time compressed work schedule, where the number of days in the 35-hour workweek is reduced by increasing the number of hours worked per day, you will receive the same leave benefits (no more, no less) as a full-time employee who works a normal five-day week. As a result, if you are absent in observance of a holiday, you may be required to charge your leave credits for the difference between your work hours on that day on your compressed schedule and the seven hours of holiday pay that you are entitled to for that day as a full-time employee.

If you are requesting a leave of absence from your full-time position to work a reduced schedule and your leave request is denied, be aware that you are no longer guaranteed to return automatically to a full-time position in your title. If and when you want to return to work full time, you should submit a written request for a reassignment to an available full-time position in your title. Such request should be made well in advance of the date you wish to begin working full time. Be aware that such reassignment may not be available at the time you wish to return full time. In addition, as with a leave of absence, you are not guaranteed a particular position in a particular work location when you return to a full-time schedule.

If you are in a title that is eligible for automatic promotion based on years of experience, you will receive pro-rata service credit while working part time.

Union Representation, Welfare Fund Benefits and Dues

If you work less than half time, your union representation may be affected. Even if you continue to be represented, a part-time schedule may affect your eligibility for union welfare fund benefits. Contact your union for information about the effect of part-time employment on your representation status and welfare fund benefits. Ask if your union pro rates dues/agency shop fee deductions for part timers.

Competitive Examinations

Part-time service in the competitive class is credited on a pro rata basis for qualifying to participate in open competitive and promotional examinations.

This information is general and may change. Discuss your particular situation with your personnel/payroll administrator.