



**PEF Executive Board Seat 445
OTDA**

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Thursday, July 26, 2007

Mr. John Paolucci
Deputy Commissioner Division of Program Support & Quality Improvement
New York State Office of Temporary and Disability Assistance
40 North Pearl Street
Albany, New York 12243

Dear Mr. Paolucci:

I am in receipt of the Step 3 Decision from GOER dated July 12, 2007 regarding compensation or work schedule adjustment for Disability Analysts 4s [DA 4] – Grade 25's who are required to work on Saturdays in addition to their Monday – Friday work assignment. I have also reviewed OTDA's Step 2 Decision regarding the same class action that was filed due to additional hours that the Grade 25's were required to work.

In both instances, the basis for both decisions was that there were no definite plans to continue the scheduling on Saturdays. As of June 16th, 2007 the scheduling of OT has resumed at DDD Glendale. The DA 4's are required to work the Saturday in addition to their Monday-Friday work schedule for supervision of this OT. These additional hours have been added as a request from SSA to NYS DDD/OTDA to assist in the back log of aged IR cases in OHA. It is my understanding that this OT scheduling will continue through the end of the federal fiscal year and possibly continue throughout all of the DDD processing centers in the beginning of the next fiscal year to assist SSA in this back log.

I was pleased to hear at the OTDA LM meeting today, that you are willing to review this decision to determine if there are any options open for our members. It is practice in other agencies to adjust work schedules for employees who are not overtime eligible that are required to work additional hours. I am asking that OTDA consider this option for their employees. As are you, I am proud of the outstanding work and commitment that the DDD/OTDA employees exhibit when performing their job duties. To adjust their work schedules during the OT would be a fair and just resolution for all of our members.

If you have any questions, please feel free to contact me. I am looking forward to a favorable response.

Sincerely,

Kathy J. D'Arminio
Council Leader PEF Division 399
PEF Executive Board
Statewide PEF H&S Chair

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