



## Legislation Text

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**File #:** Res 0124-2004, **Version:** \*

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### Res. No. 124

Resolution calling upon the Mayor of the City of New York to ensure that all City employees have the option of choosing either compensatory time or pay as overtime compensation.

By Council Members Addabbo, Jr., Clarke, Fidler, Foster, Gentile, Jennings, Martinez, Monserrate, Nelson, Seabrook, Stewart and Jackson

Whereas, The Department of Labor (“DOL”) has recently instituted changes in the overtime rules in the Federal Labor Standards Act, that, according to the Economic Policy Institute, will result in the loss of overtime pay for millions of workers nation-wide and thousands in the City; and

Whereas, Additionally, the DOL issued suggestions in their March 27, 2003 proposal for the rule changes on employer practices regarding overtime compensation; and

Whereas, Such suggestions include the proposition that compensating overtime can be done through compensatory time only, rather than through both compensatory time and pay; and

Whereas, Currently, many New York City employees have the option to choose if they will receive compensatory time or pay when being compensated for overtime; and

Whereas, This option has been negotiated by many labor unions as part of the collective bargaining agreements with the City; and

Whereas, The Mayor should ensure that all collective bargaining agreements give employees the option of compensatory time or pay and such option should not be used as leverage while negotiating collective bargaining agreements; and

Whereas, Many workers in the City, including City employees, rely on compensatory pay as part of their salary, making it a necessity for their livelihood; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor of the City of New York to ensure that all City employees have the option of choosing either compensatory time or pay as overtime compensation.

THC - LS # 448

2/19/04

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