



TO: DEPARTMENT HEADS / SUPERVISORS / MANAGERS  
FROM: PAYROLL UNIT  
DATE: June 8, 2022  
**RE: UUP GAP Compensatory Time (FLSA non-Exempt)**

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This memo serves as a reminder to all supervisors of UUP employees who fall under the following category: FLSA non-exempt employees eligible to earn overtime.

As you are aware, all UUP FLSA non-exempt employees work a 37.5-hour work week. As such, pursuant to Appendix A-29 of the UUP contract, as well as the December 17, 2002 Memorandum of Understanding (MOU) concerning "GAP Time & Comp Time" for UUP employees:

1. **WHAT IS GAP TIME?**

UUP employees may earn GAP Compensatory Time ("GAP Time") which is defined as the 2.5 hours earned for work between 37.5 and 40 hours per week.

2. **WHO IS ELIGIBLE?**

FLSA non-exempt shift employees eligible to earn overtime with a full-time professional obligation designated by Management as at least 37.5 but less than 40 hours per week.

3. **HOW IS TIME CALCULATED?**

Employees must request and receive written approval in advance from their designated supervisor in order to work **any** time in excess of their stated professional obligation. Employees will be required to account for their time on an hour-for-hour basis, similar to that delineated in the attachment, i.e. start of shift, meal break, departure, etc. Computation of hours worked for the purposes of determining earned overtime and/or GAP time does NOT include (A) meal breaks or (B) days off, whether unpaid or paid through use of accruals.

4. **HOW DO SUPERVISORS TRACK GAP TIME?**

Within the coming months, GAP Time will be tracked using the SUNY TAS system. In the interim, however, please use the attached form titled '*Weekly GAP Compensatory Time Report*' to continue to track time in the following manner:

- (A) Calculate GAP time earned by eligible employees in your area;
- (B) Subtract any GAP time used during that same period; and
- (C) Keep a weekly record of the balance.

Pursuant to the MOU, **employees may be strongly encouraged to use their GAP time prior to other leave accruals.** Upon separation from State service, employees will receive payment for any GAP Time that has not been utilized as straight time.

**ALL completed GAP time reports must be scanned** to the Payroll Department at [GAPTimesheet@downstate.edu](mailto:GAPTimesheet@downstate.edu).

cc: Department of Finance  
Department of Human Resources  
Office of Employee & Labor Relations