

## **Report: Yonkers teachers using loopholes to beat \$15G overtime cap**

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YONKERS — Loopholes in the school district's overtime policy have allowed some teachers to earn well above the annual \$15,000 cap, even as others lose their jobs amid budget cuts, a new city watchdog report finds.

In a six-page finding released Monday, city Inspector General Dan Schorr argues that the district must do away with exceptions to the cap on overtime earnings as well as clarify "inconsistent" policies on summer, evening and weekend pay.

Schorr's investigation comes in response to anonymous complaints from people claiming to be laid-off teachers, alleging that their still-employed colleagues are taking advantage of the system in tough times.

Superintendent Bernard Pierorazio blasted the report Monday, saying it contained "no findings of substance" and confused the district's overtime policy with separate contractual obligations on summertime pay and other types of compensation.

"This was not the type of even-handed investigation one would hope for from the IG," Pierorazio said in a statement. The district "adheres to an overtime policy that continues to reap impressive results for the citizens of Yonkers."

District policy limits to \$15,000 the amount a teacher can collect in overtime during the regular school year. But it does not count athletic coaching or summer work toward the cap, according to the report.

Schorr cites one district employee – identified as "Teacher A" – who received \$31,730 in total overtime pay in 2008. Of that, \$11,959 was earned during the 10-month academic year, while the remaining \$19,771 came as summer pay and therefore was not subject to the cap.

The report also finds inconsistencies in summer pay rates. The district's most recent contract calls for teachers to receive \$49.87 an hour for summer and night school, Schorr wrote. Yet in summer 2008, "Teacher A" made \$97 an hour at a higher "per diem" rate, more than twice the amount stipulated in the contract.

Pierorazio said Monday that's because the district is required to pay unionized teachers at that higher rate of 1/200th of their salary for working a non-school day. Teachers are considered 10-month employees and are not assigned to work in July and August.

Schorr wrote that the teachers' contract should be amended to reflect such an agreement, otherwise the lower rate should still apply.

His report also criticizes the district for delays in responding to his inquiries, and raises concerns about the re-hiring of retired teachers.