

On-call/Recall: Just the Facts



What is On-call?

There are two essential elements to the definition of on-call:

1. The employee's movement/geographic location is restricted.
2. The employee remains available for immediate recall and is prepared to return to duty within a reasonable amount of time.

Employees who are officially "on-call" are **required to be available** to return to work within a reasonable period of time after completing the professional obligation and leaving the workstation. Unless an employee is officially on-call and **must respond and return to work**, the carrying of a pager, cell phone, palm

pilot, or any other communication device does not fit the definition. Carrying any of these devices during the normal professional obligation also does not fit the definition.

According to the UUP contract, campus administrations can designate positions to be eligible for on-call. If a position is eligible to be on-call, UUP members in those positions must be notified that they are on call. The contract requires that employees be given 30 days notice if they are put on-call by their campus administration.

On-call Pay: Employees who are officially on call receive \$4.35 per hour for each hour they are on call.

What is Recall?

Recall occurs when an employee is called back to work, and returns to work, after having left the workstation. There are two possible scenarios for recall.

1. Employees who are officially on-call are automatically eligible for recall pay and must return to work if called by their supervisors.
2. Campus administrations can designate positions that are not eligible for on-call to be eligible for recall. If an employee is not officially

on call, but is designated as eligible for recall and is directed to return to work, they should receive recall compensation. Employees who are eligible for recall, but not officially designated as being on-call, have no obligation to answer a supervisor's call.

Recall Pay: Employees who are designated as eligible for recall and return to work when recalled by a supervisor receive a minimum of ½ day's pay at a rate of time and a half.

On-call/Recall Fact Sheet

Implementation of UUP's new contract provision for On-call/Recall

For situations involving regular or periodic needs to have employees available to return to work after normal work hours, campuses can no longer use the excuse "we'd like to pay you for being on-call, but there is no mechanism to do so." UUP's expanded contract provision means there is now a mechanism to pay employees to be available for on-call/recall.

A new provision in UUP's 2011-2016 contract maintains the list of hospital titles that are eligible for on-call/recall (Appendix A-16). In addition, campus presidents at all UUP chapters now have the ability to designate other positions as eligible for on-call/recall. This provision is to enable campuses to have certain employees available to handle situations that may arise during off hours of normal campus operation. It does not preclude the need for essential personnel to respond during **extraordinary circumstances**, as was the case during Hurricane Sandy in 2012. There are also certain isolated situations where employees are not on-call, but there is a need to return to work. Here's one example: A problem occurs the day before students are to return to class and employees may be needed to return to work to fix the problem.

Here are some of the essential elements of UUP's expanded on-call/recall provision:

1. Employees who are not officially on call have no obligation to respond.
2. Many members whose jobs require some level of return to work after normal work hours will now be eligible for on-call/recall or for recall only, depending on the specific circumstances. UUP advises its members to work with their chapter leaders to consider their specific circumstances if they believe they should be eligible for on-call/recall or recall only. If circumstances warrant, chapter leaders, with the assistance of the Labor Relations Specialists, can advocate for members.
3. Excluding **extraordinary circumstances that could not be reasonably anticipated**, it is critical for UUP members who feel pressured to respond to supervisor requests for return-to-work without being given official on-call/recall or recall only designations, to come to the UUP chapter leadership for assistance.

Questions to Ask

Chapter leaders should discuss the designation of eligible on-call/recall positions with affected employees and Labor Relations Specialists before speaking with the employee's supervisor. Employees should be asked detailed questions to determine if a position is eligible for on-call/recall status.

1. What type of work do you do?
2. What is your normal professional obligation?
3. Were you told "on-call" duties were required when you applied for the job at SUNY?
4. Is it common knowledge that work may be required after normal hours, such as nights and weekends?
5. Are on-call responsibilities stated in your performance program? If yes, for how long?
6. Do you participate in "on-call duties" for your department?
7. Is there one person on call at a time who is the only person required to respond?
8. Is there a list of multiple employees on call at the same time, such that employees are called one at a time until someone responds? How many employees are on this list?
9. Are you compensated for participating in on-call duties? If yes, what is the compensation and how long have you been receiving it (e.g., compensatory time, also receives, an increase in annual salary)?
10. Does the campus provide you with a phone, PC or other device to provide work after hours?
11. If you are called and answer your phone can you decline the work?
12. How many times a week, month or year are you actually recalled to work?
13. Has the frequency of recalls increased over time?
14. Are you compensated if recalled to work? If yes, what is the compensation and how long have you been receiving it?
15. Are on-call responsibilities a recent change in your duties and, if so, when did that occur?