

S. 7747

A. 10720

S E N A T E - A S S E M B L Y

June 17, 2012

IN SENATE -- Introduced by Sen. ROBACH -- (at request of the Governor)
-- read twice and ordered printed, and when printed to be committed to
the Committee on Rules

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of
A. Abbate) -- (at request of the Governor) -- read once and referred
to the Committee on Ways and Means

AN ACT to amend the civil service law and the state finance law, in
relation to compensation, benefits and other terms and conditions of
employment of certain state correctional officers and certain other
employees employed within the state department of corrections and
community supervision; authorizing funding of joint labor-management
committees; implementing an agreement between the state and an employ-
ee organization; making an appropriation therefor; and repealing
certain provisions of the civil service law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph g of subdivision 1 of section 130 of the civil
2 service law is REPEALED and a new paragraph g is added to read as
3 follows:

4 G. PURSUANT TO THE TERMS OF AN AGREEMENT BETWEEN THE STATE AND AN
5 EMPLOYEE ORGANIZATION ENTERED INTO PURSUANT TO ARTICLE FOURTEEN OF THE
6 CIVIL SERVICE LAW COVERING MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT
7 DESIGNATED AS THE SECURITY SERVICES COLLECTIVE NEGOTIATING UNIT WHO ARE
8 EMPLOYED WITHIN THE STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPER-
9 VISION AND WHO ARE DESIGNATED AS PEACE OFFICERS PURSUANT TO SECTION 2.10
10 OF THE CRIMINAL PROCEDURE LAW, EFFECTIVE ON THE DATES INDICATED, SALARY
11 GRADES FOR SUCH UNIT MEMBERS SHALL BE AS FOLLOWS:

12 (1) EFFECTIVE APRIL SECOND, TWO THOUSAND NINE FOR OFFICERS AND EMPLOY-
13 EES ON THE ADMINISTRATIVE PAYROLL AND EFFECTIVE MARCH TWENTY-SIXTH, TWO
14 THOUSAND NINE FOR OFFICERS AND EMPLOYEES ON THE INSTITUTIONAL PAYROLL:

15 SECURITY SERVICES SALARY SCHEDULE
16 ARBITRATION ELIGIBLE ONLY

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD12163-04-2

		PERF.	PERF.	PERF.	PERF.	PERF.
		AD-	AD-	AD-	AD-	AD-
	HIR-	VANCE	VANCE	VANCE	VANCE	VANCE
	ING	STEP	STEP	STEP	STEP	STEP
	RATE	1	2	3	4	5
1						
2						
3						
4						
5	SG					
6	1	23964	24896	25828	26760	27692
7	2	24775	25757	26739	27721	28703
8	3	25908	26933	27958	28983	30008
9	4	26994	28075	29156	30237	31318
10	5	28191	29325	30459	31593	32727
11	6	29576	30771	31966	33161	34356
12	7	31153	32395	33637	34879	36121
13	8	32812	34102	35392	36682	37972
14	9	34547	35894	37241	38588	39935
15	10	36413	37829	39245	40661	42077
16	11	38463	39937	41411	42885	44359
17	12	40505	42044	43583	45122	46661
18	13	42821	44427	46033	47639	49245
19	14	45183	46867	48551	50235	51919
20	15	47684	49435	51186	52937	54688
21	16	50277	52107	53937	55767	57597
22	17	53002	54931	56860	58789	60718
23	18	55918	57941	59964	61987	64010
24	19	58873	60987	63101	65215	67329
25	20	61805	64015	66225	68435	70645
26	21	65034	67337	69640	71943	74246
27	22	68416	70855	73294	75733	78172
28	23	72024	74533	77042	79551	82060
29	24	75823	78425	81027	83629	86231
30	25	79954	82668	85382	88096	90810

						LONG
						MAX.
			10-YR	15-YR	20-YR	25-YR
	JOB	PERF.	LONG	LONG	LONG	LONG
	RATE	ADV.	STEP	STEP	STEP	STEP
31						
32						
33						
34						
35	SG					
36	1	29556	932	31203	32652	35268
37	2	30667	982	32408	33942	36631
38	3	32058	1025	33874	35473	38217
39	4	33480	1081	35519	37072	39889
40	5	34995	1134	37005	38773	41666
41	6	36746	1195	38863	40727	43703
42	7	38605	1242	40806	42743	45782
43	8	40552	1290	42840	44852	47957
44	9	42629	1347	45021	47123	50309
45	10	44909	1416	47414	49618	52888
46	11	47307	1474	49914	52211	55562
47	12	49739	1539	52469	54869	58312
48	13	52457	1606	55300	57800	61333
49	14	55287	1684	58265	60885	64518
50	15	58190	1751	61292	64021	67748
51	16	61257	1830	64498	67350	71186
52	17	64576	1929	67987	70989	74954
53	18	68056	2023	71642	74800	78899
54	19	71557	2114	75301	78595	82813
55	20	75065	2210	78982	82430	86780

1	21	78852	2303	82935	86530	91007	94600
2	22	83050	2439	87369	91167	95826	99625
3	23	87078	2509	91528	95443	100199	104114
4	24	91435	2602	96045	100103	104987	109045
5	25	96238	2714	101046	105279	110309	114543

6 (2) EFFECTIVE APRIL FIRST, TWO THOUSAND TEN FOR OFFICERS AND EMPLOYEES
 7 ON THE ADMINISTRATIVE PAYROLL AND EFFECTIVE MARCH TWENTY-FIFTH, TWO
 8 THOUSAND TEN FOR OFFICERS AND EMPLOYEES ON THE INSTITUTIONAL PAYROLL:

9 SECURITY SERVICES SALARY SCHEDULE
 10 ARBITRATION ELIGIBLE ONLY

11		PERF.	PERF.	PERF.	PERF.	PERF.	
12		AD-	AD-	AD-	AD-	AD-	
13	HIR-	VANCE	VANCE	VANCE	VANCE	VANCE	
14	ING	STEP	STEP	STEP	STEP	STEP	
15	SG	1	2	3	4	5	
16	1	24923	25892	26861	27830	28799	29768
17	2	25766	26787	27808	28829	29850	30871
18	3	26944	28010	29076	30142	31208	32274
19	4	28074	29198	30322	31446	32570	33694
20	5	29319	30498	31677	32856	34035	35214
21	6	30759	32002	33245	34488	35731	36974
22	7	32399	33691	34983	36275	37567	38859
23	8	34124	35466	36808	38150	39492	40834
24	9	35929	37330	38731	40132	41533	42934
25	10	37870	39343	40816	42289	43762	45235
26	11	40002	41535	43068	44601	46134	47667
27	12	42125	43726	45327	46928	48529	50130
28	13	44534	46204	47874	49544	51214	52884
29	14	46990	48741	50492	52243	53994	55745
30	15	49591	51412	53233	55054	56875	58696
31	16	52288	54191	56094	57997	59900	61803
32	17	55122	57128	59134	61140	63146	65152
33	18	58155	60259	62363	64467	66571	68675
34	19	61228	63427	65626	67825	70024	72223
35	20	64277	66576	68875	71174	73473	75772
36	21	67635	70030	72425	74820	77215	79610
37	22	71153	73690	76227	78764	81301	83838
38	23	74905	77514	80123	82732	85341	87950
39	24	78856	81562	84268	86974	89680	92386
40	25	83152	85975	88798	91621	94444	97267

41						LONG	
42						MAX.	
43			10-YR	15-YR	20-YR	25-YR	
44	JOB	PERF.	LONG	LONG	LONG	LONG	
45	SG	ADV.	STEP	STEP	STEP	STEP	
46	1	30737	969	32450	33957	36677	38185
47	2	31892	1021	33703	35298	38095	39689
48	3	33340	1066	35229	36892	39745	41408
49	4	34818	1124	36939	38554	41483	43097
50	5	36393	1179	38483	40322	43331	45171
51	6	38217	1243	40419	42357	45452	47390
52	7	40151	1292	42440	44455	47615	49627
53	8	42176	1342	44556	46648	49877	51971

1	9	44335	1401	46823	49009	52322	54510
2	10	46708	1473	49313	51605	55006	57300
3	11	49200	1533	51911	54300	57785	60174
4	12	51731	1601	54570	57066	60647	63144
5	13	54554	1670	57511	60111	63785	66383
6	14	57496	1751	60593	63318	67096	69821
7	15	60517	1821	63743	66581	70457	73295
8	16	63706	1903	67077	70043	74032	76998
9	17	67158	2006	70705	73828	77951	81073
10	18	70779	2104	74508	77793	82056	85338
11	19	74422	2199	78316	81742	86128	89554
12	20	78071	2299	82145	85731	90255	93842
13	21	82005	2395	86251	89990	94646	98383
14	22	86375	2537	90867	94817	99662	103613
15	23	90559	2609	95187	99259	104205	108276
16	24	95092	2706	99886	104107	109186	113406
17	25	100090	2823	105090	109493	114724	119127

18 (3) EFFECTIVE MARCH TWENTY-SEVENTH, TWO THOUSAND FOURTEEN FOR OFFICERS
 19 AND EMPLOYEES ON THE ADMINISTRATIVE PAYROLL AND EFFECTIVE APRIL THIRD,
 20 TWO THOUSAND FOURTEEN FOR OFFICERS AND EMPLOYEES ON THE INSTITUTIONAL
 21 PAYROLL:

22 SECURITY SERVICES SALARY SCHEDULE
 23 ARBITRATION ELIGIBLE ONLY

24		PERF.	PERF.	PERF.	PERF.	PERF.
25		AD-	AD-	AD-	AD-	AD-
26	HIR-	VANCE	VANCE	VANCE	VANCE	VANCE
27	ING	STEP	STEP	STEP	STEP	STEP
28	SG	1	2	3	4	5
29	1	25421	26410	27399	28388	29377
30	2	26281	27323	28365	29407	30449
31	3	27483	28570	29657	30744	31831
32	4	28635	29782	30929	32076	33223
33	5	29905	31108	32311	33514	34717
34	6	31374	32642	33910	35178	36446
35	7	33047	34365	35683	37001	38319
36	8	34806	36175	37544	38913	40282
37	9	36648	38077	39506	40935	42364
38	10	38627	40130	41633	43136	44639
39	11	40802	42366	43930	45494	47058
40	12	42968	44601	46234	47867	49500
41	13	45425	47128	48831	50534	52237
42	14	47930	49716	51502	53288	55074
43	15	50583	52440	54297	56154	58011
44	16	53334	55275	57216	59157	61098
45	17	56224	58270	60316	62362	64408
46	18	59318	61464	63610	65756	67902
47	19	62453	64696	66939	69182	71425
48	20	65563	67908	70253	72598	74943
49	21	68988	71431	73874	76317	78760
50	22	72576	75164	77752	80340	82928
51	23	76403	79064	81725	84386	87047
52	24	80433	83193	85953	88713	91473
53	25	84815	87695	90575	93455	96335

			10-YR	15-YR	20-YR	LONG MAX.	
	JOB	PERF.	LONG	LONG	LONG	LONG	
SG	RATE	ADV.	STEP	STEP	STEP	STEP	
1							
2							
3							
4							
5							
6	1	31355	989	33102	34639	37414	38952
7	2	32533	1042	34380	36007	38860	40486
8	3	34005	1087	35932	37628	40538	42234
9	4	35517	1147	37680	39328	42315	43962
10	5	37123	1203	39255	41131	44200	46077
11	6	38982	1268	41228	43205	46362	48338
12	7	40955	1318	43290	45345	48568	50621
13	8	43020	1369	45448	47581	50875	53011
14	9	45222	1429	47760	49989	53369	55601
15	10	47645	1503	50302	52640	56109	58449
16	11	50186	1564	52951	55388	58943	61379
17	12	52766	1633	55662	58208	61860	64407
18	13	55643	1703	58659	61311	65059	67709
19	14	58646	1786	61805	64584	68438	71218
20	15	61725	1857	65016	67910	71864	74759
21	16	64980	1941	68418	71444	75513	78538
22	17	68500	2046	72118	75303	79509	82693
23	18	72194	2146	75998	79348	83697	87044
24	19	75911	2243	79883	83377	87851	91346
25	20	79633	2345	83788	87446	92061	95719
26	21	83646	2443	87977	91791	96540	100352
27	22	88104	2588	92686	96715	101657	105687
28	23	92369	2661	97090	101243	106288	110440
29	24	96993	2760	101883	106188	111369	115673
30	25	102095	2880	107195	111686	117022	121513

31 (4) EFFECTIVE MARCH TWENTY-SIXTH, TWO THOUSAND FIFTEEN FOR OFFICERS
 32 AND EMPLOYEES ON THE ADMINISTRATIVE PAYROLL AND EFFECTIVE APRIL SECOND,
 33 TWO THOUSAND FIFTEEN FOR OFFICERS AND EMPLOYEES ON THE INSTITUTIONAL
 34 PAYROLL:

35 SECURITY SERVICES SALARY SCHEDULE
 36 ARBITRATION ELIGIBLE ONLY

		PERF.	PERF.	PERF.	PERF.	PERF.	
	HIR-	AD-	AD-	AD-	AD-	AD-	
	ING	VANCE	VANCE	VANCE	VANCE	VANCE	
	STEP	STEP	STEP	STEP	STEP	STEP	
SG	RATE	1	2	3	4	5	
37							
38							
39							
40							
41							
42	1	25929	26938	27947	28956	29965	30974
43	2	26807	27870	28933	29996	31059	32122
44	3	28033	29142	30251	31360	32469	33578
45	4	29208	30378	31548	32718	33888	35058
46	5	30503	31730	32957	34184	35411	36638
47	6	32001	33295	34589	35883	37177	38471
48	7	33708	35052	36396	37740	39084	40428
49	8	35502	36898	38294	39690	41086	42482
50	9	37381	38839	40297	41755	43213	44671
51	10	39400	40933	42466	43999	45532	47065
52	11	41618	43213	44808	46403	47998	49593
53	12	43827	45493	47159	48825	50491	52157

1	13	46334	48071	49808	51545	53282	55019
2	14	48889	50711	52533	54355	56177	57999
3	15	51595	53489	55383	57277	59171	61065
4	16	54401	56381	58361	60341	62321	64301
5	17	57348	59435	61522	63609	65696	67783
6	18	60504	62693	64882	67071	69260	71449
7	19	63702	65990	68278	70566	72854	75142
8	20	66874	69266	71658	74050	76442	78834
9	21	70368	72860	75352	77844	80336	82828
10	22	74028	76668	79308	81948	84588	87228
11	23	77931	80645	83359	86073	88787	91501
12	24	82042	84857	87672	90487	93302	96117
13	25	86511	89449	92387	95325	98263	101201

14							LONG
15							MAX.
16				10-YR	15-YR	20-YR	25-YR
17		JOB	PERF.	LONG	LONG	LONG	LONG
18	SG	RATE	ADV.	STEP	STEP	STEP	STEP
19	1	31983	1009	33765	35333	38163	39732
20	2	33185	1063	35069	36728	39639	41297
21	3	34687	1109	36653	38382	41351	43081
22	4	36228	1170	38434	40115	43162	44842
23	5	37865	1227	40040	41953	45084	46998
24	6	39765	1294	42056	44072	47293	49308
25	7	41772	1344	44154	46250	49537	51631
26	8	43878	1396	46355	48530	51890	54069
27	9	46129	1458	48718	50991	54439	56716
28	10	48598	1533	51308	53693	57231	59618
29	11	51188	1595	54008	56494	60120	62605
30	12	53823	1666	56777	59374	63099	65697
31	13	56756	1737	59832	62537	66360	69063
32	14	59821	1822	63043	65878	69809	72644
33	15	62959	1894	66316	69268	73301	76254
34	16	66281	1980	69788	72874	77025	80110
35	17	69870	2087	73560	76809	81099	84347
36	18	73638	2189	77518	80935	85371	88785
37	19	77430	2288	81481	85045	89609	93174
38	20	81226	2392	85464	89195	93903	97634
39	21	85320	2492	89738	93628	98472	102360
40	22	89868	2640	94542	98651	103692	107803
41	23	94215	2714	99030	103266	108412	112647
42	24	98932	2815	103920	108311	113596	117986
43	25	104139	2938	109341	113922	119365	123945

44 S 2. Subdivision 2 of section 207-a of the state finance law, as
 45 amended by chapter 214 of the laws of 2009, is amended to read as
 46 follows:

47 2. Where and to the extent that an agreement between the state and an
 48 employee organization entered into pursuant to article fourteen of the
 49 civil service law or an interest arbitration award issued pursuant to
 50 subdivision four of section two hundred nine of the civil service law
 51 between the state and an employee organization so provides on behalf of
 52 employees in the collective negotiating unit designated as the security
 53 services unit established pursuant to article fourteen of the civil
 54 service law, and upon audit and warrant of the comptroller, the director
 55 shall provide for the payment of moneys to such employee organization

1 for the establishment and maintenance of an employee benefit fund estab-
2 lished by the employee organization for the employees in the negotiating
3 unit covered by the controlling provision of such agreement or award
4 providing for such employee benefit fund, such amount to be determined
5 consistent with said agreement or award on the basis of the number of
6 full-time annual salaried employees, as determined by the comptroller,
7 on the payroll on the last day of the payroll period in which March
8 first, two thousand [seven] NINE, falls for payments to be made on April
9 first, two thousand [seven] NINE, on the last day of the payroll period
10 in which March first, two thousand [eight] TEN falls for payments to be
11 made on April first, two thousand [eight] TEN, ON THE LAST DAY OF THE
12 PAYROLL PERIOD IN WHICH MARCH FIRST, TWO THOUSAND ELEVEN FALLS FOR
13 PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND ELEVEN, ON THE LAST DAY
14 OF THE PAYROLL PERIOD IN WHICH MARCH FIRST, TWO THOUSAND TWELVE FALLS
15 FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND TWELVE, ON THE LAST
16 DAY OF THE PAYROLL PERIOD IN WHICH MARCH FIRST, TWO THOUSAND THIRTEEN
17 FALLS FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND THIRTEEN, ON
18 THE LAST DAY OF THE PAYROLL PERIOD IN WHICH MARCH FIRST, TWO THOUSAND
19 FOURTEEN FALLS FOR PAYMENTS TO BE MADE ON APRIL FIRST, TWO THOUSAND
20 FOURTEEN AND, ON THE LAST DAY OF THE PAYROLL PERIOD IN WHICH MARCH
21 FIRST, TWO THOUSAND FIFTEEN FALLS FOR PAYMENTS TO BE MADE ON APRIL
22 FIRST, TWO THOUSAND FIFTEEN. The amount, which will be determined
23 pursuant to this section, for employees who are paid from special or
24 administrative funds, other than the general fund or the capital
25 projects fund of the state, will be paid from the appropriations as
26 provided by law, in which case the comptroller will establish procedures
27 to ensure repayment from said special or administrative funds. The
28 director may enter into an agreement with an employee organization which
29 sets forth the specific terms and conditions for the establishment and
30 administration of an employee benefit fund as a condition for the trans-
31 mittal of moneys pursuant to this section.

32 S 3. Compensation for members of the collective negotiating unit
33 designated as security services pursuant to an agreement between the
34 state of New York and the employee organization representing such indi-
35 viduals entered into pursuant to article 14 of the civil service law
36 (hereinafter "the agreement" or "an agreement").

37 1. The provisions of this section shall apply to annual salaried
38 members of the security services collective negotiating unit employed
39 within the state department of corrections and community supervision,
40 who are designated as peace officers pursuant to section 2.10 of the
41 criminal procedure law.

42 2. Effective April 1, 2009, the basic annual salary of those members
43 who are in annual salaried employment status on March 31, 2009 shall be
44 increased by 3 percent.

45 3. Effective April 1, 2010, the basic annual salary of those members
46 who are in annual salaried employment status on March 31, 2010 shall be
47 increased by 4 percent.

48 4. (a) Effective April 1, 2013, a lump sum payment of seven hundred
49 seventy-five dollars shall be made to each annual salaried member of the
50 security services collective negotiating unit employed within the state
51 department of corrections and community supervision, who is designated
52 as a peace officer pursuant to section 2.10 of the criminal procedure
53 law who was (i) active on the date of ratification of the agreement
54 between the state and the employee organization representing employees
55 in the security services unit and (ii) in continuous service, as defined
56 by paragraph (c) of subdivision 3 of section 130 of the civil service

1 law, from that date until April 1, 2013. Such lump sum shall be consid-
2 ered salary for final average salary retirement purposes but shall not
3 become part of basic annual salary. Notwithstanding the foregoing
4 provisions of this subdivision, officers and employees who would have
5 otherwise been eligible to receive such lump sum payment, but who were
6 not on the payroll on such date, shall be eligible for said payment if
7 they return to annual salaried employment status during the fiscal year
8 2013-2014 without a break in continuous service.

9 (b) Effective April 1, 2014, a lump sum payment of two hundred twen-
10 ty-five dollars shall be made to each annual salaried member of the
11 security services collective negotiating unit employed within the state
12 department of corrections and community supervision, who is designated
13 as a peace officer pursuant to section 2.10 of the criminal procedure
14 law who was (i) active on the date of ratification of the agreement
15 between the state and the employee organization representing employees
16 in the security services unit and (ii) in continuous service, as defined
17 by paragraph (c) of subdivision 3 of section 130 of the civil service
18 law, from that date until April 1, 2013. Such lump sum shall be consid-
19 ered salary for final average salary retirement purposes but shall not
20 become part of basic annual salary.

21 5. Effective April 1, 2014, the basic annual salary of those members
22 who are in annual salaried employment status on March 31, 2014, shall be
23 increased by two percent.

24 6. Effective April 1, 2015, the basic annual salary of those members
25 who are in annual salaried employment status on March 31, 2015, shall be
26 increased by two percent.

27 7. Advancement within a salary grade. Payments pursuant to the
28 provisions of subdivision 6 of section 131 of the civil service law for
29 all annual-salaried officers and employees in the security services unit
30 who are entitled to such payments shall be payable pursuant to the terms
31 of an agreement.

32 8. Effective April 1, 2009, pursuant to the terms of an agreement
33 covering those members of the security services collective negotiating
34 unit who are employed with the state department of corrections and
35 community supervision and who are designated as peace officers pursuant
36 to section 2.10 of the criminal procedure law, for such unit members who
37 are on the institutional or administrative payroll, the ten year,
38 fifteen year, twenty year and twenty-five year longevity step payment
39 for such unit members to whom the provisions of this section apply shall
40 be that amount prescribed by paragraph g of subdivision 1 of section 130
41 of the civil service law as added by section one of this act.

42 9. Notwithstanding any of the foregoing provisions of this section, if
43 the basic annual salary of such annual salaried unit members to whom the
44 provisions of this section apply is identical with the hiring rate,
45 performance advance step one, two, three, four, or five, the job rate,
46 the ten-year longevity step, the fifteen-year longevity step, the twen-
47 ty-year longevity step, or the twenty-five-year longevity step of the
48 salary grade of his or her position on the effective dates of the
49 increases provided by this section, respectively, for such unit members
50 to whom the provisions of this section apply on the institutional or
51 administrative payroll, such basic annual salary shall be increased to
52 the hiring rate, performance advance step one, two, three, four or five,
53 the job rate, the ten-year longevity step, the fifteen-year longevity
54 step, the twenty-year longevity step or the twenty-five-year longevity
55 step of such salary grade as contained in paragraph g of subdivision one
56 of section 130 of the civil service law, as added by section one of this

1 act, to take effect on the dates provided in paragraph g of subdivision
2 one of section 130 of the civil service law, as added by section one of
3 this act. The increases in basic annual salary provided by this subdivi-
4 sion shall be in lieu of any increase in basic annual salary provided
5 for in subdivisions two, three, five, six, seven, and eight of this
6 section.

7 10. If an unencumbered position is one which if encumbered, would be
8 subject to the provisions of this section, the salary of such position
9 shall be increased by the salary increase amounts specified in this
10 section. If a position is created, and is filled by the appointment of
11 such unit member to whom the provisions of this section apply, the sala-
12 ry otherwise provided for such position shall be increased in the same
13 manner as though such position had been in existence but unencumbered.
14 Notwithstanding the provisions of this section, the director of the
15 budget may reduce the salary of any such position, which is or becomes
16 vacant.

17 11. The increases in salary payable pursuant to this section shall
18 apply on a prorated basis to officers and employees, otherwise eligible
19 to receive an increase in salary pursuant to this section, who are paid
20 on an hourly or per diem basis, employees serving on a part-time or
21 seasonal basis and employees paid on any basis other than at an annual
22 salaried rate; except that the provisions of subdivisions four, seven,
23 eight, and nine of this section shall not apply to employees serving on
24 an hourly, per diem, or seasonal basis, except as determined by the
25 director of the budget.

26 12. Notwithstanding any other provision of this section, the
27 provisions of this section shall not apply to officers or employees paid
28 on a fee schedule basis.

29 13. In order to provide for the annual salaried officers and employees
30 to whom this section applies who are not allocated to salary grades,
31 performance advancements and payments in proportion to those provided to
32 persons to whom this section applies who are allocated to salary grades,
33 the director of the budget is authorized to add appropriate adjustments
34 to the compensation which such officers and employees are otherwise
35 entitled to receive. The director of the budget shall issue certificates
36 which shall contain schedules of positions and the salaries thereof for
37 which adjustments are made pursuant to the provisions of this subdivi-
38 sion, and a copy of each such certificate shall be filed with the state
39 comptroller, the department of civil service, the chairman of the senate
40 finance committee and the chairman of the assembly ways and means
41 committee.

42 14. Notwithstanding any of the foregoing provisions of this section,
43 any increase in compensation may be withheld in whole or in part from
44 any such unit members to whom the provisions of this section apply when,
45 in the opinion of the director of the budget and the director of employ-
46 ee relations, such increase is not warranted or is not appropriate for
47 any reason.

48 S 4. Additional compensation for annual salaried members of the secu-
49 rity services collective negotiating unit who are employed within the
50 state department of corrections and community supervision and who are
51 designated as peace officers, pursuant to section 2.10 of the criminal
52 procedure law, in recognition of pre-shift briefing.

53 1. In recognition of the general requirement for these unit members to
54 assemble for briefing prior to the commencement of duties, where and to
55 the extent a determination made by the public arbitration panel so
56 provides on behalf of such unit members to whom the provisions of this

1 subdivision apply on behalf of each such employee except such employee
 2 receiving additional compensation pursuant to subdivision 5 of section
 3 134 of the civil service law, such members shall continue to receive
 4 additional compensation in recognition of pre-shift briefing.

5 2. Each such unit member to whom the provisions of this subdivision
 6 apply, shall continue to receive a minimum of eight dollars for each day
 7 while in payroll status when such pre-shift briefing time is not other-
 8 wise compensated at a greater amount at the one and one-half times the
 9 hourly rate of pay provided for by subdivision 1 of section 134 of the
 10 civil service law and the rules and regulations of the director of the
 11 budget. Each such unit member to whom the provisions of this subdivision
 12 apply, subject to the provisions of this subdivision, shall continue to
 13 receive a minimum of forty dollars per week in addition to base pay. No
 14 payments authorized pursuant to this subdivision shall be made to an
 15 employee who is in non-pay status for that day.

16 3. Any such additional compensation pursuant to this subdivision,
 17 shall be paid in addition to and shall not be a part of such employee's
 18 basic annual salary and shall not be included as compensation for the
 19 purposes of computation of overtime pay, provided, however, that such
 20 additional compensation shall be included for retirement purposes.
 21 Notwithstanding the foregoing provisions of this subdivision or of any
 22 other law, such additional compensation as added by this subdivision
 23 shall be in lieu of the continuation of any other additional compen-
 24 sation for such unit members in recognition of pre-shift briefing.

25 S 5. Locational compensation for certain members of the security
 26 services collective negotiating units. 1. Pursuant to the terms of an
 27 agreement covering certain members of the security services unit who are
 28 eligible for interest arbitration, and notwithstanding any inconsistent
 29 provision of law, rule or regulation to the contrary, all members of
 30 this unit who are employed by the state department of corrections and
 31 community supervision as peace officers pursuant to section 2.10 of the
 32 criminal procedure law, and are annual salaried employees and whose
 33 principal place of employment, or, in the case of a field employee,
 34 whose official station as determined in accordance with the regulations
 35 of the state comptroller, is located in the city of New York, or in the
 36 county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau, or
 37 Suffolk, shall receive locational compensation according to the follow-
 38 ing schedule:

	Orange/Putnam/Dutchess	NYC/Rock/Nassau/Suffolk/West
39 April 1, 2009	\$1,231	\$3,306
40 April 1, 2010	\$1,280	\$3,438
41 April 1, 2011	\$1,280	\$3,438
42 April 1, 2012	\$1,280	\$3,438
43 April 1, 2013	\$1,280	\$3,438
44 April 1, 2014	\$1,280	\$3,438
45 April 1, 2015	\$1,280	\$3,438

46
 47 2. The locational compensation as set out in all subdivisions of this
 48 section shall be in addition to and shall not be a part of an employee's
 49 basic annual salary, and shall not affect or impair any performance
 50 advance or other rights or benefits to which an employee may be entitled
 51 by law, provided, however, that locational compensation shall be
 52 included as compensation for the purposes of computation of overtime pay
 53 and for retirement purposes. This payment will be equally divided over
 54 the 26 payroll periods in each fiscal year.

55 S 6. Inconvenience pay. Pursuant to the terms of an agreement covering
 56 certain members of the security services unit who are eligible for

1 interest arbitration and who are employed by the state department of
2 corrections and community supervision and are designated as peace offi-
3 cers pursuant to section 2.10 of the criminal procedure law, effective
4 April 1, 2009, the inconvenience pay paid to annual salaried unit
5 members to whom the provisions of this section apply who work the even-
6 ing shift as defined by the individual facilities within the department
7 of corrections and community supervision, shall increase by three
8 percent to one thousand eight hundred fifty-four dollars per year to be
9 paid in equal bi-weekly installments for work on such shift. Effective
10 April 1, 2010, this amount shall be increased by four percent to one
11 thousand nine hundred twenty-eight dollars. Effective April 1, 2014,
12 this amount shall be increased by two percent to one thousand nine
13 hundred sixty-seven dollars. Effective April 1, 2015, this amount shall
14 be increased by two percent to two thousand six dollars.

15 Effective April 1, 2009, the inconvenience pay paid to annual salaried
16 unit members to whom the provisions of this section apply who work the
17 night shift as defined by the individual facilities within the depart-
18 ment of corrections and community supervision shall be increased by
19 three percent to nine hundred twenty-seven dollars per year to be paid
20 in equal bi-weekly installments for work on such shift. Effective April
21 1, 2010, this amount shall be increased by four percent to nine hundred
22 sixty-four dollars. Effective April 1, 2014, this amount shall be
23 increased by two percent to nine hundred eighty-three dollars. Effec-
24 tive April 1, 2015, this amount shall be increased by two percent to one
25 thousand three dollars. Such unit members to whom the provisions of this
26 section apply who are on paid leave for line of duty injuries shall
27 continue to receive inconvenience payments as provided above. Any such
28 additional compensation pursuant to this section shall be included as
29 compensation for retirement purposes.

30 S 7. Expanded duty pay. Pursuant to the terms of an agreement covering
31 members of the security services collective negotiating unit who are
32 employed within the state department of corrections and community super-
33 vision and who are designated as peace officers pursuant to section 2.10
34 of the criminal procedure law and notwithstanding any other provision of
35 law, effective March 31, 2011, such annual salaried unit members to whom
36 the provisions of this section apply shall be paid an expanded duty pay
37 in the amount of two thousand six hundred dollars per year. Payment for
38 such compensation shall be equally divided over the 26 payroll periods
39 of a fiscal year. Such compensation pursuant to this section shall be
40 included as compensation for overtime and retirement purposes.

41 S 8. During the period April 1, 2012 through March 31, 2016, there
42 shall be a statewide joint labor-management committee continued and
43 administered pursuant to the terms of the agreement negotiated between
44 the state and the employee organization representing employees in the
45 collective negotiating unit designated as the security services unit
46 established pursuant to article 14 of the civil service law which shall,
47 after March 31, 2012, with the amounts available therefor, study and
48 make recommendations concerning major issues of, health benefits,
49 employee assistance, performance evaluation, education and training,
50 quality of work life and provide for the implementation of the terms of
51 agreements of such committee.

52 S 9. Notwithstanding any provision of law to the contrary, the appro-
53 priations contained in this act shall be available to the state for the
54 payment and publication of grievance and arbitration settlements and
55 awards pursuant to articles 7 and 8 of the collective negotiating agree-
56 ment between the state and the employee organization representing the

1 collective negotiating unit designated as the security services unit
2 established pursuant to article 14 of the civil service law.

3 S 10. Notwithstanding any provision of law, rule or regulation to the
4 contrary, and where and to the extent an agreement negotiated between
5 the state and the employee organization representing employees in the
6 security services unit established pursuant to article 14 of the civil
7 service law so provides, the salaries of newly hired employees on or
8 after September 1, 1992 into state service in positions within negotiat-
9 ing units shall not be subject to the provisions of subdivision 2-a of
10 section 200 of the state finance law.

11 S 11. The salary increases, benefit modifications, and any other
12 modifications to terms and conditions of employment provided for by this
13 act for state employees in the collective negotiating unit designated as
14 the security services unit established pursuant to article 14 of the
15 civil service law shall not be implemented until the director of employ-
16 ee relations shall have delivered to the director of the budget and the
17 comptroller a letter certifying that there is in effect with respect to
18 such negotiating units collectively negotiated agreements, ratified by
19 the membership, which provide for such increases and modifications.

20 S 12. Date of entitlement to salary increase. Notwithstanding the
21 provisions of this act or of any other provision of law to the contrary,
22 the increase of salary or compensation of any members of the security
23 services collective negotiating unit established pursuant to article 14
24 of the civil service law who are annual salaried employees and who are
25 employed by the state department of corrections and community super-
26 vision and are peace officers pursuant to section 2.10 of the criminal
27 procedure law, provided by this act shall be added to the salary of such
28 member at the beginning of that payroll period the first day of which is
29 nearest to the effective date of such increase as provided in this act,
30 or at the beginning of the earlier of two payroll periods the first days
31 of which are nearest but equally near to the effective date of such
32 increase as provided in this act; provided, however, that for the
33 purposes of determining the salary of such unit members upon reclassi-
34 fication, reallocation, appointment, promotion, transfer, demotion,
35 reinstatement, or other change of status, such salary increase shall be
36 deemed to be effective on the date thereof as prescribed by this act,
37 with payment thereof pursuant to this section on a date prior thereto,
38 instead of on such effective date, and shall not operate to confer any
39 additional salary rights or benefits on such unit members. Payment of
40 such salary increase may be deferred pursuant to section thirteen of
41 this act.

42 S 13. Deferred payment of salary increase. Notwithstanding the
43 provisions of any other section of this act, or of any other law to the
44 contrary, pending payment pursuant to this act of the basic annual sala-
45 ries and other compensation to incumbents of positions subject to this
46 act, such incumbents shall receive, as partial compensation for services
47 rendered, the rate of compensation otherwise payable in their respective
48 positions. An incumbent holding a position subject to this act at any
49 time during the period from April 1, 2009, until the time when basic
50 annual salaries and other compensation are first paid pursuant to this
51 act for such services in excess of the compensation actually received
52 therefor, shall be entitled to a lump sum payment for the difference
53 between the salary to which such incumbent is entitled for such services
54 and the compensation actually received therefor in accordance with the
55 terms of the agreement between the employee organization representing
56 such members and the state. The amounts paid under this act shall count

1 as compensation earned during the year or years for which it is calcu-
 2 lated and not as compensation earned wholly in the year in which it is
 3 paid. Notwithstanding any provision of law, rule or regulation to the
 4 contrary, no member of the security services unit to whom the provisions
 5 of this act apply shall be entitled to, or owed, any interest or other
 6 penalty for any reason on any monies due to such member pursuant to the
 7 terms of this act and the terms of the agreement covering employees in
 8 the security services unit.

9 S 14. Use of appropriations. Notwithstanding any provision of the
 10 state finance law or any other provision of law to the contrary, the
 11 state comptroller is authorized to pay any amounts required by the fore-
 12 going provisions of this act. To the extent that existing appropriations
 13 available to any state department or agency in any fund are insufficient
 14 to accomplish the purposes set forth in this section, the director of
 15 the budget is authorized to allocate to the various departments and
 16 agencies, from any appropriations available in any fund, the amounts
 17 necessary to make such payments. Any appropriations or other funds
 18 available to any state department or agency for personal service or for
 19 other related employee benefits during the fiscal year commencing April
 20 1, 2012 shall be available for the payment of any liabilities or obli-
 21 gations incurred pursuant to the foregoing provisions of this act,
 22 whether they occurred prior to or during the state fiscal year commenc-
 23 ing April 1, 2012.

24 S 15. Appropriations. Notwithstanding any provision of the state
 25 finance law or any other provision of law to the contrary, the several
 26 amounts as hereinafter set forth in this section, or so much thereof as
 27 may be necessary, are hereby appropriated from the fund so designated
 28 for use by any state department or agency for the fiscal year beginning
 29 April 1, 2012 to supplement appropriations from each respective fund
 30 available for personal service, other than personal service and fringe
 31 benefits, and to carry out the provisions of this act. Moreover, the
 32 amounts appropriated as non-personal service may be suballocated to any
 33 state department or agency as needed. The monies hereby appropriated are
 34 available for payment of any liabilities or obligations incurred prior
 35 to April 1, 2012 in addition to liabilities or obligations associated
 36 with the state fiscal year commencing April 1, 2012. For this purpose,
 37 these appropriations shall remain in full force and effect for the
 38 payment of liabilities incurred on or before April 1, 2012. No money
 39 shall be available for expenditure from this appropriation until a
 40 certificate of approval has been issued by the director of the budget
 41 and a copy of such certificate or any amendment thereto has been filed
 42 with the state comptroller, the chairperson of the senate finance
 43 committee and the chairperson of the assembly ways and means committee.

44 ALL STATE DEPARTMENTS AND AGENCIES

45 General Fund / State Operations
 46 State Purposes Account 003

47 PERSONAL SERVICE

48 Personal service - regular 313,697,000

49 NONPERSONAL SERVICE

50 Fringe benefits 23,008,000
 51 Labor Management Committees 279,000

1	Employee assistance program	200,000
2	Joint committee on health benefits	165,000
3	Contract administration	200,000
4	Employee Benefit Fund	779,000
5	Employee Training and Development	159,000
6	Organizational alcoholism program	156,000
7	Labor Management Training	100,000
8	Family Benefits	431,000
9	Legal Defense Fund	150,000

10 Special Revenue Federal
 11 Federal Operating Grants Fund

12 PERSONAL SERVICE
 13 Personal service - regular 64,000

14 NONPERSONAL SERVICE
 15 Fringe benefits 33,000

16 S 16. This act shall take effect immediately and shall be deemed to
 17 have been in full force and effect on and after April 1, 2009.

REPEAL NOTE.--Paragraph g of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided salary schedules for certain state employees who are members of the collective negotiating unit designated as security services who are employed by the state department of corrections and community supervision and are designated as peace officers pursuant to section 2.10 of the criminal procedure law. They are replaced by revised salary schedules in a new paragraph g of subdivision 1 of section 130 of the civil service law.