

STATE OF NEW YORK

3754

2023-2024 Regular Sessions

IN ASSEMBLY

February 7, 2023

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to authorizing geographic pay differentials for certain police officers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 134 of the civil service law is amended by adding a
2 new subdivision 8 to read as follows:

3 8. Notwithstanding any other provision of law to the contrary, when-
4 ever the commissioner of parks, recreation and historic preservation,
5 commissioner of environmental conservation or chancellor of the state
6 university of New York finds that under community wage practices of
7 police officers in public employment in one or more areas or locations
8 in the state, wage rates of police officers in a given location are
9 substantially higher than the wage rates paid by the state, he or she
10 may, subject to the approval of the director of the budget, authorize a
11 pay differential to be added as an adjustment to the established salary
12 rates for the same or related occupations in the regional state park
13 police, forest ranger, environmental conservation officer, and universi-
14 ty police officer titles where such individuals are required to work in
15 such areas or locations which are under each respective commissioner and
16 chancellor. A pay differential under this subdivision shall be a
17 percentage or a fixed dollar amount as prescribed in each case by the
18 respective commissioner or chancellor subject to the approval of the
19 director of the budget. Such differentials shall be in addition to and
20 shall not be part of such officer's basic annual salary, and shall not
21 affect or impair any performance advancement payments, performance
22 awards, longevity payments, or other rights or benefits to which such
23 officer may be entitled under the provisions of this chapter, provided,
24 however, that any differential payable pursuant to this subdivision
25 shall be included as compensation for overtime and retirement purposes.

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

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1 A pay differential shall be terminated for any officer when he or she
2 ceases to be employed in the position, or area, or location for which
3 such pay differential was authorized. A pay differential shall remain in
4 effect until terminated by the commissioner or chancellor, with the
5 consent of the director of the budget, or until a new pay differential
6 is authorized pursuant to this subdivision. The director of the budget
7 may adopt such regulations as he or she may deem necessary to carry out
8 the provisions of this subdivision.

9 § 2. This act shall take effect immediately.