

11497

I N A S S E M B L Y

June 17, 2010

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, in relation to compensation, benefits and other terms of conditions of employment of certain state officers and employees who are members of the security services collective negotiating unit and who are not eligible for binding interest arbitration pursuant to subdivision 4 of section 209 of the civil service law; to authorize funding of joint labor-management committees; to implement an agreement between the state and the employee organization representing certain members of the security services collective negotiating unit; to repeal certain provisions of the civil service law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof

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

1 Section 1. Paragraph f of subdivision 1 of section 130 of the civil
2 service law is REPEALED and a new paragraph f is added to read as
3 follows:
4 F. EFFECTIVE ON THE DATES INDICATED, SALARY GRADES FOR THE POSITIONS
5 IN THE COMPETITIVE, NON-COMPETITIVE AND LABOR CLASSES OF THE CLASSIFIED
6 SERVICE OF THE STATE OF NEW YORK IN THE COLLECTIVE NEGOTIATING UNIT
7 DESIGNATED AS SECURITY SERVICES COLLECTIVE NEGOTIATING UNIT ESTABLISHED
8 PURSUANT TO ARTICLE FOURTEEN OF THIS CHAPTER WHO ARE NOT ELIGIBLE FOR
9 BINDING INTEREST ARBITRATION PURSUANT TO SUBDIVISION FOUR OF SECTION TWO
10 HUNDRED NINE OF THIS CHAPTER, SHALL BE AS FOLLOWS:

11 (1) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVEN:

12 NYSCOPBA-SSU SALARY SCHEDULE
13 NON-ARBITRATION ELIGIBLE ONLY
14 EFFECTIVE MARCH 29, 2007 (INSTITUTIONAL) AND
15 EFFECTIVE APRIL 5, 2007 (ADMINISTRATIVE)

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

LBD12276-03-0

			PERF.	PERF.	PERF.	PERF.	PERF.		
			AD-	AD-	AD-	AD-	AD-		
		HIR-	VANCE	VANCE	VANCE	VANCE	VANCE		
		ING	STEP	STEP	STEP	STEP	STEP	JOB	PERF.
	SG	RATE	1	2	3	4	5	RATE	ADV.
6	1	20176	21031	21886	22741	23596	24451	25306	855
7	2	20919	21820	22721	23622	24523	25424	26325	901
8	3	21960	22900	23840	24780	25720	26660	27600	940
9	4	22957	23947	24937	25927	26917	27907	28897	990
10	5	24055	25095	26135	27175	28215	29255	30295	1040
11	6	25326	26422	27518	28614	29710	30806	31902	1096
12	7	26773	27913	29053	30193	31333	32473	33613	1140
13	8	28294	29477	30660	31843	33026	34209	35392	1183
14	9	29886	31122	32358	33594	34830	36066	37302	1236
15	10	31596	32895	34194	35493	36792	38091	39390	1299
16	11	33477	34828	36179	37530	38881	40232	41583	1351
17	12	35352	36763	38174	39585	40996	42407	43818	1411
18	13	37476	38949	40422	41895	43368	44841	46314	1473
19	14	39643	41188	42733	44278	45823	47368	48913	1545
20	15	41936	43543	45150	46757	48364	49971	51578	1607
21	16	44315	45995	47675	49355	51035	52715	54395	1680
22	17	46817	48586	50355	52124	53893	55662	57431	1769
23	18	49490	51347	53204	55061	56918	58775	60632	1857
24	19	52201	54140	56079	58018	59957	61896	63835	1939
25	20	54891	56917	58943	60969	62995	65021	67047	2026
26	21	57855	59968	62081	64194	66307	68420	70533	2113
27	22	60955	63193	65431	67669	69907	72145	74383	2238
28	23	64264	66566	68868	71170	73472	75774	78076	2302
29	24	67750	70139	72528	74917	77306	79695	82084	2389
30	25	71540	74030	76520	79010	81500	83990	86480	2490

				LONG
				MAX.
		10 YR.	15 YR.	20 YR.
		LONG	LONG	LONG
	SG	STEP	STEP	STEP
36	1	26851	28210	30664
37	2	27959	29396	31918
38	3	29304	30804	33378
39	4	30810	32264	34909
40	5	32180	33837	36552
41	6	33887	35637	38428
42	7	35677	37494	40345
43	8	37537	39425	42337
44	9	39544	41517	44506
45	10	41738	43807	46875
46	11	44029	46182	49326
47	12	46378	48630	51859
48	13	48980	51326	54637
49	14	51706	54165	57572
50	15	54487	57047	60545
51	16	57436	60112	63707
52	17	60632	63447	67166
53	18	63996	66958	70803
54	19	67347	70438	74394
55	20	70722	73955	78037

1	21	74364	77735	81933	85304
2	22	78434	81997	86366	89929
3	23	82249	85923	90382	94056
4	24	86409	90216	94795	98602
5	25	90991	94961	99678	103648

6 (2) EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHT:

7 NYSOPBA-SSU SALARY SCHEDULE
 8 NON-ARBITRATION ELIGIBLE ONLY
 9 EFFECTIVE MARCH 27, 2008 (INSTITUTIONAL) AND
 10 EFFECTIVE APRIL 3, 2008 (ADMINISTRATIVE)

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	JOB	PERF.
15	SG	RATE	1	2	3	4	5	RATE	ADV.
16	1	20781	21662	22543	23424	24305	25186	26067	881
17	2	21547	22475	23403	24331	25259	26187	27115	928
18	3	22619	23587	24555	25523	26491	27459	28427	968
19	4	23646	24666	25686	26706	27726	28746	29766	1020
20	5	24777	25848	26919	27990	29061	30132	31203	1071
21	6	26086	27215	28344	29473	30602	31731	32860	1129
22	7	27576	28750	29924	31098	32272	33446	34620	1174
23	8	29143	30362	31581	32800	34019	35238	36457	1219
24	9	30783	32056	33329	34602	35875	37148	38421	1273
25	10	32544	33882	35220	36558	37896	39234	40572	1338
26	11	34481	35873	37265	38657	40049	41441	42833	1392
27	12	36413	37866	39319	40772	42225	43678	45131	1453
28	13	38600	40117	41634	43151	44668	46185	47702	1517
29	14	40832	42423	44014	45605	47196	48787	50378	1591
30	15	43194	44849	46504	48159	49814	51469	53124	1655
31	16	45644	47375	49106	50837	52568	54299	56030	1731
32	17	48222	50044	51866	53688	55510	57332	59154	1822
33	18	50975	52888	54801	56714	58627	60540	62453	1913
34	19	53767	55764	57761	59758	61755	63752	65749	1997
35	20	56538	58625	60712	62799	64886	66973	69060	2087
36	21	59591	61767	63943	66119	68295	70471	72647	2176
37	22	62784	65089	67394	69699	72004	74309	76614	2305
38	23	66192	68563	70934	73305	75676	78047	80418	2371
39	24	69783	72244	74705	77166	79627	82088	84549	2461
40	25	73686	76251	78816	81381	83946	86511	89076	2565

41			LONG	
42			MAX.	
43		10 YR.	15 YR.	20 YR.
44		LONG	LONG	LONG
45	SG	STEP	STEP	STEP
46	1	27658	29058	31586
47	2	28798	30278	32876
48	3	30182	31727	34378
49	4	31736	33234	35958
50	5	33145	34851	37648
51	6	34905	36707	39582
52	7	36746	38617	41554

1	8	38666	40611	43610	45555
2	9	40730	42762	45841	47872
3	10	42990	45122	48282	50412
4	11	45352	47570	50808	53025
5	12	47768	50087	53413	55734
6	13	50448	52864	56275	58692
7	14	53255	55788	59297	61830
8	15	56120	58757	62360	64998
9	16	59162	61919	65621	68378
10	17	62451	65350	69181	72081
11	18	65918	68969	72929	75981
12	19	69366	72550	76625	79809
13	20	72845	76175	80380	83710
14	21	76593	80065	84389	87861
15	22	80787	84456	88956	92626
16	23	84716	88500	93093	96877
17	24	89004	92925	97641	101563
18	25	93722	97811	102670	106759

19 S 2. Compensation for certain members of the collective negotiating
20 unit designated as the security services collective negotiating unit
21 pursuant to an agreement between the state of New York and the employee
22 organization representing such individuals.

23 1. The provisions of this section shall apply to full-time annual
24 salaried officers and employees in the collective negotiating unit
25 designated as security services collective negotiating unit established
26 pursuant to article 14 of the civil service law (hereinafter "security
27 services unit") who are not eligible for binding interest arbitration
28 pursuant to subdivision 4 of section 209 of the civil service law (here-
29 inafter "employees who are ineligible for interest arbitration").

30 2. Effective April 1, 2007, the basic annual salary of members of the
31 security services unit who are ineligible for interest arbitration and
32 who are in full-time annual salaried employment status on March 31,
33 2007, shall be increased by three percent.

34 3. Effective April 1, 2008, the basic annual salary of members of the
35 security services unit who are ineligible for interest arbitration and
36 who are in full-time annual salaried employment status on March 31,
37 2008, shall be increased by three percent.

38 4. Advancement within a salary grade. Payments pursuant to the
39 provisions of subdivision 6 of section 131 of the civil service law for
40 members of the security services unit who are entitled to such payments
41 and who are ineligible for interest arbitration shall be payable pursu-
42 ant to the terms of an agreement between the state of New York and an
43 employee organization representing employees subject to the provisions
44 of this section entered into pursuant to article 14 of the civil service
45 law (hereinafter "the agreement").

46 5. Effective April 1, 2007, pursuant to the terms of the agreement
47 covering members of the security services unit who are ineligible for
48 interest arbitration, for such unit members who are on the institutional
49 or administrative payroll, the ten-year, the fifteen-year, the twenty-
50 year and the twenty-five year longevity step payment for such unit
51 members to whom the provisions of this section apply shall be that
52 amount prescribed by paragraph f of subdivision 1 of section 130 of the
53 civil service law as added by section one of this act.

54 6. Notwithstanding any of the foregoing provisions of this section, if
55 the basic annual salary of such unit members to whom the provisions of

1 this section apply is identical with the hiring rate, performance
2 advance step one, two, three, four or five, the job rate, the ten-year
3 longevity step, the fifteen-year longevity step, the twenty-year longev-
4 ity step or the twenty-five year longevity step of the salary grade of
5 his or her position on March 31, 2007, or March 31, 2008, respectively,
6 for such unit members to whom the provisions of this section apply on
7 the institutional or administrative payroll, such basic annual salary
8 shall be increased to the hiring rate, performance advance step one,
9 two, three, four or five, the job rate, the ten-year longevity step, the
10 fifteen-year longevity step, the twenty-year longevity step or the twen-
11 ty-five year longevity step of such salary grade as contained in subpar-
12 agraphs 1 and 2 of paragraph f of subdivision 1 of section 130 of the
13 civil service law, as added by section one of this act, to take effect
14 on April 1, 2007, or April 1, 2008, respectively, for such unit members
15 to whom the provisions of this section apply on the institutional or
16 administrative payroll. The increases in basic annual salary provided by
17 this subdivision shall be in lieu of any increase in basic annual salary
18 provided for in subdivisions two and three of this section.

19 7. If an unencumbered position is one, which if encumbered, would be
20 subject to the provisions of this section, the salary of such position
21 shall be increased by the salary increase amounts specified in this
22 section. If a position is created, and is filled by the appointment of
23 such unit members to whom the provisions of this section apply, the
24 salary otherwise provided for such position shall be increased in the
25 same manner as though such position had been in existence but unencum-
26 bered. Notwithstanding the provisions of this section, the director of
27 the division of the budget may reduce the salary of any such position,
28 which is or becomes vacant.

29 8. The increases in salary payable pursuant to this section shall
30 apply on a prorated basis to officers and employees, otherwise eligible
31 to receive an increase in salary pursuant to this section, who are paid
32 on an hourly or per diem basis, who are employees serving on a part-time
33 or seasonal basis and who are employees paid on any basis other than at
34 an annual salaried rate; except that the provisions of subdivision four
35 of this section shall not apply to employees serving on a seasonal
36 basis, except as determined by the director of the budget.

37 9. Notwithstanding any other provision of this section, the provisions
38 of this section shall not apply to officers or employees paid on a fee
39 schedule basis.

40 10. In order to provide for the officers and employees to whom this
41 section applies who are not allocated to salary grades, performance
42 advancements and payments in proportion to those provided to persons to
43 whom this section applies who are allocated to salary grades, the direc-
44 tor of the budget is authorized to add appropriate adjustments to the
45 compensation which such officers and employees are otherwise entitled to
46 receive. The director of the budget shall issue certificates which shall
47 contain schedules of positions and the salaries thereof for which
48 adjustments are made pursuant to the provisions of this subdivision, and
49 a copy of each such certificate shall be filed with the state comp-
50 troller, the department of civil service, the chairman of the senate
51 finance committee and the chairman of the assembly ways and means
52 committee.

53 11. Notwithstanding any of the foregoing provisions of this section,
54 any increase in compensation may be withheld in whole or in part from
55 any such unit members to whom the provisions of this section apply when,
56 in the opinion of the director of the division of the budget and the

1 director of employee relations, such increase is not warranted or is not
2 appropriate.

3 S 3. Additional compensation for certain members of the security
4 services unit.

5 1. Members of the security services unit who are in full-time annual
6 salaried employment status and who are ineligible for interest arbi-
7 tration.

8 (a) In recognition of the general requirement for full-time employees
9 of the state in the security services unit to assemble for briefing
10 prior to the commencement of duties, where and to the extent an agree-
11 ment so provides, each such employee except such an employee receiving
12 additional compensation pursuant to subdivision 5 of section 134 of the
13 civil service law, shall receive additional compensation in recognition
14 of pre-shift briefing.

15 (b) Each such employee holding such a position in the security
16 services unit shall be compensated for pre-shift briefing in accordance
17 with the terms of the agreement covering certain members of the security
18 services unit. No payments authorized pursuant to this subdivision and
19 such negotiated agreement shall be made to an employee who is in non-pay
20 status for that day.

21 (c) Any such additional compensation pursuant to this subdivision
22 shall be paid in addition to and shall not be a part of the employee's
23 basic annual salary and shall not be included as compensation for the
24 purposes of computation of overtime pay, provided, however, that such
25 additional compensation shall be included for retirement purposes.
26 Notwithstanding the foregoing provisions of this subdivision or of any
27 other law, such additional compensation shall be in lieu of the contin-
28 uation of any other additional compensation for such employees in recog-
29 nition of pre-shift briefing.

30 2. Members of the security services unit who are employed within the
31 state department of correctional services and who are designated as
32 peace officers pursuant to section 2.10 of the criminal procedure law.

33 (a) In recognition of the general requirement for these unit members
34 to assemble for briefing prior to the commencement of duties, where and
35 to the extent a determination made by the public arbitration panel so
36 provides on behalf of such unit members to whom the provisions of this
37 subdivision apply on behalf of each such employee except such employee
38 receiving additional compensation pursuant to subdivision 5 of section
39 134 of the civil service law, such members shall continue to receive
40 additional compensation in recognition of pre-shift briefing.

41 (b) Each such unit member to whom the provisions of this subdivision
42 apply, shall receive a minimum of four dollars eighty cents for each day
43 while in payroll status when such pre-shift briefing time is not other-
44 wise compensated at a greater amount at the one and one-half times the
45 hourly rate of pay provided for by subdivision 1 of section 134 of the
46 civil service law and the rules and regulations of the director of the
47 budget. Effective April 1, 2010, this amount shall be increased to eight
48 dollars for each day while in payroll status. Each such unit member to
49 whom the provisions of this subdivision apply, subject to the provisions
50 of this subdivision, shall be guaranteed a minimum of twenty-four
51 dollars per week in addition to base pay. Effective April 1, 2010, this
52 amount shall be increased to a minimum of forty dollars per week in
53 addition to base pay. No payments authorized pursuant to this subdivi-
54 sion, shall be made to an employee who is in non-pay status for that
55 day.

(c) Any such additional compensation pursuant to this subdivision, shall be paid in addition to and shall not be a part of such employee's basic annual salary and shall not be included as compensation for the purposes of computation of overtime pay, provided, however, that such additional compensation shall be included for retirement purposes. Notwithstanding the foregoing provisions of this subdivision or of any other law, such additional compensation as added by this subdivision shall be in lieu of the continuation of any other additional compensation for such unit members in recognition of pre-shift briefing.

S 4. Notwithstanding any law, rule or regulation to the contrary, any employees of the state in the security services unit who are eligible for additional compensation pursuant to subdivision 5 of section 134 of the civil service law shall be deemed ineligible for such additional compensation to the extent, in the manner and under the circumstances provided for in a negotiated agreement on behalf of such employees.

S 5. Uniform cleaning and maintenance and purchase of uniform shoes. In recognition of the general requirement for employees of the state in the security services unit to wear a uniform and to the extent that an agreement so provides, each employee who is ineligible for interest arbitration and on the payroll on the first day of November preceding the annual effective date shall receive an increase in allowance for cleaning and maintenance by three percent to the rate of six hundred forty-two dollars per year effective December 1, 2007. This amount shall increase by three percent to six hundred sixty-one dollars per year effective December 1, 2008. Such allowance shall be payable by separate check on or about December 1 of each year. Retroactive payments shall be payable as soon as practicable for the retroactive provisions of this section. Any amounts due to eligible members of this unit shall be offset by payments already received as uniform allowance in each year and the remainder shall be calculated as part of a retroactive payment.

S 6. Location compensation for certain state officers and employees in the collective negotiating unit designated as security services.

1. Pursuant to the terms of an agreement covering certain members of the security services unit who are ineligible for interest arbitration, and notwithstanding any inconsistent provision of law, rule or regulation to the contrary, all members of the security services unit who are ineligible for interest arbitration, and are full-time annual salaried employees and whose principal place of employment or, in the case of a field employee, whose official station as determined in accordance with the regulations of the state comptroller, is in the city of New York or in the county of Nassau, Suffolk, Westchester or Rockland, shall receive, effective April 1, 2007 an increase in locational compensation in the amount of three percent to one thousand five hundred dollars per year, for employees in full-time annual salaried employment status on March 31, 2007, and such eligible employees shall receive, effective April 1, 2008 an increase in locational compensation in the amount of three percent to one thousand five hundred forty-five dollars per year, for employees in full-time annual salaried employment status on March 31, 2008.

2. Pursuant to the terms of an agreement covering certain members of the security services unit who are ineligible for interest arbitration, and notwithstanding any inconsistent provision of law, rule or regulation to the contrary, effective April 1, 2007, all such members of the security services unit who are full-time annual salaried employees and whose principal place of employment or, in the case of a field employee, whose official station as determined in accordance with the regulations

1 of the comptroller is located in the county of Monroe and who were
2 eligible to receive locational pay on May 23, 1985 shall receive loca-
3 tional pay at the rate of two hundred three dollars per year provided
4 they continue to be otherwise eligible.

5 3. Pursuant to the terms of an agreement covering certain members of
6 the security services unit who are ineligible for interest arbitration,
7 and notwithstanding any inconsistent provision of law, rule or regu-
8 lation to the contrary, all such members of the security services unit
9 who are full-time annual salaried employees and whose principal place of
10 employment or, in the case of a field employee, whose official station
11 as determined in accordance with the regulations of the state comp-
12 troller, is in the county of Orange, Putnam or Dutchess shall receive an
13 increase in locational compensation by three percent to the amount of
14 eight hundred dollars per year effective April 1, 2007, for employees in
15 full-time annual salaried employment status on March 31, 2007, and an
16 increase of three percent to eight hundred twenty-four dollars per year
17 effective April 1, 2008, for employees in full-time annual salaried
18 employment status on March 31, 2008.

19 4. The locational compensation as set out in all subdivisions of this
20 section shall be equally divided over the 26 payroll periods in each
21 fiscal year and be in addition to and shall not be a part of an employ-
22 ee's basic annual salary, and shall not affect or impair any performance
23 advance or other rights or benefits to which an employee may be entitled
24 by law, provided, however, that locational pay shall be included as
25 compensation for the purposes of computation of overtime pay and for
26 retirement purposes. Retroactive payments shall be payable as soon as
27 practicable for the retroactive provisions of this section. Any amounts
28 due to eligible members of this unit shall be offset by payments already
29 received as locational compensation in each year, if any, and the
30 remainder shall be calculated as part of a retroactive payment.

31 S 7. Continuation of locational compensation for certain officers and
32 employees of the Hudson Valley developmental disabilities services
33 office.

34 1. Notwithstanding any law, rule or regulation to the contrary, any
35 officer or employee of the Hudson Valley developmental disabilities
36 services office represented in the security services unit, who is
37 receiving locational pay pursuant to section 5 of chapter 174 of the
38 laws of 1993 shall continue to receive such locational pay under the
39 conditions and at the rates specified by such section 5 of chapter 174
40 of the laws of 1993.

41 2. Notwithstanding any law, rule or regulation to the contrary, any
42 officer or employee of the Hudson Valley developmental disabilities
43 services office represented in the security services unit who is receiv-
44 ing locational pay pursuant to subdivision 2 of section 11 of chapter 3
45 of the laws of 1996 shall continue to receive such locational pay under
46 the conditions and at the rates specified by such subdivision 2 of
47 section 11 of chapter 3 of the laws of 1996.

48 3. Notwithstanding this section or any other law, rule or regulation
49 to the contrary, any officer or employee of the Hudson Valley develop-
50 mental disabilities services office represented in the security services
51 unit who is receiving locational pay pursuant to said section seven of
52 this act shall continue to be eligible for such locational pay if such
53 officer's or employee's principal place of employment is changed to a
54 location outside of the county of Rockland as the result of a reduction
55 or redeployment of staff, provided, however, that such officer or
56 employee is reassigned to or otherwise appointed or promoted to a

different position at another work location within such Hudson Valley developmental disabilities services office located outside of the county of Rockland. The rate of such continued locational pay shall not exceed the rate such officer or employee is receiving on the date of such reassignment, appointment or promotion.

S 8. Facility security pay. Pursuant to the terms of an agreement covering certain members of the security services unit who are ineligible for interest arbitration, are full-time annual salaried employees and, notwithstanding any inconsistent provision of law, rule or regulation to the contrary, where and to the extent that an agreement so provides, effective April 1, 2007, such eligible members of the security services unit shall receive an increase of three percent to five hundred fifteen dollars annually, and effective April 1, 2008, such eligible members of the security services unit shall receive an increase of three percent to five hundred thirty dollars annually, in recognition of their security responsibilities. This payment will be equally divided over the 26 payroll periods in each fiscal year and shall count as compensation for overtime and retirement purposes. Any amounts due to eligible members of this unit shall be offset by payments already received as facility security pay in each year and the remainder shall be calculated as part of a retroactive payment. Retroactive payments shall be payable as soon as practicable for the retroactive provisions of this section.

S 9. Security enforcement differential. Pursuant to the terms of an agreement covering certain members of the security services unit who are ineligible for interest arbitration, are full-time annual salaried employees and, notwithstanding any inconsistent provision of law, rule or regulation to the contrary, where and to the extent that an agreement so provides, such eligible members of the security services unit shall receive a security enforcement differential to be paid in recognition of the enhanced security and law enforcement responsibilities inherent in the positions covered by such bargaining unit. Effective April 1, 2007, such payment shall increase by three percent for eligible unit members to six hundred forty-three dollars and, effective April 1, 2008, such payment shall increase by three percent to eligible unit members to six hundred sixty-two dollars. This payment will be equally divided over the 26 payroll periods in each fiscal year and shall count as compensation for overtime and retirement purposes. Retroactive payments shall be payable as soon as practicable for the retroactive provisions of this section. Any amounts due to eligible members of this unit shall be offset by payments already received as security enforcement differential in each year and the remainder shall be calculated as part of a retroactive payment.

S 10. Inconvenience pay program. Pursuant to chapter 333 of the laws of 1969, as amended, and an agreement covering certain members of the security services unit who are ineligible for interest arbitration, are full-time annual salaried employees and, notwithstanding any inconsistent provision of law, rule or regulation to the contrary, where and to the extent that an agreement so provides, effective April 1, 2007, the inconvenience pay provided to eligible employees shall be increased by three percent to five hundred sixty-seven dollars per year for working four or more hours between the hours of 6:00 p.m. and 6:00 a.m., except on an overtime basis; effective April 1, 2008, the inconvenience pay provided to eligible employees shall be increased by three percent to five hundred eighty-four dollars per year for working four or more hours between the hours of 6:00 p.m. and 6:00 a.m., except on an overtime basis. Retroactive payments shall be payable as soon as practicable for

1 the retroactive provisions of this section. Any amounts due to eligible
2 members of this unit shall be offset by payments already received as
3 inconvenience pay in each year and the remainder shall be calculated as
4 part of a retroactive payment.

5 S 11. Notwithstanding any other provision of law, rule or regulation
6 to the contrary, where and to the extent that an agreement so provides
7 on behalf of employees in the security services unit pursuant to article
8 14 of the civil service law, the state shall contribute an amount desig-
9 nated in such agreement and for the period covered by such agreement to
10 the accounts of such employees enrolled for dependent care deductions
11 pursuant to subdivision 7 of section 201-a of the state finance law.
12 Such amounts shall be from funds appropriated in this act and shall not
13 be part of basic annual salary for overtime and retirement purposes.

14 S 12. During the period April 1, 2007 through March 31, 2009, there
15 shall be a statewide joint labor-management committee continued and
16 administered pursuant to the terms of an agreement covering employees in
17 the security services unit which shall, after March 31, 2007, within the
18 amounts available therefor, study and make recommendations concerning
19 major issues of employee assistance, performance evaluation, training,
20 review of quality of work life efforts, and provide for the implementa-
21 tion of the terms of agreements of such committee.

22 S 13. Notwithstanding any provision of law, rule or regulation to the
23 contrary, the appropriations contained in this act shall be available to
24 the state of New York for the payment and publication of grievance and
25 arbitration settlements and awards pursuant to articles 7 and 8 of the
26 agreement covering employees in the security services unit.

27 S 14. The salary increases and benefit modifications provided for by
28 this act for state employees in the security services unit shall not be
29 implemented until the director of employee relations shall have deliv-
30 ered to the director of the budget and the comptroller a letter indicat-
31 ing that there is in effect with respect to such negotiating unit a
32 collective negotiation agreement which provides for such increases and
33 modifications and which is fully executed in writing with the state
34 pursuant to article 14 of the civil service law, and ratified pursuant
35 to the ratification procedure of the employee organization certified
36 pursuant to article 14 of the civil service law to represent such
37 collective negotiating unit.

38 S 15. Date of entitlement to salary increase. Notwithstanding the
39 provisions of this act or of any other provision of law, rule or regu-
40 lation to the contrary, the increase in salary or compensation of any
41 members of the security services unit who are ineligible for interest
42 arbitration provided by this act shall be added to the salary of such
43 member at the beginning of that payroll period the first day of which is
44 nearest to the effective date of such increase as provided in this act,
45 or at the beginning of the earlier of two payroll periods the first days
46 of which are nearest but equally near to the effective date of such
47 increase as provided in this act; provided, however, that for the
48 purposes of determining the salary of such unit members upon reclassi-
49 fication, reallocation, appointment, promotion, transfer, demotion,
50 reinstatement, or other change of status, such salary increase shall be
51 deemed to be effective on the date thereof as prescribed by this act,
52 with payment thereof pursuant to this section on a date prior thereto,
53 instead of on such effective date, and shall not operate to confer any
54 additional salary rights or benefits on such unit members. Payment of
55 such salary increase may be deferred pursuant to section sixteen of this
56 act.

1 S 16. Deferred payment of salary increase. Notwithstanding the
2 provisions of any other section of this act, or of any other law, rule
3 or regulation, pending payment pursuant to this act of the basic annual
4 salaries of incumbents of positions subject to this act such incumbents
5 shall receive, as partial compensation for services rendered, the rate
6 of compensation otherwise payable in their respective positions. An
7 incumbent holding a position subject to this act at any time during the
8 period from April 1, 2007, until the time when basic annual salaries are
9 first paid pursuant to this act for such services in excess of the
10 compensation actually received therefore, shall be entitled to a lump
11 sum payment for the difference between the salary to which such incum-
12 bent is entitled for such services and the compensation actually
13 received therefor. Such lump sum payment shall be made as soon as prac-
14 ticable. Notwithstanding any provision of law, rule or regulation to the
15 contrary, no member of the security services unit to whom the provisions
16 of this act apply shall be entitled to, or owed, any interest or other
17 penalty for any reason on any monies due to such member pursuant to the
18 terms of this act and the terms of the agreement covering employees in
19 the security services unit.

20 S 17. Use of appropriations. The comptroller is authorized to pay any
21 amounts required during the fiscal year commencing April 1, 2010 by the
22 foregoing provisions of this act for any state department or agency for
23 personal service or for other related employee benefits during such
24 fiscal year. To the extent that such appropriations are insufficient to
25 accomplish the purposes herein set forth, the director of the division
26 of the budget is authorized to allocate to the various departments and
27 agencies, from any appropriations available, the amounts necessary to
28 pay such amounts. The aforementioned appropriations shall be available
29 for payment of any liabilities or obligations incurred prior to or
30 during the state fiscal year commencing April 1, 2010.

31 S 18. The several amounts as hereinafter set forth, or so much thereof
32 as may be necessary, are hereby appropriated from the fund so designated
33 for use by any state department or agency for the fiscal year beginning
34 April 1, 2010 to supplement appropriations from each respective fund
35 available for personal service, other than personal service and fringe
36 benefits, and to carry out the provisions of this act. Moreover, the
37 amounts appropriated as non-personal service may be suballocated to any
38 state department or agency as needed. The monies hereby appropriated are
39 available for payment of any liabilities or obligations incurred prior
40 to or during the state fiscal year commencing April 1, 2010. No money
41 shall be available for expenditure from this appropriation until a
42 certificate of approval has been issued by the director of the division
43 of the budget and a copy of such certificate or any amendment thereto
44 has been filed with the state comptroller, the chairman of the senate
45 finance committee and the chairman of the assembly ways and means
46 committee.

47 ALL STATE DEPARTMENTS AND AGENCIES

48 General Fund / State Operations
49 State Purposes Account - 003

50 Personal Service

51 Personal service 7,307,000

1	Nonpersonal Service	
2	Fringe benefits	2,196,000
3	Legal defense fund	150,000
4	Special Revenue Funds - State	
5	Miscellaneous Special Revenue Fund - 339	
6	Personal Service	
7	Personal Service	20,126,000
8	Nonpersonal Service	
9	Fringe Benefits	9,942,000
10	Environmental Conservation Special Revenue Fund - 301	
11	Personal Service	
12	Personal Service	180,000
13	Nonpersonal Service	
14	Fringe Benefits	89,000
15	Lake George Park Trust Fund - 349	
16	Personal Service	
17	Personal Service	23,000
18	Nonpersonal Service	
19	Fringe Benefits	11,000
20	State University Income Fund - 345	
21	Personal Service	
22	Personal Service	798,000
23	Nonpersonal Service	
24	Fringe Benefits	394,000
25	Special Revenue Funds - Federal	
26	Federal Education Fund - 267	
27	Personal Service	
28	Personal Service	26,000

1	Nonpersonal Service	
2	Fringe Benefits	13,000
3	Federal Unemployment Insurance Administration Fund -	480
4	Personal Service	
5	Personal Service	211,000
6	Nonpersonal Service	
7	Fringe Benefits	104,000

8 S 22. This act shall take effect immediately and shall be deemed to
9 have been in full force and effect on and after April 1, 2007.

REPEAL NOTE. Paragraph f of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided salary schedules for state employees in the particular titles in the security services unit employees who are ineligible for interest arbitration and is replaced and revised by salary schedules in a new paragraph f of subdivision 1 of section 130 of the civil service law, as added by section one of this act implementing an agreement between the state and the employee organization representing such unit for employees in the security services unit who are ineligible for interest arbitration. The salary schedules for the remaining employees in the security services unit are contained in paragraph g of subdivision 1 of section 130 of the civil service law.