S T A T E O F N E W Y O R K

11593

I N A S S E M B L Y

June 29, 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 and conditions of employment of state officers and employees who are the members of the security supervisors unit; to amend the state finance law, in relation to the employee benefit fund for all members of the security supervisors unit; to authorize funding of joint labor-management committees; to implement an agreement between the state and the employee organization representing the members of the security supervisors unit; to repeal certain provisions of the civil service law and the state finance 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:

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 Paragraph j of subdivision 1 of section 130 of the civil service law is REPEALED and a new paragraph j is added to read as follows:

J. PURSUANT TO THE TERMS OF AN AGREEMENT BETWEEN THE STATE AND AN EMPLOYEE ORGANIZATION ENTERED INTO PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW COVERING MEMBERS OF THE COLLECTIVE NEGOTIATING UNIT DESIGNATED AS SECURITY SUPERVISORS WHO ARE EMPLOYED BY THE STATE DEPARTMENT OF CORRECTIONAL SERVICES AND ARE DESIGNATED AS PEACE OFFICERS PURSUANT TO SUBDIVISION TWENTY-FIVE OF SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW, EFFECTIVE ON THE DATES INDICATED, SALARY GRADES FOR SUCH UNIT MEMBERS SHALL BE AS FOLLOWS:

(1) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVEN:

COUNCIL 82 - SECURITY SUPERVISORS SALARY
SCHEDULE - ARBITRATION ELIGIBLE ONLY
EFFECTIVE MARCH 29, 2007 (INSTITUTIONAL) AND
EFFECTIVE APRIL 5, 2007 (ADMINISTRATIVE)

PERF. PERF. PERF. PERF. PERF.

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

LBD12294-02-0

SG	HIRING RATE	ADVANCE STEP 1	ADVANCE STEP 2	ADVANCE STEP 3	ADVANCE STEP 4	ADVANCE STEP 5	JOB RATE	PERF. ADV.
1	23026	23905	24784	25663	26542	27421	28300	879
2	23790	24715	25640	26565	27490	28415	29340	925
3	24857	25822	26787	27752	28717	29682	30647	965
4	25883	26900	27917	28934	29951	30968	31985	1017
5	27010	28080	29150	30220	31290	32360	33430	1070
6	28317	29442	30567	31692	32817	33942	35067	1125
7	29803	30976	32149	33322	34495	35668	36841	1173
8	31367	32583	33799	35015	36231	37447	38663	1216
9	33003	34272	35541	36810	38079	39348	40617	1269
10	34759	36094	37429	38764	40099	41434	42769	1335
11	36693	38081	39469	40857	42245	43633	45021	1388
12	38619	40068	41517	42966	44415	45864	47313	1449
13	40801	42315	43829	45343	46857	48371	49885	1514
14	43026	44613	46200	47787	49374	50961	52548	1587
15	45384	47035	48686	50337	51988	53639	55290	1651
16	47828	49553	51278	53003	54728	56453	58178	1725
17	50399	52216	54033	55850	57667	59484	61301	1817
18	53146	55054	56962	58870	60778	62686	64594	1908
19	55931	57923	59915	61907	63899	65891	67883	1992
20	58695	60777	62859	64941	67023	69105	71187	2082
21	61739	63910	66081	68252	70423	72594	74765	2171
22	64927	67227	69527	71827	74127	76427	78727	2300
23	68325	70691	73057	75423	77789	80155	82521	2366
24	71908	74362	76816	79270	81724	84178	86632	2454
25	75802	78361	80920	83479	86038	88597	91156	2559

SG	10 YR. LONG STEP	15 YR. LONG STEP	20 YR. LONG STEP	LONG MAX. 25 YR. LONG STEP
1	29612	30925	33469	34782
2	30728	32117	34736	36126
3	32096	33544	36223	37673
4	33509	35032	37786	39308
5	35033	36635	39469	41072
6	36755	38443	41363	43052
7	38596	40351	43337	45092
8	40487	42312	45364	47190
9	42525	44430	47568	49474
10	44767	46764	49991	51990
11	47101	49180	52492	54572
12	49490	51668	55073	57249
13	52152	54419	57917	60184
14	54923	57298	60903	63279
15	57764	60240	63942	66415
16	60764	63351	67165	69750
17	64022	66741	70693	73414
18	67454	70317	74407	77268
19	70869	73854	78071	81057
20	74312	77437	81791	84917
21	78023	81279	85765	89021

22	82172	85616	90289	93734	
23	86070	89620	94397	97945	
24	90310	93988	98898	102576	
25	94992	98825	103893	107729	

(2) EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHT:

COUNCIL 82 - SECURITY SUPERVISORS SALARY
SCHEDULE - ARBITRATION ELIGIBLE ONLY
EFFECTIVE MARCH 27, 2008 (INSTITUTIONAL) AND
EFFECTIVE APRIL 3, 2008 (ADMINISTRATIVE)

SG	HIRING RATE	PERF. ADVANCE STEP 1	PERF. ADVANCE STEP 2	PERF. ADVANCE STEP 3	PERF. ADVANCE STEP 4	PERF. ADVANCE STEP 5	JOB RATE	PERF. ADV.
1	23717	24622	25527	26432	27337	28242	29147	905
2	24504	25457	26410	27363	28316	29269	30222	953
3	25603	26597	27591	28585	29579	30573	31567	994
4	26659	27707	28755	29803	30851	31899	32947	1048
5	27820	28922	30024	31126	32228	33330	34432	1102
6	29167	30326	31485	32644	33803	34962	36121	1159
7	30697	31905	33113	34321	35529	36737	37945	1208
8	32308	33561	34814	36067	37320	38573	39826	1253
9	33993	35300	36607	37914	39221	40528	41835	1307
10	35802	37177	38552	39927	41302	42677	44052	1375
11	37794	39224	40654	42084	43514	44944	46374	1430
12	39778	41270	42762	44254	45746	47238	48730	1492
13	42025	43585	45145	46705	48265	49825	51385	1560
14	44317	45952	47587	49222	50857	52492	54127	1635
15	46746	48447	50148	51849	53550	55251	56952	1701
16	49263	51040	52817	54594	56371	58148	59925	1777
17	51911	53783	55655	57527	59399	61271	63143	1872
18	54740	56705	58670	60635	62600	64565	66530	1965
19	57609	59661	61713	63765	65817	67869	69921	2052
20	60456	62601	64746	66891	69036	71181	73326	2145
21	63591	65827	68063	70299	72535	74771	77007	2236
22	66875	69244	71613	73982	76351	78720	81089	2369
23	70375	72812	75249	77686	80123	82560	84997	2437
24	74065	76593	79121	81649	84177	86705	89233	2528
25	78076	80712	83348	85984	88620	91256	93892	2636

SG	10 YR. LONG STEP	15 YR. LONG STEP	20 YR. LONG STEP	25 YR. LONG MAX. STEP
1	30498	31851	34471	35823
2	31652	33082	35780	37212
3	33059	34551	37310	38804
4	34517	36085	38922	40490
5	36083	37733	40652	42303
6	37860	39598	42606	44346
7	39753	41560	44636	46444
8	41705	43584	46728	48609

1	9	43800	45762	48995	50958
2	10	46110	48167	51491	53550
3	11	48516	50658	54069	56212
4	12	50972	53216	56723	58964
5	13	53720	56055	59658	61993
6	14	56573	59020	62733	65180
7	15	59500	62051	65864	68411
8	16	62589	65253	69182	71844
9	17	65946	68746	72817	75619
10	18	69476	72425	76637	79584
11	19	72997	76071	80415	83490
12	20	76545	79764	84248	87468
13	21	80363	83716	88337	91691
14	22	84637	88185	92998	96546
15	23	88652	92309	97229	100884
16	24	93021	96810	101867	105655
17	25	97843	101791	107011	110962

S 2. Subparagraphs 1, 2, 3, 4 and 5 of paragraph b of subdivision 1 of section 130 of the civil service law are REPEALED and two new subparagraphs 1 and 2 are added to read as follows:

(1) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVEN:

COUNCIL 82 - SECURITY SUPERVISORS UNIT - SALARY SCHEDULE
NON-ARBITRATION ELIGIBLE ONLY
EFFECTIVE MARCH 29, 2007 (INSTITUTIONAL) AND
EFFECTIVE APRIL 5, 2007 (ADMINISTRATIVE)

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

24	67750	70139	72528	74917	77306	79695	82084	2389
25	71540	74030	76520	79010	81500	83990	86480	2490

SG	10 YR. LONG STEP	15 YR. LONG STEP	20 YR. LONG STEP	LONG MAX. 25 YR. LONG STEP
1	26851	28210	30664	32023
2	27959	29396	31918	33356
3	29304	30804	33378	34879
4	30810	32264	34909	36363
5	32180	33837	36552	38210
6	33887	35637	38428	40178
7	35677	37494	40345	42162
8	37537	39425	42337	44225
9	39544	41517	44506	46478
10	41738	43807	46875	48943
11	44029	46182	49326	51478
12	46378	48630	51859	54112
13	48980	51326	54637	56984
14	51706	54165	57572	60031
15	54487	57047	60545	63106
16	57436	60112	63707	66383
17	60632	63447	67166	69981
18	63996	66958	70803	73766
19	67347	70438	74394	77485
20	70722	73955	78037	81270
21	74364	77735	81933	85304
22	78434	81997	86366	89929
23	82249	85923	90382	94056
24	86409	90216	94795	98602
25	90991	94961	99678	103648

(2) EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHT:

COUNCIL 82 - SECURITY SUPERVISORS UNIT - SALARY SCHEDULE
NON-ARBITRATION ELIGIBLE ONLY
EFFECTIVE MARCH 27, 2008 (INSTITUTIONAL) AND
EFFECTIVE APRIL 3, 2008 (ADMINISTRATIVE)

SG	HIRING RATE	PERF. ADVANCE STEP 1	PERF. ADVANCE STEP 2	PERF. ADVANCE STEP 3	PERF. ADVANCE STEP 4	PERF. ADVANCE STEP 5	JOB RATE	PERF. ADV.
1	20781	21662	22543	23424	24305	25186	26067	881
2	21547	22475	23403	24331	25259	26187	27115	928
3	22619	23587	24555	25523	26491	27459	28427	968
4	23646	24666	25686	26706	27726	28746	29766	1020
5	24777	25848	26919	27990	29061	30132	31203	1071
6	26086	27215	28344	29473	30602	31731	32860	1129
7	27576	28750	29924	31098	32272	33446	34620	1174
8	29143	30362	31581	32800	34019	35238	36457	1219
9	30783	32056	33329	34602	35875	37148	38421	1273
10	32544	33882	35220	36558	37896	39234	40572	1338

11	34481	35873	37265	38657	40049	41441	42833	1392
12	36413	37866	39319	40772	42225	43678	45131	1453
13	38600	40117	41634	43151	44668	46185	47702	1517
14	40832	42423	44014	45605	47196	48787	50378	1591
15	43194	44849	46504	48159	49814	51469	53124	1655
16	45644	47375	49106	50837	52568	54299	56030	1731
17	48222	50044	51866	53688	55510	57332	59154	1822
18	50975	52888	54801	56714	58627	60540	62453	1913
19	53767	55764	57761	59758	61755	63752	65749	1997
20	56538	58625	60712	62799	64886	66973	69060	2087
21	59591	61767	63943	66119	68295	70471	72647	2173
22	62784	65089	67394	69699	72004	74309	76614	2305
23	66192	68563	70934	73305	75676	78047	80418	2371
24	69783	72244	74705	77166	79627	82088	84549	2461
25	73686	76251	78816	81381	83946	86511	89076	2565

SG	10 YR. LONG STEP	15 YR. LONG STEP	20 YR. LONG STEP	25 YR. LONG MAX. STEP
1	27658	29058	31586	32986
2	28798	30278	32876	34357
3	30182	31727	34378	35924
4	31736	33234	35958	37456
5	33145	34851	37648	39355
6	34905	36707	39582	41384
7	36746	38617	41554	43425
8	38666	40611	43610	45555
9	40730	42762	45841	47872
10	42990	45122	48282	50412
11	45352	47570	50808	53025
12	47768	50087	53413	55734
13	50448	52864	56275	58692
14	53255	55788	59297	61830
15	56120	58757	62360	64998
16	59162	61919	65621	68378
17	62451	65350	69181	72081
18	65918	68969	72929	75981
19	69366	72550	76625	79809
20	72845	76175	80380	83710
21	76593	80065	84389	87861
22	80787	84456	88956	92626
23	84716	88500	93093	96877
24	89004	92925	97641	101563
25	93722	97811	102670	106759

S 3. Subdivision 2-a of section 207-a of the state finance law, as amended by chapter 213 of the laws of 2009, is amended to read as follows:

2-a. Where and to the extent that an agreement between the state and an employee organization entered into pursuant to article fourteen of the civil service law or an interest arbitration award issued pursuant to subdivision four of section two hundred nine of the civil service law so provides on behalf of employees in the collective negotiating unit designated as the security supervisors unit established pursuant to

article fourteen of the civil service law, and upon audit and warrant of the comptroller, the director shall provide for the payment of moneys to such employee organization for the establishment and maintenance of an employee benefit fund established by the employee organization for the employees in the negotiating unit covered by the controlling provision of such agreement providing for such employee benefit fund, such amount to be determined consistent with said agreement on the basis of the number of full-time annual salaried employees, as determined by the comptroller, on the payroll on the last day of the payroll period in which March first, two thousand [three] SEVEN falls for payments to be made on April first, two thousand [three] SEVEN AND, on the last day of the payroll period in which March first, two thousand [four] EIGHT falls for payments to be made on April first, two thousand [four, on the last day of the payroll period in which March first, two thousand five falls for payments to be made on April first, two thousand five and on the last day of the payroll period in which March first, two thousand six falls for payments to be made on April first, two thousand six] EIGHT. The amount, which will be determined pursuant to this section, for employees who are paid from special or administrative funds, other than the general fund or the capital projects fund of the state, will be paid from the appropriations as provided by law, in which case the comptroller will establish procedures to ensure repayment from said special or administrative funds. The director may enter into an agreement with an employee organization which sets forth the specific terms and conditions of the establishment and administration of an employee benefit fund as a condition for the transmittal of moneys pursuant to this section. Such agreement shall provide that any contributions paid to the employee organization for the establishment and maintenance of the employee benefit fund pursuant to this section on behalf of eligible members of this unit shall be offset by contributions already made on behalf of those members in each of the covered years, where applicable.

S 4. Compensation for members of the collective negotiating unit designated as security supervisors pursuant to an agreement between the state of New York and the employee organization representing such individuals.

1. The provisions of this section shall apply to all full-time officers and employees in the collective negotiating unit designated as the security supervisors unit established pursuant to article 14 of the civil service law.

2. Effective April 1, 2007, the basic annual salary of all officers and employees in the security supervisors unit and who are in full-time annual salaried employment status on March 31, 2007, shall be increased by three percent.

3. Effective April 1, 2008, the basic annual salary of all officers and employees in the security supervisors unit and who are in full-time annual salaried employment status on March 31, 2008, shall be increased by three percent.

4. Advancement within a salary grade. Payments pursuant to the provisions of subdivision 6 of section 131 of the civil service law for all full-time officers and employees in the security supervisors unit who are entitled to such payments shall be payable pursuant to the terms of an agreement between the state of New York and an employee organization representing employees subject to the provisions of this section entered into pursuant to article 14 of the civil service law (hereinafter "the agreement" or "an agreement").

5. Effective April 1, 2007, pursuant to the terms of an agreement covering all full-time officer and employee members of the security supervisors unit, for such unit members who are on the institutional or administrative payroll, the ten-year, the fifteen-year, the twenty-year and the twenty-five year longevity step payment for such unit members to whom the provisions of this section apply shall be that amount prescribed by subparagraphs 1 or 2 of paragraph j of subdivision 1 of section 130 of the civil service law, as added by section one of this act, or subparagraphs 1 or 2 of paragraph b of subdivision 1 of section 130 of the civil service law, as added by section two of this act.

6. Notwithstanding any of the foregoing provisions of this section, if the basic annual salary of such unit members to whom the provisions of this section apply is identical with the hiring rate, performance advance step one, two, three, four or five, the job rate, the ten-year longevity step, the fifteen-year longevity step, the twenty-year longevity step or the twenty-five year longevity step of the salary grade of his or her position on March 31, 2007 or 2008, respectively, for such unit members to whom the provisions of this section apply on the institutional or administrative payroll, such basic annual salary shall be increased to the hiring rate, performance advance step one, two, three, four or five, the job rate, the ten-year longevity step, the fifteen-year longevity step, the twenty-year longevity step or the twenty-five year longevity step of such salary grade as contained in either subparagraph one of paragraph j of subdivision one of the civil service law as added by section one of this act, or subparagraph one of paragraph b of subdivision one of section 130 of the civil service law as added by section two of this act, to take effect on April 1, 2007 or 2008, respectively, for such unit members to whom the provisions of this section apply on the institutional or administrative payroll. The increases in basic annual salary provided by this subdivision shall be in lieu of any increase in basic annual salary provided for in subdivisions two and three of this section.

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

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

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

10. In order to provide for the officers and employees to whom this section applies who are not allocated to salary grades, performance advancements and payments in proportion to those provided to persons to

whom this section applies who are allocated to salary grades, the director of the budget is authorized to add appropriate adjustments to the compensation which such officers and employees are otherwise entitled to receive. The director of the budget shall issue certificates which shall contain schedules of positions and the salaries thereof for which adjustments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the department of civil service, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

11. Notwithstanding any of the foregoing provisions of this section, any increase in compensation may be withheld in whole or in part from any such unit members to whom the provisions of this section apply when, in the opinion of the director of the division of the budget and the director of employee relations, such increase is not warranted or is not appropriate.

S 5. Additional compensation for all members of the security supervisors unit who are in full-time annual salaried employment status.

1. In recognition of the general requirement for full-time employees of the state in the security supervisors unit to assemble for briefing prior to the commencement of duties, where and to the extent an agreement so provides, each such employee except such an employee receiving additional compensation pursuant to subdivision 5 of section 134 of the civil service law, shall receive additional compensation in recognition of pre-shift briefing.

2. Each such employee holding a position in the security supervisors unit shall be compensated for pre-shift briefing in accordance with the terms of the agreement covering certain members of the security supervisors unit. No payments authorized pursuant to this section and such negotiated agreement shall be made to an employee who is in non pay status for that day.

3. Any such additional compensation pursuant to this section shall be paid in addition to and shall not be a part of the 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 section or of any other law, such additional compensation shall be in lieu of the continuation of any other additional compensation for such employees in recognition of pre-shift briefing.

S 6. Corrections command pay. Pursuant to the terms of an agreement covering members of the collective negotiating unit designated as security supervisors who are eligible for interest arbitration and are full-time annual salaried and are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, and notwithstanding any law, rule, or regulation to the contrary, the corrections command pay received by these employees shall be increased by three percent to one thousand five hundred forty-five dollars effective April 1, 2007, in recognition of the command duties and responsibilities performed by these designated peace officers with regard to infectious disease, mental health, crime scene control, prisoner transport and other inter-agency issues which arise in correctional facilities. Effective April 1, 2008, the corrections command pay received by these employees shall be increased by three percent to one thousand five hundred ninety-one 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. Any amounts already received by eligible members of this unit shall be offset by payments already received in corrections command pay in each year and the remainder shall be calculated as part of a retroactive payment.

S 7. Notwithstanding any law, rule or regulation to the contrary, any employees of the state in the security supervisors 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 the agreement negotiated on behalf of such employees.

S 8. Uniform allowance. Pursuant to the terms of an agreement covering certain members of the security supervisors unit who are ineligible for interest arbitration, and in recognition of the general requirement for employees in the security services unit who are ineligible for interest arbitration to wear a uniform, each such employee on the payroll on the first day of November preceding the annual effective date shall receive an increase of three percent in the allowance for cleaning and maintenance at the rate of six hundred forty-two dollars per year effective December 1, 2007 in accordance with the agreement, and an increase of three percent to six hundred sixty-one dollars per year effective December 1, 2008 in accordance with the agreement. 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 already received by 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 9. Location compensation for certain state officers and employees in the collective negotiating unit designated as security supervisors for arbitration ineligible members.

1. Pursuant to the terms of an agreement covering certain members of the security supervisors 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 members of the security supervisors 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 comptroller is located in the county of Monroe and who were eligible to receive locational pay on May 23, 1985 shall receive locational pay at the rate of two hundred three dollars per year provided they continue to be otherwise eligible.

2. Pursuant to the terms of an agreement covering certain members of the security supervisors 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 supervisors 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 locational compensation in the amount of one thousand five hundred dollars per year effective April 1, 2007, for employees in full-time annual salaried employment status on March 31, 2007, and an increase of three percent to one thousand five hundred forty-five

dollars per year effective April 1, 2008, for employees in full-time annual salaried employment status on March 31, 2008.

3. Pursuant to the terms of an agreement covering certain members of the security supervisors 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 supervisors 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 county of Orange, Putnam or Dutchess shall receive an increase in locational compensation by three percent to the amount of eight hundred dollars per year effective April 1, 2007, for employees in full-time annual salaried employment status on March 31, 2007, and an increase by three percent to eight hundred twenty-four dollars per year effective April 1, 2008, for employees in full-time annual salaried employment status on March 31, 2008.

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

S 10. Location compensation for arbitration eligible members. Pursuant to the terms of an agreement covering certain members of the security supervisors unit who are eligible for interest arbitration, and notwithstanding any inconsistent provision of law, effective April 1, 2007, all members of this unit who are employed by the state department of correctional services as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, 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 located in the city of New York, or in the county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk, shall receive an increase in location pay by three percent to the following annual amounts:

Orange, Putnam, Dutchess	$1,160
NYC, Rockland, Westchester	$3,117
Nassau, Suffolk	$3,186

Effective April 1, 2008, all members of this unit who are employed by the state department of correctional services as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, 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 located in the city of New York, or in the county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk, shall receive an increase in location pay by three percent to the following annual amounts:

Orange, Putnam, Dutchess	$1,195
NYC, Rockland, Westchester	$3,210
Nassau, Suffolk	$3,281

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 to be received by eligible members of this unit shall be offset by payments already received as location pay in each year and the remainder, if any, 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 11. Continuation of locational compensation for certain officers and employees of the Hudson Valley developmental disabilities services office.

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

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

3. Notwithstanding section seven of this act or any other law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the security supervisors unit who is receiving locational pay pursuant to said section seven of this act shall continue to be eligible for such locational pay if such officer's or employee's principal place of employment is changed to a location outside of the county of Rockland as the result of a reduction or redeployment of staff, provided, however, that such officer or 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 12. Facility security supervisor pay. Pursuant to the terms of an agreement covering certain members of the security supervisors 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 supervisors unit who are ineligible for interest arbitration shall receive an increase of three percent to five hundred fifteen dollars annually, in recognition of their facility security supervisory responsibilities. Effective April 1, 2008, this payment shall be increased by three percent to five hundred thirty dollars for any such eligible members of the security supervisors unit who are ineligible for interest arbitration. 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 already received by eligible members of this unit shall be offset by payments already received as facility security supervisor pay in each year and the remainder shall be calculated as part of a retroactive payment.

S 13. Security enforcement differential. Pursuant to the terms of an agreement covering certain members of the security supervisors 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 shall receive an increase by three percent to six hundred forty-three dollars 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, 2008, the security enforcement differential received by these employees shall be increased by three percent 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 already received by 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 14. Inconvenience pay program for arbitration ineligible employees. Pursuant to chapter 333 of the laws of 1969, as amended, and an agreement covering certain members of the security supervisors 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 the retroactive provisions of this section. Any amounts already received by eligible members of this unit shall be offset by payments already received as inconvenience pay in each year and the remainder shall be calculated as part of a retroactive payment.

S 15. Inconvenience pay program for arbitration eligible employees. Pursuant to the terms of an agreement covering certain members of the security supervisors unit who are eligible for interest arbitration and who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, effective April 1, 2007, such unit members to whom the provisions of this section apply who work the evening shift as defined by the individual facilities within the department of correctional services, shall continue to be paid $1,800 per year in equal bi-weekly installments for work on such shift. Effective April 1, 2007, such unit members to whom the provisions of this section apply who work the night shift as defined by the individual facilities within the department of correctional services shall continue

to be paid $900 per year in equal bi-weekly installments for work on such shift. Such amounts, for such unit members to whom the provisions of this section apply and who work both the evening shift and the night shift as specified above, shall be offset by payments already received as inconvenience pay effective April 1, 2007 and the remainder shall be calculated as part of a retroactive payment. Such unit members to whom the provisions of this section apply on approved paid leave shall continue to receive inconvenience payments as provided above. Any such additional compensation pursuant to this section shall be included as compensation for retirement purposes.

S 16. Premium, maintenance, and command compensation. To the extent the terms of an agreement covering certain members of the security supervisors unit so provides, the employer shall provide additional premium, maintenance and/or command compensation for employees otherwise eligible in the amounts or rates provided in accordance with such agreement.

S 17. Notwithstanding any other provision of law, rule or regulation to the contrary, where and to the extent that an agreement so provides on behalf of employees in the security supervisors unit, the state shall contribute an amount designated in such agreement and for the period covered by such agreement to the accounts of such employees enrolled for dependent care deductions pursuant to section 201-a of the state finance law. Such amounts shall be from funds appropriated in this act and shall not be part of basic annual salary for overtime and retirement purposes.

S 18. During the period April 1, 2007 through March 31, 2009, there shall be a statewide joint labor-management committee continued and administered pursuant to the terms of an agreement covering employees in the security supervisors unit which shall, after March 31, 2007, within the amounts available therefor, study and make recommendations concerning major issues of employee assistance, performance evaluation, training and provide for the implementation of the terms of agreements of such committee.

S 19. Family benefits. Pursuant to the terms of an agreement covering all members of the security supervisors including those who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law and those who are ineligible for interest arbitration and, notwithstanding any inconsistent provision of law, rule or regulation to the contrary, where and to the extent that an agreement so provides, the employer shall increase the funding for DCAA, LifeWorks and Directions by three percent effective April 1, 2007, and effective April 1, 2008, increase the amount of funding for DCAA, LifeWorks and Directions by an additional three percent.

S 20. Education and training. Effective April 1, 2007, in recognition of the educational and training programs for all employees in the security services unit, the programs set forth in articles 13.1, 13.4, 13.5(a) and 13.5(b) of the agreement covering employees in the security supervisors unit shall each receive an increase of three percent to their respective appropriations as of March 31, 2007. Effective April 1, 2008, in recognition of the educational and training programs for all employees in the security services unit, the programs set forth in articles 13.1, 13.4, 13.5(a) and 13.5(b) of the agreement covering employees in the security supervisors unit shall each receive an increase of three percent to their respective appropriations as of March 31, 2008.

S 21. Notwithstanding any provision of law, rule or regulation to the contrary, the appropriations contained in this act shall be available to

the state of New York for the payment and publication of grievance and arbitration settlements and awards pursuant to articles 7 and 8 of the agreement covering employees in the security supervisors unit.

S 22. Notwithstanding any provision of law, rule or regulation to the contrary, and where and to the extent an agreement covering employees in the security supervisors unit so provides, the salaries of employees newly hired on or after September 1, 1992 into state service in positions within said negotiating unit shall not be subject to the provisions of subdivision 2-a of section 200 of the state finance law.

S 23. The salary increases and benefit modifications provided for by this act for state employees in the security supervisors unit shall not be implemented until the director of employee relations shall have delivered to the director of the budget and the comptroller a letter indicating that there is in effect with respect to such negotiating unit a collective negotiation agreement which provides for such increases and modifications and which is fully executed in writing with the state pursuant to article 14 of the civil service law, and ratified pursuant to the ratification procedure of the employee organization certified pursuant to article 14 of the civil service law to represent such collective negotiating unit.

S 24. Date of entitlement to salary increase. Notwithstanding the provisions of this act or of any other provision of law, rule or regulation to the contrary, the increase in salary or compensation of all members of the security supervisors unit, including those who are employed by the state department of correctional services and are peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, and those who are ineligible for interest arbitration, shall be added to the salary of such member at the beginning of that payroll period the first day of which is nearest to the effective date of such increase as provided in this act, or at the beginning of the earlier of two payroll periods the first days of which are nearest but equally near to the effective date of such increase as provided in this act; provided, however, that for the purposes of determining the salary of such unit members upon reclassification, reallocation, appointment, promotion, transfer, demotion, reinstatement, or other change of status, such salary increase shall be deemed to be effective on the date thereof as prescribed by this act, with payment thereof pursuant to this section on a date prior thereto, instead of on such effective date, and shall not operate to confer any additional salary rights or benefits on such unit members. Payment of such salary increase may be deferred pursuant to section twenty-five of this act.

S 25. Deferred payment of salary increase. Notwithstanding the provisions of any other section of this act, or of any other law, rule or regulation, pending payment pursuant to this act of the basic annual salaries of incumbents of positions subject to this act such incumbents shall receive, as partial compensation for services rendered, the rate of compensation otherwise payable in their respective positions. An incumbent holding a position subject to this act at any time during the period from April 1, 2007, until the time when basic annual salaries are first paid pursuant to this act for such services in excess of the compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent is entitled for such services and the compensation actually received therefor. Such lump sum payment shall be made as soon as practicable. Notwithstanding any provision of law, rule or regulation to the contrary, no member of the security supervisors unit to whom the provisions of

this act apply shall be entitled to, or owed, any interest or other penalty for any reason on any monies due to such member pursuant to the terms of this act and the terms of the agreement covering employees in the security supervisors unit.

S 26. Use of appropriations. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the state comptroller is authorized to pay any amounts required by the foregoing provisions of this act. To the extent that existing appropriations available to any state department or agency in any fund are insufficient to accomplish the purposes set forth in this section, the director of the budget is authorized to allocate to the various departments and agencies, from any appropriations available in any fund, the amounts necessary to make such payments. Any appropriations or other funds available to any state department or agency for personal service or for other related employee benefits during the fiscal year commencing April 1, 2010 shall be available for the payment of any liabilities or obligations incurred pursuant to the foregoing provisions of this act, whether incurred prior to or during the state fiscal year commencing April 1, 2010.

S 27. Appropriations. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the several amounts as hereinafter set forth in this section, or so much thereof as may be necessary, are hereby appropriated from the fund so designated for use by any state department or agency for the fiscal year beginning April 1, 2010 to supplement appropriations from each respective fund available for personal service, other than personal service and fringe benefits, and to carry out the provisions of this act. Moreover, the amounts appropriated as non-personal service may be suballocated to any state department or agency as needed. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to April 1, 2010 in addition to liabilities or obligations associated with the state fiscal year commencing April 1, 2010. For this purpose, these appropriations shall remain in full force and effect for the payment of liabilities incurred on or before April 1, 2010. No money shall be available for expenditure from this appropriation until a certificate of approval has been issued by the director of the budget and a copy of such certificate or any amendment thereto has been filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee.

ALL STATE DEPARTMENTS AND AGENCIES

General Fund / State Operations
State Purposes Account - 003

Personal Service

Personal service 10,305,000

Nonpersonal Service

Fringe benefits 863,000
Employee training and development 40,000
Quality of work life committee 30,000
Family benefits committee 27,000
Employee assistant program 7,000
Contract administration 50,000
Employee benefit fund 44,000
Legal defense fund 20,000
Management directed training 27,000
Organizational alcoholism program 10,000
Joint Committee on Health Benefits 13,000

Special Revenue Funds - Other
Environmental Conservation Special Revenue Fund - 301

Personal Service
Personal Service 10,000

Nonpersonal Service
Fringe benefits 5,000

Special Revenue Funds - Other
Miscellaneous Special Revenue Fund - 339

Personal Service
Personal Service 950,000
Nonpersonal Service

Fringe benefits 469,000

Special Revenue Federal
Federal Unemployment Insurance Administration - 480

Personal Service

Personal Service 12,000

Nonpersonal Service

Fringe benefits 6,000

S 28. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2007.

REPEAL NOTE. -- Paragraph j of subdivision 1 of section 130 of the civil service law is REPEALED and replaced by a new paragraph j reflecting the new salary schedule negotiated between the state and employee organizations representing employees in the security supervisors negotiating unit established by article 14 of the civil service law.

Subparagraphs 1, 2, 3, 4 and 5 of paragraph b of subdivision 1 of section 130 of the civil service law are REPEALED and replaced by new subparagraphs 1 and 2 reflecting the new salary schedule negotiated between the state and employee organizations representing employees in

the security supervisors negotiating unit established by article 14 of the civil service law.