

8954

2009-2010 Regular Sessions

I N A S S E M B L Y

June 16, 2009

Introduced by M. of A. ABBATE, JOHN -- (at request of the Governor) --
read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment of certain members of the security supervisors unit who are employed by the state department of correctional services and are designated as peace officers; to amend the state finance law, in relation to the employee benefit fund for certain members of the security supervisors unit; to provide for the payment of a firearms training and safety incentive for peace officers who are members of the professional, scientific and professional services bargaining unit; to implement an interest arbitration award issued between the state and the employee organization representing certain members of the security supervisors unit; to make an appropriation for the purpose of effectuating certain of the provisions thereof; and to repeal certain provisions of the civil service law relating thereto

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

1 Section 1. Subparagraphs 1 and 2 of paragraph j of subdivision 1 of
2 section 130 of the civil service law are REPEALED and three new subpara-
3 graphs 1, 2 and 3 are added to read as follows:
4 (1) EFFECTIVE APRIL FIRST, TWO THOUSAND FIVE:

5 SECURITY SUPERVISORS SALARY SCHEDULE -
6 ARBITRATION ELIGIBLE ONLY
7 EFFECTIVE MARCH 31, 2005 (INSTITUTIONAL) AND
8 EFFECTIVE APRIL 7, 2005 (ADMINISTRATIVE)

| | | | | | | | |
|----|-------|-------|-------|-------|-------|-------|-------------------------|
| 9 | PERF. | PERF. | PERF. | PERF. | PERF. | | LONG |
| 10 | AD- | AD- | AD- | AD- | AD- | | MAX. |
| 11 | HIR- | VANCE | VANCE | VANCE | VANCE | VANCE | 10-YR 15-YR 20-YR 25-YR |

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

| | ING | STEP | STEP | STEP | STEP | STEP | JOB | PERF. | LONG | LONG | LONG | LONG | |
|----|-----|-------|-------|-------|-------|-------|-------|-------|------|-------|-------|-------|-------|
| | SG | RATE | 1 | 2 | 3 | 4 | 5 | RATE | ADV. | STEP | STEP | STEP | STEP |
| 3 | 1 | 18788 | 19618 | 20448 | 21278 | 22108 | 22938 | 23768 | 830 | 25008 | 26249 | 28652 | 29893 |
| 4 | 2 | 19510 | 20384 | 21258 | 22132 | 23006 | 23880 | 24754 | 874 | 26066 | 27378 | 29853 | 31166 |
| 5 | 3 | 20519 | 21431 | 22343 | 23255 | 24167 | 25079 | 25991 | 912 | 27360 | 28729 | 31260 | 32629 |
| 6 | 4 | 21488 | 22449 | 23410 | 24371 | 25332 | 26293 | 27254 | 961 | 28694 | 30133 | 32735 | 34174 |
| 7 | 5 | 22553 | 23564 | 24575 | 25586 | 26597 | 27608 | 28619 | 1011 | 30133 | 31648 | 34325 | 35839 |
| 8 | 6 | 23788 | 24851 | 25914 | 26977 | 28040 | 29103 | 30166 | 1063 | 31761 | 33356 | 36115 | 37711 |
| 9 | 7 | 25192 | 26300 | 27408 | 28516 | 29624 | 30732 | 31840 | 1108 | 33498 | 35157 | 37978 | 39637 |
| 10 | 8 | 26670 | 27819 | 28968 | 30117 | 31266 | 32415 | 33564 | 1149 | 35288 | 37012 | 39896 | 41621 |
| 11 | 9 | 28216 | 29415 | 30614 | 31813 | 33012 | 34211 | 35410 | 1199 | 37212 | 39013 | 41978 | 43779 |
| 12 | 10 | 29875 | 31136 | 32397 | 33658 | 34919 | 36180 | 37441 | 1261 | 39329 | 41216 | 44265 | 46153 |
| 13 | 11 | 31702 | 33014 | 34326 | 35638 | 36950 | 38262 | 39574 | 1312 | 41539 | 43504 | 46633 | 48599 |
| 14 | 12 | 33522 | 34891 | 36260 | 37629 | 38998 | 40367 | 41736 | 1369 | 43793 | 45851 | 49068 | 51125 |
| 15 | 13 | 35584 | 37015 | 38446 | 39877 | 41308 | 42739 | 44170 | 1431 | 46312 | 48454 | 51759 | 53901 |
| 16 | 14 | 37687 | 39187 | 40687 | 42187 | 43687 | 45187 | 46687 | 1500 | 48931 | 51176 | 54582 | 56826 |
| 17 | 15 | 39914 | 41474 | 43034 | 44594 | 46154 | 47714 | 49274 | 1560 | 51612 | 53951 | 57449 | 59786 |
| 18 | 16 | 42224 | 43854 | 45484 | 47114 | 48744 | 50374 | 52004 | 1630 | 54448 | 56892 | 60495 | 62938 |
| 19 | 17 | 44653 | 46370 | 48087 | 49804 | 51521 | 53238 | 54955 | 1717 | 57526 | 60096 | 63829 | 66400 |
| 20 | 18 | 47249 | 49051 | 50853 | 52655 | 54457 | 56259 | 58061 | 1802 | 60764 | 63468 | 67333 | 70037 |
| 21 | 19 | 49880 | 51762 | 53644 | 55526 | 57408 | 59290 | 61172 | 1882 | 63993 | 66814 | 70798 | 73620 |
| 22 | 20 | 52491 | 54458 | 56425 | 58392 | 60359 | 62326 | 64293 | 1967 | 67246 | 70199 | 74312 | 77266 |
| 23 | 21 | 55368 | 57420 | 59472 | 61524 | 63576 | 65628 | 67680 | 2052 | 70758 | 73835 | 78074 | 81151 |
| 24 | 22 | 58381 | 60554 | 62727 | 64900 | 67073 | 69246 | 71419 | 2173 | 74674 | 77928 | 82344 | 85599 |
| 25 | 23 | 61591 | 63826 | 66061 | 68296 | 70531 | 72766 | 75001 | 2235 | 78355 | 81709 | 86222 | 89575 |
| 26 | 24 | 64977 | 67295 | 69613 | 71931 | 74249 | 76567 | 78885 | 2318 | 82360 | 85836 | 90475 | 93951 |
| 27 | 25 | 68656 | 71073 | 73490 | 75907 | 78324 | 80741 | 83158 | 2417 | 86782 | 90405 | 95193 | 98817 |

28 (2) EFFECTIVE APRIL FIRST, TWO THOUSAND SIX:

29 SECURITY SUPERVISORS SALARY SCHEDULE -
 30 ARBITRATION ELIGIBLE ONLY
 31 EFFECTIVE MARCH 30, 2006 (INSTITUTIONAL) AND
 32 EFFECTIVE APRIL 6, 2006 (ADMINISTRATIVE)

| | | PERF. | PERF. | PERF. | PERF. | PERF. | | | LONG | | | LONG | |
|----|------|-------|-------|-------|-------|-------|-------|-------|------|-------|-------|-------|-------|
| | | AD- | AD- | AD- | AD- | AD- | | | MAX. | | | | |
| | HIR- | VANCE | VANCE | VANCE | VANCE | VANCE | | | | 10-YR | 15-YR | 20-YR | 25-YR |
| | ING | STEP | STEP | STEP | STEP | STEP | JOB | PERF. | LONG | LONG | LONG | LONG | |
| | SG | RATE | 1 | 2 | 3 | 4 | 5 | RATE | ADV. | STEP | STEP | STEP | STEP |
| 33 | | | | | | | | | | | | | |
| 34 | | | | | | | | | | | | | |
| 35 | 1 | 19305 | 20158 | 21011 | 21864 | 22717 | 23570 | 24423 | 853 | 25697 | 26972 | 29441 | 30716 |
| 36 | 2 | 20047 | 20945 | 21843 | 22741 | 23639 | 24537 | 25435 | 898 | 26783 | 28131 | 30674 | 32023 |
| 37 | 3 | 21083 | 22020 | 22957 | 23894 | 24831 | 25768 | 26705 | 937 | 28112 | 29518 | 32119 | 33526 |
| 38 | 4 | 22079 | 23066 | 24053 | 25040 | 26027 | 27014 | 28001 | 987 | 29481 | 30959 | 33633 | 35111 |
| 39 | 5 | 23173 | 24212 | 25251 | 26290 | 27329 | 28368 | 29407 | 1039 | 30963 | 32519 | 35270 | 36826 |
| 40 | 6 | 24442 | 25534 | 26626 | 27718 | 28810 | 29902 | 30994 | 1092 | 32633 | 34272 | 37107 | 38746 |
| 41 | 7 | 25885 | 27024 | 28163 | 29302 | 30441 | 31580 | 32719 | 1139 | 34423 | 36127 | 39026 | 40730 |
| 42 | 8 | 27403 | 28584 | 29765 | 30946 | 32127 | 33308 | 34489 | 1181 | 36260 | 38032 | 40995 | 42768 |
| 43 | 9 | 28992 | 30224 | 31456 | 32688 | 33920 | 35152 | 36384 | 1232 | 38236 | 40086 | 43133 | 44983 |
| 44 | 10 | 30697 | 31993 | 33289 | 34585 | 35881 | 37177 | 38473 | 1296 | 40413 | 42352 | 45485 | 47425 |
| 45 | 11 | 32574 | 33922 | 35270 | 36618 | 37966 | 39314 | 40662 | 1348 | 42681 | 44700 | 47915 | 49935 |
| 46 | 12 | 34444 | 35851 | 37258 | 38665 | 40072 | 41479 | 42886 | 1407 | 45000 | 47114 | 50420 | 52533 |
| 47 | 13 | 36563 | 38033 | 39503 | 40973 | 42443 | 43913 | 45383 | 1470 | 47584 | 49785 | 53181 | 55382 |
| 48 | 14 | 38723 | 40264 | 41805 | 43346 | 44887 | 46428 | 47969 | 1541 | 50275 | 52581 | 56081 | 58387 |
| 49 | 15 | 41012 | 42615 | 44218 | 45821 | 47424 | 49027 | 50630 | 1603 | 53032 | 55436 | 59030 | 61431 |
| 50 | 16 | 43385 | 45060 | 46735 | 48410 | 50085 | 51760 | 53435 | 1675 | 55946 | 58457 | 62160 | 64670 |

| | | | | | | | | | | | | | |
|---|----|-------|-------|-------|-------|-------|-------|-------|------|-------|-------|-------|--------|
| 1 | 17 | 45881 | 47645 | 49409 | 51173 | 52937 | 54701 | 56465 | 1764 | 59107 | 61747 | 65583 | 68225 |
| 2 | 18 | 48548 | 50400 | 52252 | 54104 | 55956 | 57808 | 59660 | 1852 | 62437 | 65216 | 69187 | 71965 |
| 3 | 19 | 51252 | 53186 | 55120 | 57054 | 58988 | 60922 | 62856 | 1934 | 65755 | 68653 | 72747 | 75646 |
| 4 | 20 | 53935 | 55956 | 57977 | 59998 | 62019 | 64040 | 66061 | 2021 | 69095 | 72129 | 76356 | 79391 |
| 5 | 21 | 56891 | 58999 | 61107 | 63215 | 65323 | 67431 | 69539 | 2108 | 72702 | 75863 | 80219 | 83380 |
| 6 | 22 | 59986 | 62219 | 64452 | 66685 | 68918 | 71151 | 73384 | 2233 | 76729 | 80072 | 84609 | 87954 |
| 7 | 23 | 63285 | 65582 | 67879 | 70176 | 72473 | 74770 | 77067 | 2297 | 80513 | 83959 | 88597 | 92042 |
| 8 | 24 | 66764 | 69146 | 71528 | 73910 | 76292 | 78674 | 81056 | 2382 | 84627 | 88198 | 92965 | 96536 |
| 9 | 25 | 70544 | 73028 | 75512 | 77996 | 80480 | 82964 | 85448 | 2484 | 89172 | 92894 | 97814 | 101538 |

10 (3) EFFECTIVE MARCH THIRTY-FIRST, TWO THOUSAND SEVEN:

11 SECURITY SUPERVISORS SALARY SCHEDULE -
 12 ARBITRATION ELIGIBLE ONLY
 13 EFFECTIVE MARCH 31, 2007 (INSTITUTIONAL) AND
 14 EFFECTIVE MARCH 31, 2007 (ADMINISTRATIVE)

| 15 | | PERF. | PERF. | PERF. | PERF. | PERF. | | | | | | LONG | |
|----|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| 16 | | AD- | AD- | AD- | AD- | AD- | | | | | | MAX. | |
| 17 | HIR- | VANCE | VANCE | VANCE | VANCE | VANCE | | | 10-YR | 15-YR | 20-YR | 25-YR | |
| 18 | ING | STEP | STEP | STEP | STEP | STEP | JOB | PERF. | LONG | LONG | LONG | LONG | |
| 19 | SG | RATE | 1 | 2 | 3 | 4 | RATE | ADV. | STEP | STEP | STEP | STEP | |
| 20 | 1 | 22355 | 23208 | 24061 | 24914 | 25767 | 26620 | 27473 | 853 | 28747 | 30022 | 32491 | 33766 |
| 21 | 2 | 23097 | 23995 | 24893 | 25791 | 26689 | 27587 | 28485 | 898 | 29833 | 31181 | 33724 | 35073 |
| 22 | 3 | 24133 | 25070 | 26007 | 26944 | 27881 | 28818 | 29755 | 937 | 31162 | 32568 | 35169 | 36576 |
| 23 | 4 | 25129 | 26116 | 27103 | 28090 | 29077 | 30064 | 31051 | 987 | 32531 | 34009 | 36683 | 38161 |
| 24 | 5 | 26223 | 27262 | 28301 | 29340 | 30379 | 31418 | 32457 | 1039 | 34013 | 35569 | 38320 | 39876 |
| 25 | 6 | 27492 | 28584 | 29676 | 30768 | 31860 | 32952 | 34044 | 1092 | 35683 | 37322 | 40157 | 41796 |
| 26 | 7 | 28935 | 30074 | 31213 | 32352 | 33491 | 34630 | 35769 | 1139 | 37473 | 39177 | 42076 | 43780 |
| 27 | 8 | 30453 | 31634 | 32815 | 33996 | 35177 | 36358 | 37539 | 1181 | 39310 | 41082 | 44045 | 45818 |
| 28 | 9 | 32042 | 33274 | 34506 | 35738 | 36970 | 38202 | 39434 | 1232 | 41286 | 43136 | 46183 | 48033 |
| 29 | 10 | 33747 | 35043 | 36339 | 37635 | 38931 | 40227 | 41523 | 1296 | 43463 | 45402 | 48535 | 50475 |
| 30 | 11 | 35624 | 36972 | 38320 | 39668 | 41016 | 42364 | 43712 | 1348 | 45731 | 47750 | 50965 | 52985 |
| 31 | 12 | 37494 | 38901 | 40308 | 41715 | 43122 | 44529 | 45936 | 1407 | 48050 | 50164 | 53470 | 55583 |
| 32 | 13 | 39613 | 41083 | 42553 | 44023 | 45493 | 46963 | 48433 | 1470 | 50634 | 52835 | 56231 | 58432 |
| 33 | 14 | 41773 | 43314 | 44855 | 46396 | 47937 | 49478 | 51019 | 1541 | 53325 | 55631 | 59131 | 61437 |
| 34 | 15 | 44062 | 45665 | 47268 | 48871 | 50474 | 52077 | 53680 | 1603 | 56082 | 58486 | 62080 | 64481 |
| 35 | 16 | 46435 | 48110 | 49785 | 51460 | 53135 | 54810 | 56485 | 1675 | 58996 | 61507 | 65210 | 67720 |
| 36 | 17 | 48931 | 50695 | 52459 | 54223 | 55987 | 57751 | 59515 | 1764 | 62157 | 64797 | 68633 | 71275 |
| 37 | 18 | 51598 | 53450 | 55302 | 57154 | 59006 | 60858 | 62710 | 1852 | 65487 | 68266 | 72237 | 75015 |
| 38 | 19 | 54302 | 56236 | 58170 | 60104 | 62038 | 63972 | 65906 | 1934 | 68805 | 71703 | 75797 | 78696 |
| 39 | 20 | 56985 | 59006 | 61027 | 63048 | 65069 | 67090 | 69111 | 2021 | 72145 | 75179 | 79406 | 82441 |
| 40 | 21 | 59941 | 62049 | 64157 | 66265 | 68373 | 70481 | 72589 | 2108 | 75752 | 78913 | 83269 | 86430 |
| 41 | 22 | 63036 | 65269 | 67502 | 69735 | 71968 | 74201 | 76434 | 2233 | 79779 | 83122 | 87659 | 91004 |
| 42 | 23 | 66335 | 68632 | 70929 | 73226 | 75523 | 77820 | 80117 | 2297 | 83563 | 87009 | 91647 | 95092 |
| 43 | 24 | 69814 | 72196 | 74578 | 76960 | 79342 | 81724 | 84106 | 2382 | 87677 | 91248 | 96015 | 99586 |
| 44 | 25 | 73594 | 76078 | 78562 | 81046 | 83530 | 86014 | 88498 | 2484 | 92222 | 95944 | 100864 | 104588 |

45 S 2. Subdivision 2-a of section 207-a of the state finance law, as
46 amended by chapter 375 of the laws of 2007, is amended to read as
47 follows:

48 2-a. Where and to the extent that an agreement between the state and
49 an employee organization entered into pursuant to article fourteen of
50 the civil service law OR AN INTEREST ARBITRATION AWARD ISSUED PURSUANT
51 TO SUBDIVISION FOUR OF SECTION TWO HUNDRED NINE OF THE CIVIL SERVICE LAW
52 so provides on behalf of employees in the collective negotiating unit
53 designated as the security supervisors unit established pursuant to

1 article fourteen of the civil service law, and upon audit and warrant of
2 the comptroller, the director shall provide for the payment of moneys to
3 such employee organization for the establishment and maintenance of an
4 employee benefit fund established by the employee organization for the
5 employees in the negotiating unit covered by the controlling provision
6 of such agreement providing for such employee benefit fund, such amount
7 to be determined consistent with said agreement on the basis of the
8 number of full-time annual salaried employees, as determined by the
9 comptroller, on the payroll on the last day of the payroll period in
10 which March first, two thousand three falls for payments to be made on
11 April first, two thousand three, on the last day of the payroll period
12 in which March first, two thousand four falls for payments to be made on
13 April first, two thousand four, on the last day of the payroll period in
14 which March first, two thousand five falls for payments to be made on
15 April first, two thousand five and on the last day of the payroll period
16 in which March first, two thousand six falls for payments to be made on
17 April first, two thousand six. The amount, which will be determined
18 pursuant to this section, for employees who are paid from special or
19 administrative funds, other than the general fund or the capital
20 projects fund of the state, will be paid from the appropriations as
21 provided by law, in which case the comptroller will establish procedures
22 to ensure repayment from said special or administrative funds. The
23 director may enter into an agreement with an employee organization which
24 sets forth the specific terms and conditions of the establishment and
25 administration of an employee benefit fund as a condition for the trans-
26 mittal of moneys pursuant to this section. SUCH AGREEMENT SHALL PROVIDE
27 THAT ANY CONTRIBUTIONS PAID TO THE EMPLOYEE ORGANIZATION FOR THE ESTAB-
28 LISHMENT AND MAINTENANCE OF THE EMPLOYEE BENEFIT FUND PURSUANT TO THIS
29 SECTION ON BEHALF OF ELIGIBLE MEMBERS OF THIS UNIT SHALL BE OFFSET BY
30 CONTRIBUTIONS ALREADY MADE ON BEHALF OF THOSE MEMBERS IN EACH OF THE
31 COVERED YEARS, WHERE APPLICABLE.

32 S 3. Compensation for certain members of the collective negotiating
33 unit designated as security supervisors pursuant to an interest arbi-
34 tration award issued pursuant to subdivision 4 of section 209 of the
35 civil service law.

36 1. The provisions of this section shall apply to full-time annual
37 salaried members of the collective negotiating unit designated as secu-
38 rity supervisors who are employed by the state department of correction-
39 al services and are designated as peace officers pursuant to subdivision
40 25 of section 2.10 of the criminal procedure law.

41 2. Effective April 1, 2005, the basic annual salary of members of the
42 collective negotiating unit designated as security supervisors who are
43 employed by the state department of correctional services and are desig-
44 nated as peace officers pursuant to subdivision 25 of section 2.10 of
45 the criminal procedure law and who are in full-time annual salaried
46 employment status on March 31, 2005 shall be increased by 2 1/4 percent.

47 3. Effective April 1, 2006, the basic annual salary of members of the
48 collective negotiating unit designated as security supervisors who are
49 employed by the state department of correctional services and are desig-
50 nated as peace officers pursuant to subdivision 25 of section 2.10 of
51 the criminal procedure law and who are in full-time annual salaried
52 employment status on March 31, 2006 shall be increased by 2 3/4 percent.

53 4. Effective March 31, 2007, the basic annual salary of members of the
54 collective negotiating unit designated as security supervisors who are
55 employed by the state department of correctional services and are desig-
56 nated as peace officers pursuant to subdivision 25 of section 2.10 of

1 the criminal procedure law, and who are in full-time annual salaried
2 employment status on March 31, 2007 shall be increased by \$3,050 to
3 reflect the items of clothing maintenance allowance and security
4 enforcement differential added to base salary.

5 5. Payments pursuant to the provisions of subdivision 6 of section 131
6 of the civil service law for members of the collective negotiating unit
7 designated as security supervisors who are entitled to such payments
8 shall be payable pursuant to the terms of a determination made by the
9 arbitration panel and pursuant to the terms of an agreement between the
10 state and an employee organization representing employees subject to the
11 provisions of this section.

12 6. Effective April 1, 2005, pursuant to the terms of an interest arbi-
13 tration award issued pursuant to subdivision 4 of section 209 of the
14 civil service law covering members of the collective negotiating unit
15 designated as security supervisors who are employed by the state depart-
16 ment of correctional services and are designated as peace officers
17 pursuant to subdivision 25 of section 2.10 of the criminal procedure
18 law, for such unit members who are on the institutional or administra-
19 tive payroll, the 10-year, the 15-year, the 20-year and the 25-year
20 longevity step payment for such unit members to whom the provisions of
21 this section apply shall be that amount prescribed by subparagraphs 1, 2
22 or 3 of paragraph j of subdivision 1 of section 130 of the civil service
23 law, as added by section one of this act.

24 7. Notwithstanding any of the foregoing provisions of this section, if
25 the basic annual salary of such unit members to whom the provisions of
26 this section apply is identical with the hiring rate, performance
27 advance step 1, 2, 3, 4 or 5, the job rate, the 10-year longevity step,
28 the 15-year longevity step, the 20-year longevity step or the 25-year
29 longevity step of the salary grade of his or her position on March 31,
30 2005 for such unit members to whom the provisions of this section apply
31 on the institutional or administrative payroll, such basic annual salary
32 shall be increased to the hiring rate, performance advance step 1, 2, 3,
33 4 or 5, the job rate, the 10-year longevity step, the 15-year longevity
34 step, the 20-year longevity step or the 25-year longevity step of such
35 salary grade as contained in subparagraph 1 of paragraph j of subdivi-
36 sion 1 of section 130 of the civil service law, as added by section one
37 of this act, to take effect on April 1, 2005 for such unit members to
38 whom the provisions of this section apply on the institutional or admin-
39 istrative payroll. If the basic annual salary of such unit members to
40 whom the provisions of this section apply is identical with the hiring
41 rate, performance advance step 1, 2, 3, 4 or 5, the job rate, the
42 10-year longevity step, the 15-year longevity step, the 20-year longev-
43 ity step or the 25-year longevity step of the salary grade of his or her
44 position on March 31, 2006 for such unit members to whom the provisions
45 of this section apply on the institutional or administrative payroll,
46 such basic annual salary shall be increased to the hiring rate, perform-
47 ance advance step 1, 2, 3, 4 or 5, the job rate, the 10-year longevity
48 step, the 15-year longevity step, the 20-year longevity step or the
49 25-year longevity step of such salary grade as contained in subparagraph
50 2 of paragraph j of subdivision 1 of section 130 of the civil service
51 law, as added by section one of this act, to take effect on April 1,
52 2006 for such unit members to whom the provisions of this section apply
53 on the institutional or administrative payroll. If the basic annual
54 salary of such unit members to whom the provisions of this section apply
55 is identical with the hiring rate, performance advance step 1, 2, 3, 4
56 or 5, the job rate, the 10-year longevity step, the 15-year longevity

1 step, the 20-year longevity step or the 25-year longevity step of the
2 salary grade of his or her position on March 31, 2007 for such unit
3 members to whom the provisions of this section apply on the institu-
4 tional or administrative payroll, such basic annual salary shall be
5 increased to the hiring rate, performance advance step 1, 2, 3, 4 or 5,
6 the job rate, the 10-year longevity step, the 15-year longevity step,
7 the 20-year longevity step or the 25-year longevity step of such salary
8 grade as contained in subparagraph 3 of paragraph j of subdivision 1 of
9 section 130 of the civil service law, as added by section one of this
10 act, to take effect on March 31, 2007 for such unit members to whom the
11 provisions of this section apply on the institutional or administrative
12 payroll. The increases in basic annual salary provided by this subdivi-
13 sion shall be in lieu of any increase in basic annual salary provided
14 for in subdivisions two, three and four of this section.

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

25 9. Notwithstanding any of the foregoing provisions of this section,
26 any increase in compensation may be withheld in whole or in part from
27 any such unit members to whom the provisions of this section apply when,
28 in the opinion of the director of the budget and the director of employ-
29 ee relations, such increase is not warranted or is not appropriate.

30 S 4. Additional compensation for certain members of the collective
31 negotiating unit designated as security supervisors who are full-time
32 annual salaried and who are employed by the state department of correc-
33 tional services and are peace officers pursuant to subdivision 25 of
34 section 2.10 of the criminal procedure law.

35 1. In recognition of the general requirement for full-time employees
36 of the state in the collective negotiating unit designated as security
37 supervisors established pursuant to article 14 of the civil service law,
38 to assemble for briefing prior to the commencement of duties, where and
39 to the extent an agreement between the state and an employee organiza-
40 tion entered into pursuant to article 14 of the civil service law so
41 provides on behalf of employees in the collective negotiating unit
42 designated as security supervisors established pursuant to article 14 of
43 the civil service law, each such employee except such an employee
44 receiving additional compensation pursuant to subdivision 5 of section
45 134 of the civil service law, shall receive additional compensation in
46 recognition of pre-shift briefing.

47 2. Each such employee holding a position in the collective negotiating
48 unit designated as security supervisors shall be compensated for pre-
49 shift briefing in accordance with the terms of a collectively negotiated
50 agreement, continued pursuant to subparagraph e of subdivision 1 of
51 section 209-a of the civil service law, between the state and the
52 employee organization representing the security supervisors unit. No
53 payments authorized pursuant to this section and such negotiated agree-
54 ment shall be made to an employee who is in non-pay status for that day.

55 3. Any such additional compensation pursuant to this section shall be
56 paid in addition to and shall not be a part of the employee's basic

1 annual salary and shall not be included as compensation for the purposes
2 of computation of overtime pay, provided, however, that such additional
3 compensation shall be included for retirement purposes. Notwithstanding
4 the foregoing provisions of this section or of any other law, such addi-
5 tional compensation as added by this section shall be in lieu of the
6 continuation of any other additional compensation for such employees in
7 recognition of pre-shift briefing.

8 S 5. Corrections clothing maintenance allowance. Effective April 1,
9 2005, pursuant to the terms of an interest arbitration award issued
10 pursuant to subdivision 4 of section 209 of the civil service law cover-
11 ing members of the collective negotiating unit designated as security
12 supervisors who are full-time annual salaried employees and are employed
13 by the state department of correctional services and are designated as
14 peace officers pursuant to subdivision 25 of section 2.10 of the crimi-
15 nal procedure law, in recognition of the general requirement for such
16 unit members to wear a uniform and to the extent that a determination
17 made by the public arbitration panel so provides on behalf of such unit
18 members each such employee who is on the payroll on the first day of
19 November preceding the annual effective date shall continue to receive
20 an allowance for cleaning and maintenance at the rate of \$1,500 per year
21 effective December 1, 2005, in accordance with the determination made by
22 the public arbitration panel. Such allowance shall be payable by sepa-
23 rate check on or about December first of each year. Effective March 31,
24 2007, the corrections clothing maintenance allowance of \$1,500 shall be
25 added to the basic annual salary of those employees in payroll status on
26 March 30, 2007. Such addition to basic annual salary on March 31, 2007
27 is specified in subdivision 4 of section three of this act. Effective
28 March 31, 2007, the separate allowance for the cleaning and maintenance
29 of such unit members' uniforms to whom the provisions of this section
30 apply shall be rolled into basic annual salary and shall no longer be
31 reflected separately for the unit members to whom the provisions of this
32 section apply. Retroactive payments shall be payable as soon as practi-
33 cable for the retroactive provisions of this section. Any amounts to be
34 received by eligible members of this unit shall be offset by payments
35 already received as uniform allowance in each year and the remainder, if
36 any, shall be calculated as part of a retroactive payment.

37 S 6. Location compensation. Pursuant to the terms of an interest arbi-
38 tration award issued pursuant to subdivision 4 of section 209 of the
39 civil service law covering certain members of the collective negotiating
40 unit designated as security supervisors, and notwithstanding any incon-
41 sistent provision of law, effective April 1, 2005, all members of this
42 unit who are employed by the state department of correctional services
43 as peace officers pursuant to subdivision 25 of section 2.10 of the
44 criminal procedure law, and are full-time annual salaried employees and
45 whose principal place of employment, or, in the case of a field employ-
46 ee, whose official station as determined in accordance with the regu-
47 lations of the state comptroller, is located in the city of New York, or
48 in the county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau
49 or Suffolk, shall receive location pay in the following annual amounts:

| | |
|-------------------------------|---------|
| 50 Orange, Putnam, Dutchess | \$1,092 |
| 51 NYC, Rockland, Westchester | \$2,938 |
| 52 Nassau, Suffolk | \$3,093 |

53 Effective April 1, 2006, all members of this unit who are employed by
54 the state department of correctional services as peace officers pursuant
55 to subdivision 25 of section 2.10 of the criminal procedure law, and are
56 full-time annual salaried employees and whose principal place of employ-

1 ment, or, in the case of a field employee, whose official station as
2 determined in accordance with the regulations of the state comptroller,
3 is located in the city of New York, or in the county of Putnam, Orange,
4 Dutchess, Rockland, Westchester, Nassau or Suffolk, shall receive
5 location pay in the following annual amounts:

| | |
|------------------------------|---------|
| 6 Orange, Putnam, Dutchess | \$1,126 |
| 7 NYC, Rockland, Westchester | \$3,026 |
| 8 Nassau, Suffolk | \$3,093 |

9 This payment shall be equally divided over the 26 payroll periods in
10 each fiscal year and shall count as compensation for overtime and
11 retirement purposes. Furthermore, effective April 1, 2005, there shall
12 be no other payment for location pay or supplemental location pay as
13 they have been combined into a single payment and increased in accord-
14 ance with the amounts set forth herein. Any amounts to be received by
15 eligible members of this unit shall be offset by payments already
16 received as location pay and supplemental location pay in each year and
17 the remainder, if any, shall be calculated as part of a retroactive
18 payment. Retroactive payments shall be payable as soon as practicable
19 for the retroactive provisions of this section.

20 S 7. Security enforcement differential. Pursuant to the terms of an
21 interest arbitration award issued pursuant to subdivision 4 of section
22 209 of the civil service law covering certain members of the collective
23 negotiating unit designated as security supervisors, members of the
24 collective negotiating unit designated as security supervisors who are
25 employed by the state department of correctional services and are desig-
26 nated as peace officers pursuant to subdivision 25 of section 2.10 of
27 the criminal procedure law, are full-time annual salaried employees, and
28 notwithstanding any provision of law, rule or regulation to the contra-
29 ry, effective April 1, 2005, the annual security enforcement different-
30 ial for such unit members to whom the provisions of this section apply
31 shall be increased by \$275 to \$850; and effective April 1, 2006, the
32 differential shall be increased by \$250 to \$1,100. Effective March 31,
33 2007, the security enforcement differential shall be increased by \$450
34 to \$1,550, and such amount shall be added on March 31, 2007 to the basic
35 annual salary of such unit members to whom the provisions of this
36 section apply in accordance with subdivision 4 of section three of this
37 act. Effective March 31, 2007, the security enforcement differential
38 will thereafter be rolled into base annual salary and shall no longer be
39 reflected separately for the unit members to whom the provisions of this
40 section apply. Such amounts cited in this section shall be offset by
41 payments already received as security enforcement differential in each
42 year and the remainder shall be calculated as part of a retroactive
43 payment. All compensation received pursuant to this section shall
44 continue to be included as compensation for retirement purposes.

45 S 8. Inconvenience pay program. Pursuant to the terms of an interest
46 arbitration award issued pursuant to subdivision 4 of section 209 of the
47 civil service law covering members of the security supervisors unit who
48 are employed by the state department of correctional services and are
49 designated as peace officers pursuant to subdivision 25 of section 2.10
50 of the criminal procedure law, effective April 1, 2006, such unit
51 members to whom the provisions of this section apply who work the even-
52 ing shift as defined by the individual facilities within the department
53 of correctional services, shall be paid \$1,800 per year in equal
54 bi-weekly installments for work on such shift. Effective April 1, 2006,
55 such unit members to whom the provisions of this section apply who work
56 the night shift as defined by the individual facilities within the

1 department of correctional services shall be paid \$900 per year in equal
2 bi-weekly installments for work on such shift. Such amounts, for such
3 unit members to whom the provisions of this section apply and who work
4 either the evening shift or the night shift as specified above, shall be
5 offset by payments already received as inconvenience pay effective April
6 1, 2006 and the remainder shall be calculated as part of a retroactive
7 payment. Such unit members to whom the provisions of this section apply
8 on approved paid leave shall continue to receive inconvenience payments
9 as provided above. Any such additional compensation pursuant to this
10 section shall be included as compensation for retirement purposes.

11 S 9. Command pay. Pursuant to the terms of an interest arbitration
12 award issued pursuant to subdivision 4 of section 209 of the civil
13 service law covering those members of the collective negotiating unit
14 designated as security supervisors who are employed by the department of
15 correctional services and are designated as peace officers pursuant to
16 subdivision 25 of section 2.10 of the criminal procedure law, and are
17 full-time annual salaried employees, notwithstanding any provision of
18 law, rule or regulation to the contrary, effective April 1, 2005, these
19 designated unit members shall continue to receive \$1,500 annually, in
20 recognition of the command duties and responsibilities performed by
21 these designated peace officers with regard to infectious disease,
22 mental health, crime scene control, prisoner transport and other inter-
23 agency issues which arise in correctional facilities. This payment will
24 be equally divided over the 26 payroll periods in each fiscal year and
25 shall count as compensation for overtime and retirement purposes.

26 S 10. Pursuant to the terms of an interest arbitration award issued
27 pursuant to subdivision 4 of section 209 of the civil service law cover-
28 ing members of the security supervisors collective negotiating unit who
29 are employed by the state department of correctional services and are
30 designated as peace officers pursuant to subdivision 25 of section 2.10
31 of the criminal procedure law, are full-time annual salaried employees,
32 and notwithstanding any provision of law, rule or regulation to the
33 contrary, during the period April 1, 2005 through March 31, 2007, there
34 shall continue to be a committee on health benefits funded in the amount
35 of \$6,400 annually. One-half of these amounts in each year shall be made
36 available to each party.

37 S 11. Notwithstanding any provision of law to the contrary, effective
38 April 1, 2008, where and to the extent that an agreement between the
39 state and an employee organization entered into pursuant to article 14
40 of the civil service law so provides for a pilot program concerning a
41 firearms training and safety incentive for peace officers in the profes-
42 sional, scientific and technical services bargaining unit, a lump sum
43 payment for such incentive shall be paid for each year of such pilot
44 program to any employee who is deemed qualified pursuant to such agree-
45 ment. Such payment shall be in an amount negotiated for those employees
46 who meet criteria established by such pilot program. Such payment shall
47 occur at the time prescribed by such pilot program or as soon as practi-
48 cable thereafter. Such lump sum payment shall not be paid in any year an
49 employee does not meet the qualifications and criteria of such pilot
50 program or upon cessation of such pilot program on April 1, 2011 unless
51 an extension is negotiated by the parties. Such lump sum payment shall
52 be considered salary for overtime purposes.

53 S 12. Notwithstanding any provision of law to the contrary, the appro-
54 priations contained in this act shall be available to the state for the
55 payment and publication of grievance and arbitration settlements and
56 awards pursuant to articles 7 and 8 of the collective negotiating agree-

1 ment between the state and the employee organization representing the
2 collective negotiating unit designated as security supervisors estab-
3 lished pursuant to article 14 of the civil service law.

4 S 13. No member of the collective negotiating unit designated as secu-
5 rity supervisors shall be entitled to any increase in any compensation
6 provided for in this act until and unless such member is employed by the
7 state department of correctional services and is designated as a peace
8 officer pursuant to subdivision 25 of section 2.10 of the criminal
9 procedure law and is a full-time annual salaried employee.

10 S 14. Notwithstanding any provision of law, rule or regulation to the
11 contrary, and where and to the extent an agreement negotiated between
12 the state and the employee organization representing employees in the
13 collective negotiating unit designated as security supervisors estab-
14 lished pursuant to article 14 of the civil service law so provides, the
15 salaries of newly hired employees on or after September 1, 1992 into
16 state service in positions within said negotiating unit shall not be
17 subject to the provisions of subdivision 2-a of section 200 of the state
18 finance law.

19 S 15. Date of entitlement to salary increase. Notwithstanding the
20 provisions of this act or of any other provision of law to the contrary,
21 the increase of salary or compensation of any members of the collective
22 negotiating unit designated as security supervisors established pursuant
23 to article 14 of the civil service law who are full-time annual salaried
24 employees and who are employed by the state department of correctional
25 services and are peace officers pursuant to subdivision 25 of section
26 2.10 of the criminal procedure law, provided by this act shall be added
27 to the salary of such member at the beginning of that payroll period the
28 first day of which is nearest to the effective date of such increase as
29 provided in this act, or at the beginning of the earlier of two payroll
30 periods the first days of which are nearest but equally near to the
31 effective date of such increase as provided in this act; provided,
32 however, that for the purposes of determining the salary of such unit
33 members upon reclassification, reallocation, appointment, promotion,
34 transfer, demotion, reinstatement, or other change of status, such sala-
35 ry increase shall be deemed to be effective on the date thereof as
36 prescribed by this act, with payment thereof pursuant to this section on
37 a date prior thereto, instead of on such effective date, and shall not
38 operate to confer any additional salary rights or benefits on such unit
39 members. Payment of such salary increase may be deferred pursuant to
40 section sixteen of this act.

41 S 16. Deferred payment of salary increase. Notwithstanding the
42 provisions of any other section of this act, or of any other law to the
43 contrary, pending payment pursuant to this act of the basic annual sala-
44 ries of incumbents of positions subject to this act, such incumbents
45 shall receive, as partial compensation for services rendered, the rate
46 of compensation otherwise payable in their respective positions. An
47 incumbent holding a position subject to this act at any time during the
48 period from April 1, 2005, until the time when basic annual salaries are
49 first paid pursuant to this act for such services in excess of the
50 compensation actually received therefor, shall be entitled to a lump sum
51 payment for the difference between the salary to which such incumbent is
52 entitled for such services and the compensation actually received there-
53 for. Such lump sum payment shall be made as soon as practicable. The
54 amounts paid under this act shall count as compensation earned during
55 the year or years for which it is calculated and not as compensation
56 earned wholly in the year in which it is paid. Notwithstanding any

1 provision of law, rule or regulation to the contrary, and pursuant to
 2 the terms of an interest arbitration award issued by the public arbi-
 3 tration panel pursuant to subdivision 4 of section 209 of the civil
 4 service law, no member of the collective negotiating unit designated as
 5 security supervisors to whom the provisions of this act apply shall be
 6 entitled to, or owed, any interest or other penalty for any reason on
 7 any monies due to such member pursuant to the terms of this act and the
 8 terms of the interest arbitration award issued by the public arbitration
 9 panel pursuant to subdivision 4 of section 209 of the civil service law.

10 S 17. Use of appropriations. Notwithstanding any provision of the
 11 state finance law or any other provision of law to the contrary, the
 12 state comptroller is authorized to pay any amounts required by the fore-
 13 going provisions of this act. To the extent that existing appropriations
 14 available to any state department or agency in any fund are insufficient
 15 to accomplish the purposes set forth in this section, the director of
 16 the budget is authorized to allocate to the various departments and
 17 agencies, from any appropriations available in any fund, the amounts
 18 necessary to make such payments. Any appropriations or other funds
 19 available to any state department or agency for personal service or for
 20 other related employee benefits during the fiscal year commencing April
 21 1, 2009 shall be available for the payment of any liabilities or obli-
 22 gations incurred pursuant to the foregoing provisions of this act,
 23 whether occurred prior to or during the state fiscal year commencing
 24 April 1, 2009.

25 S 18. Appropriations. Notwithstanding any provision of the state
 26 finance law or any other provision of law to the contrary, the several
 27 amounts as hereinafter set forth in this section, or so much thereof as
 28 may be necessary, are hereby appropriated from the fund so designated
 29 for use by any state department or agency for the fiscal year beginning
 30 April 1, 2009 to supplement appropriations from each respective fund
 31 available for personal service, other than personal service and fringe
 32 benefits, and to carry out the provisions of this act. The monies hereby
 33 appropriated are available for payment of any liabilities or obligations
 34 incurred prior to April 1, 2009 in addition to liabilities or obli-
 35 gations associated with the state fiscal year commencing April 1, 2009.
 36 For this purpose, these appropriations shall remain in full force and
 37 effect for the payment of liabilities incurred on or before April 1,
 38 2009. No money shall be available for expenditure from this appropri-
 39 ation until a certificate of approval has been issued by the director of
 40 the budget and a copy of such certificate or any amendment thereto has
 41 been filed with the state comptroller, the chairperson of the senate
 42 finance committee and the chairperson of the assembly ways and means
 43 committee.

44 ALL STATE DEPARTMENTS AND AGENCIES

45 General Fund / State Operations
 46 State Purposes Account
 47 Personal Service

48 Personal service - regular \$9,722,000

49 Other compensation, including but not limit-
 50 ed to, overtime, holiday pay, longevities,
 51 security enforcement differential,

1 location, supplemental location, inconven-
 2 ience pay, expanded duty pay \$5,841,000

3 NONPERSONAL SERVICE

4 Fringe benefits \$1,191,000
 5 Joint committee on health benefits \$13,000
 6 Contract administration \$200,000
 7 Employee benefit fund \$3,000
 8 Employee assistance program \$300,000

9 S 19. This act shall take effect immediately and shall be deemed to
 10 have been in full force and effect on and after April 1, 2005; provided
 11 that section eleven of this act shall be deemed to have been in full
 12 force and effect on and after April 1, 2008.

REPEAL NOTE.--Subparagraphs 1 and 2 of paragraph j 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 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. They are replaced by revised salary schedules in new subparagraphs 1, 2 and 3 of paragraph j of subdivision 1 of section 130 of the civil service law.