

262

Extraordinary Session

I N S E N A T E

June 23, 2009

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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2 section 130 of the civil service law are REPEALED and three new subpara-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)

	PERF.	PERF.	PERF.	PERF.	PERF.		LONG
9	AD-	AD-	AD-	AD-	AD-		MAX.
10							

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

LBD12092-01-9

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

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

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

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

1	16	43385	45060	46735	48410	50085	51760	53435	1675	55946	58457	62160	64670
2	17	45881	47645	49409	51173	52937	54701	56465	1764	59107	61747	65583	68225
3	18	48548	50400	52252	54104	55956	57808	59660	1852	62437	65216	69187	71965
4	19	51252	53186	55120	57054	58988	60922	62856	1934	65755	68653	72747	75646
5	20	53935	55956	57977	59998	62019	64040	66061	2021	69095	72129	76356	79391
6	21	56891	58999	61107	63215	65323	67431	69539	2108	72702	75863	80219	83380
7	22	59986	62219	64452	66685	68918	71151	73384	2233	76729	80072	84609	87954
8	23	63285	65582	67879	70176	72473	74770	77067	2297	80513	83959	88597	92042
9	24	66764	69146	71528	73910	76292	78674	81056	2382	84627	88198	92965	96536
10	25	70544	73028	75512	77996	80480	82964	85448	2484	89172	92894	97814	101538

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

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

16			PERF.	PERF.	PERF.	PERF.	PERF.						LONG
17			AD-	AD-	AD-	AD-	AD-						MAX.
18		HIR-	VANCE	VANCE	VANCE	VANCE	VANCE			10-YR	15-YR	20-YR	25-YR
19		ING	STEP	STEP	STEP	STEP	STEP	JOB	PERF.	LONG	LONG	LONG	LONG
20	SG	RATE	1	2	3	4	5	RATE	ADV.	STEP	STEP	STEP	STEP
21	1	22355	23208	24061	24914	25767	26620	27473	853	28747	30022	32491	33766
22	2	23097	23995	24893	25791	26689	27587	28485	898	29833	31181	33724	35073
23	3	24133	25070	26007	26944	27881	28818	29755	937	31162	32568	35169	36576
24	4	25129	26116	27103	28090	29077	30064	31051	987	32531	34009	36683	38161
25	5	26223	27262	28301	29340	30379	31418	32457	1039	34013	35569	38320	39876
26	6	27492	28584	29676	30768	31860	32952	34044	1092	35683	37322	40157	41796
27	7	28935	30074	31213	32352	33491	34630	35769	1139	37473	39177	42076	43780
28	8	30453	31634	32815	33996	35177	36358	37539	1181	39310	41082	44045	45818
29	9	32042	33274	34506	35738	36970	38202	39434	1232	41286	43136	46183	48033
30	10	33747	35043	36339	37635	38931	40227	41523	1296	43463	45402	48535	50475
31	11	35624	36972	38320	39668	41016	42364	43712	1348	45731	47750	50965	52985
32	12	37494	38901	40308	41715	43122	44529	45936	1407	48050	50164	53470	55583
33	13	39613	41083	42553	44023	45493	46963	48433	1470	50634	52835	56231	58432
34	14	41773	43314	44855	46396	47937	49478	51019	1541	53325	55631	59131	61437
35	15	44062	45665	47268	48871	50474	52077	53680	1603	56082	58486	62080	64481
36	16	46435	48110	49785	51460	53135	54810	56485	1675	58996	61507	65210	67720
37	17	48931	50695	52459	54223	55987	57751	59515	1764	62157	64797	68633	71275
38	18	51598	53450	55302	57154	59006	60858	62710	1852	65487	68266	72237	75015
39	19	54302	56236	58170	60104	62038	63972	65906	1934	68805	71703	75797	78696
40	20	56985	59006	61027	63048	65069	67090	69111	2021	72145	75179	79406	82441
41	21	59941	62049	64157	66265	68373	70481	72589	2108	75752	78913	83269	86430
42	22	63036	65269	67502	69735	71968	74201	76434	2233	79779	83122	87659	91004
43	23	66335	68632	70929	73226	75523	77820	80117	2297	83563	87009	91647	95092
44	24	69814	72196	74578	76960	79342	81724	84106	2382	87677	91248	96015	99586
45	25	73594	76078	78562	81046	83530	86014	88498	2484	92222	95944	100864	104588

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

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

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

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

37 1. The provisions of this section shall apply to full-time annual
38 salaried members of the collective negotiating unit designated as secu-
39 rity supervisors who are employed by the state department of correction-
40 al services and are designated as peace officers pursuant to subdivision
41 25 of section 2.10 of the criminal procedure law.

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

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

54 4. Effective March 31, 2007, the basic annual salary of members of the
55 collective negotiating unit designated as security supervisors who are
56 employed by the state department of correctional services and are desig-

1 nated as peace officers pursuant to subdivision 25 of section 2.10 of
2 the criminal procedure law, and who are in full-time annual salaried
3 employment status on March 31, 2007 shall be increased by \$3,050 to
4 reflect the items of clothing maintenance allowance and security
5 enforcement differential added to base salary.

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

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

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

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

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

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

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

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

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

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

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

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

52 Orange, Putnam, Dutchess	\$1,092
53 NYC, Rockland, Westchester	\$2,938
54 Nassau, Suffolk	\$3,093

55 Effective April 1, 2006, all members of this unit who are employed by
56 the state department of correctional services as peace officers pursuant

1 to subdivision 25 of section 2.10 of the criminal procedure law, and are
2 full-time annual salaried employees and whose principal place of employ-
3 ment, or, in the case of a field employee, whose official station as
4 determined in accordance with the regulations of the state comptroller,
5 is located in the city of New York, or in the county of Putnam, Orange,
6 Dutchess, Rockland, Westchester, Nassau or Suffolk, shall receive
7 location pay in the following annual amounts:
8 Orange, Putnam, Dutchess \$1,126
9 NYC, Rockland, Westchester \$3,026
10 Nassau, Suffolk \$3,093

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

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

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

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

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

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

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

55 S 12. Notwithstanding any provision of law to the contrary, the appro-
56 priations contained in this act shall be available to the state for the

1 payment and publication of grievance and arbitration settlements and
2 awards pursuant to articles 7 and 8 of the collective negotiating agree-
3 ment between the state and the employee organization representing the
4 collective negotiating unit designated as security supervisors estab-
5 lished pursuant to article 14 of the civil service law.

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

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

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

43 S 16. Deferred payment of salary increase. Notwithstanding the
44 provisions of any other section of this act, or of any other law to the
45 contrary, pending payment pursuant to this act of the basic annual sala-
46 ries of incumbents of positions subject to this act, such incumbents
47 shall receive, as partial compensation for services rendered, the rate
48 of compensation otherwise payable in their respective positions. An
49 incumbent holding a position subject to this act at any time during the
50 period from April 1, 2005, until the time when basic annual salaries are
51 first paid pursuant to this act for such services in excess of the
52 compensation actually received therefor, shall be entitled to a lump sum
53 payment for the difference between the salary to which such incumbent is
54 entitled for such services and the compensation actually received there-
55 for. Such lump sum payment shall be made as soon as practicable. The
56 amounts paid under this act shall count as compensation earned during

1 the year or years for which it is calculated and not as compensation
2 earned wholly in the year in which it is paid. Notwithstanding any
3 provision of law, rule or regulation to the contrary, and pursuant to
4 the terms of an interest arbitration award issued by the public arbi-
5 tration panel pursuant to subdivision 4 of section 209 of the civil
6 service law, no member of the collective negotiating unit designated as
7 security supervisors to whom the provisions of this act apply shall be
8 entitled to, or owed, any interest or other penalty for any reason on
9 any monies due to such member pursuant to the terms of this act and the
10 terms of the interest arbitration award issued by the public arbitration
11 panel pursuant to subdivision 4 of section 209 of the civil service law.

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

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

46 ALL STATE DEPARTMENTS AND AGENCIES

47 General Fund / State Operations
48 State Purposes Account
49 Personal Service

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

1 Other compensation, including but not limit-
2 ed to, overtime, holiday pay, longevities,
3 security enforcement differential,
4 location, supplemental location, inconven-
5 ience pay, expanded duty pay \$5,841,000

6 NONPERSONAL SERVICE

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

12 S 19. This act shall take effect immediately and shall be deemed to
13 have been in full force and effect on and after April 1, 2005; provided
14 that section eleven of this act shall be deemed to have been in full
15 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.