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I N   S E N A T E

May 29, 2012

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Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to the deferral of vacation days for certain members of the retirement system

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

1     Section 1. Section 89 of the retirement and social security law is  
2     amended by adding a new subdivision 1 to read as follows:  
3     L. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL  
4     LAW, CODE, RESOLUTION OR CHARTER TO THE CONTRARY, MEMBERS OF THE  
5     UNIFORMED FORCE OF THE NEW YORK CITY DEPARTMENT OF CORRECTION SHALL BE  
6     AFFORDED THE OPTION OF POSTPONING THE USE OF UP TO FIVE VACATION DAYS  
7     PER YEAR AND TAKING A MONETARY PAYMENT IN LIEU THEREOF ON THE DATE OF  
8     RETIREMENT AT THE PAY RATE APPLICABLE TO SUCH MEMBER ON THE DATE OF SUCH  
9     MEMBER'S RETIREMENT. SUCH MONETARY PAYMENT SHALL NOT BE UTILIZED IN THE  
10    DETERMINATION OF FINAL AVERAGE SALARY FOR ANY SUCH MEMBER WHO SO ELECTS  
11    TO POSTPONE VACATION DAYS PURSUANT TO THIS SUBDIVISION. ANY SUCH MEMBER  
12    WISHING TO POSTPONE THE USE OF VACATION DAYS PURSUANT TO THIS SUBDIVI-  
13    SION SHALL ELECT SUCH POSTPONEMENT ON AN ANNUAL BASIS BY CERTIFYING TO  
14    THE DIRECTOR OF PERSONNEL OF HIS OR HER RESPECTIVE EMPLOYER OF HIS OR  
15    HER INTENTION TO DO SO IN SUCH MANNER AND FORM AS THE RESPECTIVE DIREC-  
16    TOR SHALL SO REQUIRE.  
17    S 2. This act shall take effect immediately.

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

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