

353--C

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. HOYT, SCHROEDER, GABRYSZAK, PEOPLES-STOKES, PERRY, REILLY, CASTRO, MILLMAN, KELLNER, BRENNAN, HEVESI, SPANO, MENG -- Multi-Sponsored by -- M. of A. BENEDETTO, BURLING, CROUCH, DUPREY, GALEF, GIGLIO, GUNTHER, JAFFEE, KOLB, LUPARDO, MAGEE, MCENENY, RAIA, SCHIMEL, SWEENEY, WEISENBERG -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the public authorities law, in relation to prohibiting bonuses for employees of public authorities

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

1 Section 1. The public authorities law is amended by adding a new
2 section 2854 to read as follows:
3 S 2854. PROHIBITION ON PAYMENT OF BONUSES. 1. NOTWITHSTANDING ANY
4 PROVISION OF LAW, IN NO EVENT SHALL AN INDIVIDUAL BY OR ON BEHALF OF
5 STATE AUTHORITIES RECEIVE ADDITIONAL COMPENSATION AS A REWARD FOR
6 SERVICES ALREADY RENDERED AND FULLY COMPENSATED, SUCH AS A BONUS OR
7 RETROACTIVE PAY INCREASE; PROVIDED, HOWEVER, THAT NOTHING IN THIS
8 SECTION SHALL BE DEEMED TO PREVENT A STATE AUTHORITY FROM PAYING AN
9 INCENTIVE TO AN INDIVIDUAL BY OR ON BEHALF OF A STATE AUTHORITY IN
10 ACCORDANCE WITH A WRITTEN INCENTIVE PROGRAM ADOPTED BY THE BOARD OF THE
11 STATE AUTHORITY. NO INCENTIVE SHALL BE PAID UNLESS A WRITTEN AGREEMENT
12 SETTING FORTH A SPECIFIC PERFORMANCE GOAL OR GOALS THAT MUST BE ACHIEVED
13 TO EARN THE INCENTIVE OR INCENTIVES IS EXECUTED BY THE EMPLOYEE BEFORE

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

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1 PERFORMANCE TO ACHIEVE THE GOAL OR GOALS IS BEGUN; AND THE INCENTIVE
2 SHALL NOT BE PAID UNLESS WRITTEN DOCUMENTATION OF THE ACHIEVEMENT OF
3 SUCH PERFORMANCE GOAL OR GOALS HAS BEEN PLACED IN THE EMPLOYEE'S PERSON-
4 NEL FILE.

5 2. IN NO EVENT SHALL MEMBERS OF THE BOARD OF A STATE AUTHORITY RECEIVE
6 BONUS OR INCENTIVE PAYMENTS. NOTHING IN THIS SECTION SHALL BE DEEMED TO
7 PREVENT RETROACTIVE COMPENSATION INCREASES UNDER A COLLECTIVE BARGAINING
8 AGREEMENT.

9 S 2. This act shall take effect immediately.