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

10114

I N A S S E M B L Y

June 15, 2014

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 certain state officers and employees; to implement agreements between the state and an employee organization; making an appropriation therefor; and to repeal certain provisions of such law relating thereto

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

Section 1. Subparagraphs 1, 2, 3 and 4 of paragraph e of subdivision 1 of section 130 of the civil service law are REPEALED and three new subparagraphs 1, 2 and 3 are added to read as follows:

(1) EFFECTIVE APRIL FIRST, TWO THOUSAND TEN:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR	JR INCR
1	22041	22785	23529	24273	25017	25761	26505	27249	744	744
2	22883	23663	24443	25223	26003	26783	27563	28343	780	780
3	24025	24840	25655	26470	27285	28100	28915	29730	815	815
4	25074	25937	26800	27663	28526	29389	30252	31115	863	863
5	26274	27178	28082	28986	29890	30794	31698	32602	904	904
6	27744	28683	29622	30561	31500	32439	33378	34317	939	939
7	29278	30263	31248	32233	33218	34203	35188	36173	985	985
8	30928	31951	32974	33997	35020	36043	37066	38089	1023	1023
9	32653	33722	34791	35860	36929	37998	39067	40136	1069	1069
10	34521	35642	36763	37884	39005	40126	41247	42368	1121	1121
11	36523	37700	38877	40054	41231	42408	43585	44762	1177	1177
12	38612	39830	41048	42266	43484	44702	45920	47138	1218	1218
13	40903	42177	43451	44725	45999	47273	48547	49821	1274	1274
14	43270	44596	45922	47248	48574	49900	51226	52552	1326	1326
15	45781	47163	48545	49927	51309	52691	54073	55455	1382	1382
16	48346	49792	51238	52684	54130	55576	57022	58468	1446	1446
17	51067	52595	54123	55651	57179	58707	60235	61763	1528	1528

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

LBD12096-01-4

1	18	51268	53027	54786	56545	58304	60063	61822	65190	1759	3368
2	19	54047	55879	57711	59543	61375	63207	65039	68637	1832	3598
3	20	56813	58727	60641	62555	64469	66383	68297	72076	1914	3779
4	21	59825	61819	63813	65807	67801	69795	71789	75862	1994	4073
5	22	63041	65119	67197	69275	71353	73431	75509	79819	2078	4310
6	23	66376	68538	70700	72862	75024	77186	79348	83954	2162	4606
7	24	69911	72159	74407	76655	78903	81151	83399	88256	2248	4857
8	25	73768	76111	78454	80797	83140	85483	87826	92974	2343	5148
9	26	77654	80091	82528	84965	87402	89839	92276	95713	2437	3437
10	27	81858	84425	86992	89559	92126	94693	97260	100827	2567	3567
11	28	86167	88834	91501	94168	96835	99502	102169	105836	2667	3667
12	29	90685	93452	96219	98986	101753	104520	107287	111054	2767	3767
13	30	95423	98293	101163	104033	106903	109773	112643	116513	2870	3870
14	31	100510	103489	106468	109447	112426	115405	118384	122363	2979	3979
15	32	105854	108931	112008	115085	118162	121239	124316	128393	3077	4077

16 (2) EFFECTIVE MARCH TWENTY-SEVENTH, TWO THOUSAND FOURTEEN:

17	SG	HR	STEP	STEP	STEP	STEP	STEP	STEP	JR	INCR	JR
18			1	2	3	4	5	6			INCR
19	1	22482	23240	23998	24756	25514	26272	27030	27795	758	765
20	2	23341	24137	24933	25729	26525	27321	28117	28913	796	796
21	3	24506	25338	26170	27002	27834	28666	29498	30323	832	825
22	4	25575	26456	27337	28218	29099	29980	30861	31735	881	874
23	5	26799	27721	28643	29565	30487	31409	32331	33253	922	922
24	6	28299	29257	30215	31173	32131	33089	34047	35005	958	958
25	7	29864	30868	31872	32876	33880	34884	35888	36899	1004	1011
26	8	31547	32591	33635	34679	35723	36767	37811	38848	1044	1037
27	9	33306	34397	35488	36579	37670	38761	39852	40936	1091	1084
28	10	35211	36355	37499	38643	39787	40931	42075	43212	1144	1137
29	11	37253	38454	39655	40856	42057	43258	44459	45660	1201	1201
30	12	39384	40626	41868	43110	44352	45594	46836	48078	1242	1242
31	13	41721	43020	44319	45618	46917	48216	49515	50814	1299	1299
32	14	44135	45488	46841	48194	49547	50900	52253	53606	1353	1353
33	15	46697	48107	49517	50927	52337	53747	55157	56567	1410	1410
34	16	49313	50788	52263	53738	55213	56688	58163	59638	1475	1475
35	17	52088	53646	55204	56762	58320	59878	61436	63001	1558	1565
36	18	52293	54087	55881	57675	59469	61263	63057	66494	1794	3437
37	19	55128	56997	58866	60735	62604	64473	66342	70013	1869	3671
38	20	57949	59901	61853	63805	65757	67709	69661	73519	1952	3858
39	21	61022	63056	65090	67124	69158	71192	73226	77376	2034	4150
40	22	64302	66421	68540	70659	72778	74897	77016	81415	2119	4399
41	23	67704	69909	72114	74319	76524	78729	80934	85635	2205	4701
42	24	71309	73602	75895	78188	80481	82774	85067	90020	2293	4953
43	25	75243	77633	80023	82413	84803	87193	89583	94834	2390	5251
44	26	79207	81692	84177	86662	89147	91632	94117	97627	2485	3510
45	27	83495	86113	88731	91349	93967	96585	99203	102844	2618	3641
46	28	87890	90610	93330	96050	98770	101490	104210	107953	2720	3743
47	29	92499	95322	98145	100968	103791	106614	109437	113275	2823	3838
48	30	97331	100259	103187	106115	109043	111971	114899	118843	2928	3944
49	31	102520	105558	108596	111634	114672	117710	120748	124810	3038	4062
50	32	107971	111110	114249	117388	120527	123666	126805	130961	3139	4156

51 (3) EFFECTIVE MARCH TWENTY-SIXTH, TWO THOUSAND FIFTEEN:

52	SG	HR	STEP	STEP	STEP	STEP	STEP	STEP	JR	INCR	JR
53			1	2	3	4	5	6			INCR

1	1	22932	23706	24480	25254	26028	26802	27576	28350	774	774
2	2	23808	24619	25430	26241	27052	27863	28674	29492	811	818
3	3	24996	25844	26692	27540	28388	29236	30084	30932	848	848
4	4	26087	26985	27883	28781	29679	30577	31475	32373	898	898
5	5	27335	28275	29215	30155	31095	32035	32975	33915	940	940
6	6	28865	29842	30819	31796	32773	33750	34727	35704	977	977
7	7	30461	31486	32511	33536	34561	35586	36611	37636	1025	1025
8	8	32178	33243	34308	35373	36438	37503	38568	39626	1065	1058
9	9	33972	35084	36196	37308	38420	39532	40644	41756	1112	1112
10	10	35915	37081	38247	39413	40579	41745	42911	44077	1166	1166
11	11	37998	39223	40448	41673	42898	44123	45348	46573	1225	1225
12	12	40172	41439	42706	43973	45240	46507	47774	49041	1267	1267
13	13	42555	43880	45205	46530	47855	49180	50505	51830	1325	1325
14	14	45018	46398	47778	49158	50538	51918	53298	54678	1380	1380
15	15	47631	49069	50507	51945	53383	54821	56259	57697	1438	1438
16	16	50299	51803	53307	54811	56315	57819	59323	60834	1504	1511
17	17	53130	54719	56308	57897	59486	61075	62664	64260	1589	1596
18	18	53339	55169	56999	58829	60659	62489	64319	67827	1830	3508
19	19	56231	58137	60043	61949	63855	65761	67667	71412	1906	3745
20	20	59108	61099	63090	65081	67072	69063	71054	74986	1991	3932
21	21	62242	64316	66390	68464	70538	72612	74686	78922	2074	4236
22	22	65588	67750	69912	72074	74236	76398	78560	83044	2162	4484
23	23	69058	71307	73556	75805	78054	80303	82552	87351	2249	4799
24	24	72735	75074	77413	79752	82091	84430	86769	91821	2339	5052
25	25	76748	79186	81624	84062	86500	88938	91376	96732	2438	5356
26	26	80791	83326	85861	88396	90931	93466	96001	99580	2535	3579
27	27	85165	87835	90505	93175	95845	98515	101185	104901	2670	3716
28	28	89648	92422	95196	97970	100744	103518	106292	110112	2774	3820
29	29	94349	97228	100107	102986	105865	108744	111623	115541	2879	3918
30	30	99278	102264	105250	108236	111222	114208	117194	121220	2986	4026
31	31	104570	107669	110768	113867	116966	120065	123164	127306	3099	4142
32	32	110130	113332	116534	119736	122938	126140	129342	133580	3202	4238

S 2. Compensation for certain state officers and employees in collective negotiating units. 1. The provisions of this section shall apply to full-time officers and employees in the collective negotiating unit designated as the rent regulation services negotiating unit.

2. Effective March 27, 2014, the basic annual salary of officers and employees in full-time employment status on the day before such payroll period shall be increased by two percent adjusted to the nearest whole dollar amount.

3. Effective March 26, 2015, the basic annual salary of officers and employees in full-time employment status on the day before such payroll period shall be increased by two percent adjusted to the nearest whole dollar amount.

4. Notwithstanding the provisions of subdivisions two and three of this section, if the basic annual salary of an officer or employee to whom the provisions of this section apply is identical with the hiring rate, job rate, or step 1, 2, 3, 4, 5, or 6 of the salary grade of his or her position on the effective dates of the increases provided in these subdivisions, such basic annual salary shall be increased to the hiring rate, step 1, 2, 3, 4, 5, 6, or job rate, respectively, of such salary grade as contained in the appropriate salary schedules in subparagraphs 2 and 3 of paragraph e of subdivision 1 of section 130 of the civil service law, as added by section one of this act, to take effect on the dates provided in subparagraphs 2 and 3 of such paragraph, respectively. 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.

5. Advancement within salary grade. Payments pursuant to the provisions of subdivision 6 of section 131 of the civil service law for officers and employees entitled to such payments to whom the provisions of this section apply shall be payable in accordance with the terms of an agreement reached pursuant to article 14 of the civil service law between the state and an employee organization representing employees in the collective negotiating unit designated as the rent regulation services negotiating unit.

6. 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 filled by the appointment of an officer or employee who is subject to the provisions of this section, 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.

7. The increases in salary provided in subdivisions two and three of this section shall apply on a prorated basis to officers and employees, otherwise eligible to receive an increase in salary, 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 salary rate. Notwithstanding the foregoing, the provisions of subdivision four and five of this section shall not apply to employees serving on a seasonal basis, except as determined by the director of the budget.

8. In order to provide for the officers and employees to whom this section applies who are not allocated to salary grades, increases and payments pursuant to subdivision five of this section 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 and/or payments 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 and/or payments thereof for which adjustments and/or payments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the state department of civil service, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

10. Notwithstanding any of the foregoing provisions of this section except subdivision one, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increases in salary provided in subdivisions two and three of this section shall not cause such officer's or employee's salary to exceed the job rate of such lower graded position.

11. Notwithstanding any of the foregoing provisions of this section or any law to the contrary, any increase in compensation may be withheld in

whole or in part from any employee to whom the provisions of this section are applicable when, in the opinion of the director of the budget and the director of employee relations, such increase is not warranted or is not appropriate for any reason.

S 3. Location compensation for certain state officers and employees in collective negotiating units. Notwithstanding any inconsistent provisions of law, officers and employees, including seasonal officers and employees who shall receive the compensation provided for pursuant to this section on a pro-rated basis, except part-time officers and employees, in the collective negotiating unit designated as the rent regulation services negotiating unit, 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 city of New York, or in the county of Rockland, Westchester, Nassau or Suffolk shall continue to receive a downstate adjustment at the annual rate of three thousand twenty-six dollars. Such location payments shall be in addition to and shall not be a part of an officer's or employee's basic annual salary, and shall not affect or impair any performance advancements or other rights or benefits to which an officer or employee may be entitled by law, provided, however, that location payments shall be included as compensation for purposes of computation of overtime pay and for retirement purposes.

S 4. Notwithstanding any inconsistent provision of law, where and to the extent that any agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides on behalf of employees in the collective negotiating unit designated as the rent regulation services negotiating 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 subdivision 7 of 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 or retirement purposes.

S 5. Notwithstanding any provision of law to the contrary, the appropriations contained in this act shall be available to the state for the payment and publication of grievance and arbitration settlements and awards pursuant to articles 31 and 33 of the collective negotiating agreement between the state and the employee organization representing the collective negotiating unit designated as the rent regulation services negotiating unit.

S 6. During the period April 2, 2011 through April 1, 2016, there shall be labor-management committees continued, administered and created pursuant to the terms of the agreement negotiated between the state and an employee organization representing employees in the collective negotiating unit designated as the rent regulation services negotiating unit established pursuant to article 14 of the civil service law which shall, after April 2, 2011, have the responsibility for discussing and attempting to resolve matters of mutual concern and implementing any agreements reached.

S 7. The salary increases, salary deductions, salary reductions, benefit modifications, and any other modifications to the terms and conditions of employment provided for by this act for state employees in the collective negotiating unit designated as the rent regulations services negotiating unit established pursuant to article 14 of the civil service law shall not be implemented until the director of employee relations shall have delivered to the director of the budget and the comptroller a

letter certifying that there is in effect with respect to such negotiating unit a collectively negotiated agreement, ratified by the membership, which provides for such increases, deductions, reductions and modifications and which are fully executed in writing with the state pursuant to article 14 of the civil service law.

S 8. Use of appropriations. The comptroller is authorized to pay any amounts required during the fiscal year commencing April 1, 2014 by the foregoing provisions of this act for any state department or agency from any appropriation or other funds available to such state department or agency for personal service or for other related employee benefits during such fiscal year. To the extent that such appropriations in any fund are insufficient to accomplish the purposes herein set forth, 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 pay such amounts.

S 9. Effect of participation in special annuity program. No officer or employee participating in a special annuity program pursuant to the provisions of article 8-C of the education law shall, by reason of an increase in compensation pursuant to this act, suffer any reduction of the salary adjustment to which he or she would otherwise be entitled by reason of participation in such program, and such salary adjustment shall be based upon the salary of such officer or employee without regard to the reduction authorized by such article.

S 10. Deferred payment of salary increase. Notwithstanding the provisions of any other section of this act, or any other law, 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, 2014, 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.

S 11. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the several amounts as hereinafter set forth, 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, 2014 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. 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 chair of the senate finance committee and the chair of the assembly ways and means committee.

ALL STATE DEPARTMENTS AND AGENCIES
SPECIAL PAY BILLS

General Fund - State Purposes Account

Non-Personal Service

Fringe Benefits 6,000
Family Benefits 41,000
Committee on health benefits 21,000
Employee assistance program 14,000
Employee development and training 242,000
Contract Administration 3,000
Statewide Performance Rating Committee 4,000
Time & Attendance Umpire Process Admin 4,000
Disciplinary Panel Administration 4,000

Special Revenue Funds - Other
Miscellaneous Special Revenue Fund - 339

Personal Service

Personal Service 72,000

Non-Personal Service

Non-Personal Service 43,000

S 12. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 2, 2011. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2015.

REPEAL NOTE--Subparagraphs 1, 2, 3 and 4 of paragraph e of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided salary schedules for state employees in the rent regulation services negotiating unit and is replaced by revised salary schedules in new subparagraphs 1, 2 and 3.