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

5587

2013-2014 Regular Sessions

I N A S S E M B L Y

March 4, 2013

Introduced by M. of A. BRENNAN, GALEF, ABINANTI -- read once and referred to the Committee on Corporations, Authorities and Commissions

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

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

Section 1. The public authorities law is amended by adding a new section 2854 to read as follows:

S 2854. PROHIBITION ON PAYMENT OF BONUSES AT STATE AND LOCAL AUTHORITIES. NOTWITHSTANDING ANY PROVISION OF LAW, COMPENSATION PAID OR OTHERWISE PROVIDED TO INDIVIDUALS EMPLOYED BY OR ON BEHALF OF STATE OR LOCAL AUTHORITIES SHALL BE LIMITED TO COMPENSATION AND BENEFITS COMPARABLE TO THOSE BENEFITS PROVIDED TO CIVIL SERVICE EMPLOYEES, AND, IF APPLICABLE, REIMBURSEMENT OF EXPENSES. NO BONUS OF ANY NATURE SHALL BE PAID TO ANY INDIVIDUAL EMPLOYED BY OR ON BEHALF OF A STATE OR LOCAL AUTHORITY UNLESS THE BONUS IS PAID PURSUANT TO A WRITTEN AGREEMENT WITH PERFORMANCE GOALS, EXECUTED AND RATIFIED BY THE BOARD OF THE STATE OR LOCAL AUTHORITY BEFORE THE PERFORMANCE IS RENDERED. PRIOR TO AWARDING THE BONUS, A WRITTEN EVALUATION OF THE PERFORMANCE RENDERED, IN COMPARISON TO THE PREDETERMINED PERFORMANCE GOALS, SHALL BE RATIFIED BY THE BOARD AND RECORDED IN THE BOARD MINUTES. NOTHING IN THIS SECTION SHALL SUPERSEDE ANY COLLECTIVE BARGAINING AGREEMENT ENTERED INTO PRIOR TO THE EFFECTIVE DATE OF THIS SECTION. IN NO EVENT SHALL MEMBERS OF THE BOARD OF A STATE OR LOCAL AUTHORITY RECEIVE A BONUS OF ANY NATURE. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AUTHORIZE PAYMENT OF AFTER THE FACT BONUSES OR PAYMENTS FOR PERFORMANCE ALREADY RENDERED AND FULLY COMPENSATED, INCLUDING BUT NOT LIMITED TO A RETROACTIVE PAY INCREASE OR INCENTIVE PAYMENT.

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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