

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:

1 Section 1. Subparagraphs 1, 2, 3 and 4 of paragraph e of subdivision 1  
2 of section 130 of the civil service law are REPEALED and three new  
3 subparagraphs 1, 2 and 3 are added to read as follows:  
4 (1) EFFECTIVE APRIL FIRST, TWO THOUSAND TEN:

|    | SG | HR    | STEP<br>1 | STEP<br>2 | STEP<br>3 | STEP<br>4 | STEP<br>5 | STEP<br>6 | JR    | INCR | JR<br>INCR |
|----|----|-------|-----------|-----------|-----------|-----------|-----------|-----------|-------|------|------------|
| 5  |    |       |           |           |           |           |           |           |       |      |            |
| 6  |    |       |           |           |           |           |           |           |       |      |            |
| 7  | 1  | 22041 | 22785     | 23529     | 24273     | 25017     | 25761     | 26505     | 27249 | 744  | 744        |
| 8  | 2  | 22883 | 23663     | 24443     | 25223     | 26003     | 26783     | 27563     | 28343 | 780  | 780        |
| 9  | 3  | 24025 | 24840     | 25655     | 26470     | 27285     | 28100     | 28915     | 29730 | 815  | 815        |
| 10 | 4  | 25074 | 25937     | 26800     | 27663     | 28526     | 29389     | 30252     | 31115 | 863  | 863        |
| 11 | 5  | 26274 | 27178     | 28082     | 28986     | 29890     | 30794     | 31698     | 32602 | 904  | 904        |
| 12 | 6  | 27744 | 28683     | 29622     | 30561     | 31500     | 32439     | 33378     | 34317 | 939  | 939        |
| 13 | 7  | 29278 | 30263     | 31248     | 32233     | 33218     | 34203     | 35188     | 36173 | 985  | 985        |
| 14 | 8  | 30928 | 31951     | 32974     | 33997     | 35020     | 36043     | 37066     | 38089 | 1023 | 1023       |
| 15 | 9  | 32653 | 33722     | 34791     | 35860     | 36929     | 37998     | 39067     | 40136 | 1069 | 1069       |
| 16 | 10 | 34521 | 35642     | 36763     | 37884     | 39005     | 40126     | 41247     | 42368 | 1121 | 1121       |
| 17 | 11 | 36523 | 37700     | 38877     | 40054     | 41231     | 42408     | 43585     | 44762 | 1177 | 1177       |
| 18 | 12 | 38612 | 39830     | 41048     | 42266     | 43484     | 44702     | 45920     | 47138 | 1218 | 1218       |
| 19 | 13 | 40903 | 42177     | 43451     | 44725     | 45999     | 47273     | 48547     | 49821 | 1274 | 1274       |
| 20 | 14 | 43270 | 44596     | 45922     | 47248     | 48574     | 49900     | 51226     | 52552 | 1326 | 1326       |
| 21 | 15 | 45781 | 47163     | 48545     | 49927     | 51309     | 52691     | 54073     | 55455 | 1382 | 1382       |
| 22 | 16 | 48346 | 49792     | 51238     | 52684     | 54130     | 55576     | 57022     | 58468 | 1446 | 1446       |
| 23 | 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  | 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

1 subdivision shall be in lieu of any increase in basic annual salary  
2 provided for in subdivisions two and three of this section.

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

11 6. If an unencumbered position is one which if encumbered, would be  
12 subject to the provisions of this section, the salary of such position  
13 shall be increased by the salary increase amounts specified in this  
14 section. If a position is created, and filled by the appointment of an  
15 officer or employee who is subject to the provisions of this section,  
16 the salary otherwise provided for such position shall be increased in  
17 the same manner as though such position had been in existence but unen-  
18 cumbered. Notwithstanding the provisions of this section, the director  
19 of the budget may reduce the salary of any such position which is or  
20 becomes vacant.

21 7. The increases in salary provided in subdivisions two and three of  
22 this section shall apply on a prorated basis to officers and employees,  
23 otherwise eligible to receive an increase in salary, who are paid on an  
24 hourly or per diem basis, employees serving on a part-time or seasonal  
25 basis and employees paid on any basis other than at an annual salary  
26 rate. Notwithstanding the foregoing, the provisions of subdivision four  
27 and five of this section shall not apply to employees serving on a  
28 seasonal basis, except as determined by the director of the budget.

29 8. In order to provide for the officers and employees to whom this  
30 section applies who are not allocated to salary grades, increases and  
31 payments pursuant to subdivision five of this section in proportion to  
32 those provided to persons to whom this section applies who are allocated  
33 to salary grades, the director of the budget is authorized to add appro-  
34 priate adjustments and/or payments to the compensation which such offi-  
35 cers and employees are otherwise entitled to receive. The director of  
36 the budget shall issue certificates which shall contain schedules of  
37 positions and the salaries and/or payments thereof for which adjustments  
38 and/or payments are made pursuant to the provisions of this subdivision,  
39 and a copy of each such certificate shall be filed with the state comp-  
40 troller, the state department of civil service, the chairman of the  
41 senate finance committee and the chairman of the assembly ways and means  
42 committee.

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

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

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

1 whole or in part from any employee to whom the provisions of this  
2 section are applicable when, in the opinion of the director of the budg-  
3 et and the director of employee relations, such increase is not  
4 warranted or is not appropriate for any reason.

5 S 3. Location compensation for certain state officers and employees in  
6 collective negotiating units. Notwithstanding any inconsistent  
7 provisions of law, officers and employees, including seasonal officers  
8 and employees who shall receive the compensation provided for pursuant  
9 to this section on a pro-rated basis, except part-time officers and  
10 employees, in the collective negotiating unit designated as the rent  
11 regulation services negotiating unit, whose principal place of employ-  
12 ment or, in the case of a field employee, whose official station as  
13 determined in accordance with the regulations of the comptroller, is  
14 located in the city of New York, or in the county of Rockland, Westches-  
15 ter, Nassau or Suffolk shall continue to receive a downstate adjustment  
16 at the annual rate of three thousand twenty-six dollars. Such location  
17 payments shall be in addition to and shall not be a part of an officer's  
18 or employee's basic annual salary, and shall not affect or impair any  
19 performance advancements or other rights or benefits to which an officer  
20 or employee may be entitled by law, provided, however, that location  
21 payments shall be included as compensation for purposes of computation  
22 of overtime pay and for retirement purposes.

23 S 4. Notwithstanding any inconsistent provision of law, where and to  
24 the extent that any agreement between the state and an employee organ-  
25 ization entered into pursuant to article 14 of the civil service law so  
26 provides on behalf of employees in the collective negotiating unit  
27 designated as the rent regulation services negotiating unit, the state  
28 shall contribute an amount designated in such agreement and for the  
29 period covered by such agreement to the accounts of such employees  
30 enrolled for dependent care deductions pursuant to subdivision 7 of  
31 section 201-a of the state finance law. Such amounts shall be from funds  
32 appropriated in this act and shall not be part of basic annual salary  
33 for overtime or retirement purposes.

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

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

50 S 7. The salary increases, salary deductions, salary reductions, bene-  
51 fit modifications, and any other modifications to the terms and condi-  
52 tions of employment provided for by this act for state employees in the  
53 collective negotiating unit designated as the rent regulations services  
54 negotiating unit established pursuant to article 14 of the civil service  
55 law shall not be implemented until the director of employee relations  
56 shall have delivered to the director of the budget and the comptroller a

1 letter certifying that there is in effect with respect to such negotiat-  
2 ing unit a collectively negotiated agreement, ratified by the member-  
3 ship, which provides for such increases, deductions, reductions and  
4 modifications and which are fully executed in writing with the state  
5 pursuant to article 14 of the civil service law.

6 S 8. Use of appropriations. The comptroller is authorized to pay any  
7 amounts required during the fiscal year commencing April 1, 2014 by the  
8 foregoing provisions of this act for any state department or agency from  
9 any appropriation or other funds available to such state department or  
10 agency for personal service or for other related employee benefits  
11 during such fiscal year. To the extent that such appropriations in any  
12 fund are insufficient to accomplish the purposes herein set forth, the  
13 director of the budget is authorized to allocate to the various depart-  
14 ments and agencies, from any appropriations available in any fund, the  
15 amounts necessary to pay such amounts.

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

24 S 10. Deferred payment of salary increase. Notwithstanding the  
25 provisions of any other section of this act, or any other law, pending  
26 payment pursuant to this act of the basic annual salaries of incumbents  
27 of positions subject to this act, such incumbents shall receive, as  
28 partial compensation for services rendered, the rate of compensation  
29 otherwise payable in their respective positions. An incumbent holding a  
30 position subject to this act at any time during the period from April 1,  
31 2014, until the time when basic annual salaries are first paid pursuant  
32 to this act for such services in excess of the compensation actually  
33 received therefor, shall be entitled to a lump sum payment for the  
34 difference between the salary to which such incumbent is entitled for  
35 such services and the compensation actually received therefor. Such lump  
36 sum payment shall be made as soon as practicable.

37 S 11. Notwithstanding any provision of the state finance law or any  
38 other provision of law to the contrary, the several amounts as herein-  
39 after set forth, or so much thereof as may be necessary, are hereby  
40 appropriated from the fund so designated for use by any state department  
41 or agency for the fiscal year beginning April 1, 2014 to supplement  
42 appropriations from each respective fund available for personal service,  
43 other than personal service and fringe benefits, and to carry out the  
44 provisions of this act. No money shall be available for expenditure from  
45 this appropriation until a certificate of approval has been issued by  
46 the director of the budget and a copy of such certificate or any amend-  
47 ment thereto has been filed with the state comptroller, the chair of the  
48 senate finance committee and the chair of the assembly ways and means  
49 committee.

50 ALL STATE DEPARTMENTS AND AGENCIES  
51 SPECIAL PAY BILLS

52 General Fund - State Purposes Account

1 Non-Personal Service

|    |                                              |         |
|----|----------------------------------------------|---------|
| 2  | Fringe Benefits .....                        | 6,000   |
| 3  | Family Benefits .....                        | 41,000  |
| 4  | Committee on health benefits .....           | 21,000  |
| 5  | Employee assistance program .....            | 14,000  |
| 6  | Employee development and training .....      | 242,000 |
| 7  | Contract Administration .....                | 3,000   |
| 8  | Statewide Performance Rating Committee ..... | 4,000   |
| 9  | Time & Attendance Umpire Process Admin ..... | 4,000   |
| 10 | Disciplinary Panel Administration .....      | 4,000   |

11 Special Revenue Funds - Other  
12 Miscellaneous Special Revenue Fund - 339

13 Personal Service

14 Personal Service ..... 72,000

15 Non-Personal Service

16 Non-Personal Service ..... 43,000

17 S 12. This act shall take effect immediately and shall be deemed to  
18 have been in full force and effect on and after April 2, 2011. Appropri-  
19 ations made by this act shall remain in full force and effect for  
20 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.