STATE OF NEW YORK

10606

IN ASSEMBLY

May 8, 2018

Introduced by M. of A. ABBATE -- (at request of the Governor) -- read once and referred to the Committee on Governmental Employees

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 authorize funding of joint labor management committees; 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 Subparagraphs 1, 2 and 3 of paragraph e of subdivision 1 of section 130 of the civil service law are REPEALED and five new subparagraphs 1, 2, 3, 4 and 5 are added to read as follows:

(1) Effective April seventh, two thousand sixteen:

SG	HR	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	JR	INCR	JR INCR
1	23391	24180	24969	25758	26547	27336	28125	28914	789	789
2	24284	25112	25940	26768	27596	28424	29252	30080	828	828
3	25496	26361	27226	28091	28956	29821	30686	31551	865	865
4	26609	27525	28441	29357	30273	31189	32105	33021	916	916
5	27882	28841	29800	30759	31718	32677	33636	34595	959	959
6	29442	30439	31436	32433	33430	34427	35424	36421	997	997
7	31070	32115	33160	34205	35250	36295	37340	38392	1045	1052
8	32822	33908	34994	36080	37166	38252	39338	40417	1086	1079
9	34651	35786	36921	38056	39191	40326	41461	42589	1135	1128
10	36633	37823	39013	40203	41393	42583	43773	44956	1190	1183
11	38758	40007	41256	42505	43754	45003	46252	47501	1249	1249
12	40975	42268	43561	44854	46147	47440	48733	50019	1293	1286
13	43406	44758	46110	47462	48814	50166	51518	52870	1352	1352
14	45918	47325	48732	50139	51546	52953	54360	55774	1407	1414
15	48584	50051	51518	52985	54452	55919	57386	58853	1467	1467
16	51305	52839	54373	55907	57441	58975	60509	62050	1534	1541
17	54193	55814	57435	59056	60677	62298	63919	65547	1621	1628

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

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18	54406	56272	58138	60004	61870	63736	65602	69182	1866	3580
19	57356	59300	61244	63188	65132	67076	69020	72841	1944	3821
20	60290	62321	64352	66383	68414	70445	72476	76484	2031	4008
21	63487	65603	67719	69835	71951	74067	76183	80501	2116	4318
22	66900	69105	71310	73515	75720	77925	80130	84707	2205	4577
23	70439	72733	75027	77321	79615	81909	84203	89095	2294	4892
24	74190	76576	78962	81348	83734	86120	88506	93659	2386	5153
25	78283	80769	83255	85741	88227	90713	93199	98669	2486	5470
26	82407	84993	87579	90165	92751	95337	97923	101577	2586	3654
27	86868	89592	92316	95040	97764	100488	103212	106993	2724	3781
28	91441	94271	97101	99931	102761	105591	108421	112307	2830	3886
29	96236	99173	102110	105047	107984	110921	113858	117862	2937	4004
30	101264	104310	107356	110402	113448	116494	119540	123647	3046	4107
31	106661	109822	112983	116144	119305	122466	125627	129843	3161	4216
32	112333	115599	118865	122131	125397	128663	131929	136259	3266	4330

(2) Effective April sixth, two thousand seventeen:

SG	HR	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	JR	INCR	JR INCR
1	23859	24664	25469	26274	27079	27884	28689	29494	805	805
2	24770	25614	26458	27302	28146	28990	29834	30685	844	851
3	26006	26889	27772	28655	29538	30421	31304	32180	883	876
4	27141	28075	29009	29943	30877	31811	32745	33679	934	934
5	28440	29418	30396	31374	32352	33330	34308	35286	978	978
6	30031	31047	32063	33079	34095	35111	36127	37150	1016	1023
7	31691	32757	33823	34889	35955	37021	38087	39160	1066	1073
8	33478	34586	35694	36802	37910	39018	40126	41227	1108	1101
9	35344	36501	37658	38815	39972	41129	42286	43443	1157	1157
10	37366	38580	39794	41008	42222	43436	44650	45857	1214	1207
11	39533	40807	42081	43355	44629	45903	47177	48451	1274	1274
12	41795	43113	44431	45749	47067	48385	49703	51021	1318	1318
13	44274	45653	47032	48411	49790	51169	52548	53927	1379	1379
14	46836	48271	49706	51141	52576	54011	55446	56888	1435	1442
15	49556	51052	52548	54044	55540	57036	58532	60028	1496	1496
16	52331	53896	55461	57026	58591	60156	61721	63293	1565	1572
17	55277	56931	58585	60239	61893	63547	65201	66855	1654	1654
18	55494	57398	59302	61206	63110	65014	66918	70566	1904	3648
19	58503	60486	62469	64452	66435	68418	70401	74301	1983	3900
20	61496	63567	65638	67709	69780	71851	73922	78014	2071	4092
21	64757	66915	69073	71231	73389	75547	77705	82113	2158	4408
22	68238	70487	72736	74985	77234	79483	81732	86398	2249	4666
23	71848	74188	76528	78868	81208	83548	85888	90876	2340	4988
24	75674	78108	80542	82976	85410	87844	90278	95534	2434	5256
25	79849	82385	84921	87457	89993	92529	95065	100645	2536	5580
26	84055	86693	89331	91969	94607	97245	99883	103609	2638	3726
27	88605	91383	94161	96939	99717	102495	105273	109133	2778	3860
28	93270	96156	99042	101928	104814	107700	110586	114553	2886	3967
29	98161	101156	104151	107146	110141	113136	116131	120219	2995	4088
30	103289	106396	109503	112610	115717	118824	121931	126120	3107	4189
31	108794	112018	115242	118466	121690	124914	128138	132440	3224	4302
32	114580	117911	121242	124573	127904	131235	134566	138984	3331	4418

(3) Effective April fifth, two thousand eighteen:

SG	HR	Step	Step	Step	Step	Step	Step	JR	INCR	JR

		1	2	3	4	5	6			INCR
1	24336	25157	25978	26799	27620	28441	29262	30083	821	821
2	25265	26126	26987	27848	28709	29570	30431	31299	861	868
3	26526	27426	28326	29226	30126	31026	31926	32826	900	900
4	27684	28637	29590	30543	31496	32449	33402	34355	953	953
5	29009	30007	31005	32003	33001	33999	34997	35995	998	998
6	30632	31669	32706	33743	34780	35817	36854	37891	1037	1037
7	32325	33412	34499	35586	36673	37760	38847	39941	1087	1094
8	34148	35278	36408	37538	38668	39798	40928	42051	1130	1123
9	36051	37232	38413	39594	40775	41956	43137	44311	1181	1174
10	38113	39351	40589	41827	43065	44303	45541	46772	1238	1231
11	40324	41624	42924	44224	45524	46824	48124	49417	1300	1293
12	42631	43976	45321	46666	48011	49356	50701	52039	1345	1338
13	45159	46566	47973	49380	50787	52194	53601	55008	1407	1407
14	47773	49237	50701	52165	53629	55093	56557	58028	1464	1471
15	50547	52073	53599	55125	56651	58177	59703	61229	1526	1526
16	53378	54974	56570	58166	59762	61358	62954	64557	1596	1603
17	56383	58070	59757	61444	63131	64818	66505	68192	1687	1687
18	56604	58546	60488	62430	64372	66314	68256	71980	1942	3724
19	59673	61696	63719	65742	67765	69788	71811	75785	2023	3974
20	62726	64839	66952	69065	71178	73291	75404	79577	2113	4173
21	66052	68253	70454	72655	74856	77057	79258	83752	2201	4494
22	69603	71897	74191	76485	78779	81073	83367	88124	2294	4757
23	73285	75672	78059	80446	82833	85220	87607	92693	2387	5086
24	77187	79669	82151	84633	87115	89597	92079	97448	2482	5369
25	81446	84033	86620	89207	91794	94381	96968	102661	2587	5693
26	85736	88426	91116	93806	96496	99186	101876	105681	2690	3805
27	90377	93211	96045	98879	101713	104547	107381	111316	2834	3935
28	95135	98079	101023	103967	106911	109855	112799	116844	2944	4045
29	100124	103179	106234	109289	112344	115399	118454	122623	3055	4169
30	105355	108524	111693	114862	118031	121200	124369	128642	3169	4273
31	110970	114259	117548	120837	124126	127415	130704	135089	3289	4385
32	116872	120270	123668	127066	130464	133862	137260	141764	3398	4504

(4) Effective April fourth, two thousand nineteen:

SG	HR	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	JR	INCR	JR INCR
1	24823	25660	26497	27334	28171	29008	29845	30682	837	837
2	25770	26649	27528	28407	29286	30165	31044	31923	879	879
3	27057	27975	28893	29811	30729	31647	32565	33483	918	918
4	28238	29210	30182	31154	32126	33098	34070	35042	972	972
5	29589	30607	31625	32643	33661	34679	35697	36715	1018	1018
6	31245	32302	33359	34416	35473	36530	37587	38651	1057	1064
7	32972	34081	35190	36299	37408	38517	39626	40742	1109	1116
8	34831	35983	37135	38287	39439	40591	41743	42895	1152	1152
9	36772	37976	39180	40384	41588	42792	43996	45200	1204	1204
10	38875	40138	41401	42664	43927	45190	46453	47709	1263	1256
11	41130	42456	43782	45108	46434	47760	49086	50405	1326	1319
12	43484	44855	46226	47597	48968	50339	51710	53081	1371	1371
13	46062	47497	48932	50367	51802	53237	54672	56107	1435	1435
14	48728	50221	51714	53207	54700	56193	57686	59186	1493	1500
15	51558	53114	54670	56226	57782	59338	60894	62457	1556	1563
16	54446	56074	57702	59330	60958	62586	64214	65849	1628	1635
17	57511	59231	60951	62671	64391	66111	67831	69558	1720	1727
18	57736	59716	61696	63676	65656	67636	69616	73418	1980	3802

19	60866	62930	64994	67058	69122	71186	73250	77301	2064	4051
20	63981	66136	68291	70446	72601	74756	76911	81172	2155	4261
21	67373	69618	71863	74108	76353	78598	80843	85425	2245	4582
22	70995	73335	75675	78015	80355	82695	85035	89886	2340	4851
23	74751	77186	79621	82056	84491	86926	89361	94548	2435	5187
24	78731	81263	83795	86327	88859	91391	93923	99394	2532	5471
25	83075	85714	88353	90992	93631	96270	98909	104711	2639	5802
26	87451	90195	92939	95683	98427	101171	103915	107795	2744	3880
27	92185	95076	97967	100858	103749	106640	109531	113542	2891	4011
28	97038	100041	103044	106047	109050	112053	115056	119181	3003	4125
29	102126	105243	108360	111477	114594	117711	120828	125075	3117	4247
30	107462	110695	113928	117161	120394	123627	126860	131215	3233	4355
31	113189	116544	119899	123254	126609	129964	133319	137791	3355	4472
32	119209	122675	126141	129607	133073	136539	140005	144599	3466	4594

(5) Effective April second, two thousand twenty:

SG	HR	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	JR	INCR	JR INCR
1	25319	26173	27027	27881	28735	29589	30443	31297	854	854
2	26285	27181	28077	28973	29869	30765	31661	32564	896	903
3	27598	28535	29472	30409	31346	32283	33220	34150	937	930
4	28803	29794	30785	31776	32767	33758	34749	35740	991	991
5	30181	31219	32257	33295	34333	35371	36409	37447	1038	1038
6	31870	32949	34028	35107	36186	37265	38344	39423	1079	1079
7	33631	34762	35893	37024	38155	39286	40417	41555	1131	1138
8	35528	36703	37878	39053	40228	41403	42578	43753	1175	1175
9	37507	38735	39963	41191	42419	43647	44875	46103	1228	1228
10	39653	40941	42229	43517	44805	46093	47381	48662	1288	1281
11	41953	43305	44657	46009	47361	48713	50065	51410	1352	1345
12	44354	45753	47152	48551	49950	51349	52748	54140	1399	1392
13	46983	48447	49911	51375	52839	54303	55767	57231	1464	1464
14	49703	51226	52749	54272	55795	57318	58841	60371	1523	1530
15	52589	54177	55765	57353	58941	60529	62117	63705	1588	1588
16	55535	57196	58857	60518	62179	63840	65501	67169	1661	1668
17	58661	60416	62171	63926	65681	67436	69191	70946	1755	1755
18	58891	60911	62931	64951	66971	68991	71011	74887	2020	3876
19	62083	64188	66293	68398	70503	72608	74713	78849	2105	4136
20	65261	67459	69657	71855	74053	76251	78449	82794	2198	4345
21	68720	71010	73300	75590	77880	80170	82460	87133	2290	4673
22	72415	74802	77189	79576	81963	84350	86737	91684	2387	4947
23	76246	78730	81214	83698	86182	88666	91150	96441	2484	5291
24	80306	82889	85472	88055	90638	93221	95804	101379	2583	5575
25	84737	87428	90119	92810	95501	98192	100883	106802	2691	5919
26	89200	91999	94798	97597	100396	103195	105994	109951	2799	3957
27	94029	96977	99925	102873	105821	108769	111717	115813	2948	4096
28	98979	102042	105105	108168	111231	114294	117357	121565	3063	4208
29	104169	107348	110527	113706	116885	120064	123243	127577	3179	4334
30	109611	112908	116205	119502	122799	126096	129393	133839	3297	4446
31	115453	118875	122297	125719	129141	132563	135985	140547	3422	4562
32	121593	125128	128663	132198	135733	139268	142803	147491	3535	4688

§ 2. Paragraph (b) of subdivision 10 of section 130 of the civil service law is REPEALED.

§ 2-a. Paragraphs (c), (d), (e), (f) and (g) of subdivision 10 of section 130 of the civil service law, paragraphs (c) and (d) as amended

by chapter 49 of the laws of 2008 and paragraphs (e), (f) and (g) as amended by chapter 111 of the laws of 2006, are amended to read as follows:

[~~(c)~~] **(b)** [~~(i) Prior to April first two thousand ten, and notwithstanding any inconsistent provision of law, officers and employees to whom paragraph e of subdivision one of this section applies who, on or after April first, two thousand four, on their anniversary date have five or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade, but below the first longevity step and whose performance for the most recent rating period was rated at least "satisfactory" or its equivalent, shall have their basic annual salary increased to the first longevity step or shall have their basic annual salary as otherwise effective increased by eight hundred fifty dollars; or by nine hundred fifty dollars on or after April first, two thousand seven; or by one thousand fifty dollars on or after April first, two thousand eight; or by one thousand one hundred fifty dollars on or after April first, two thousand nine; or as much of that amount as will not result in the new basic annual salary exceeding the step two longevity step. Notwithstanding any inconsistent provision of law, officers and employees to whom paragraph e of subdivision one of this section apply who, on or after April first, two thousand four, on their anniversary date have ten or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade, but below the second longevity step and whose performance for the most recent rating period was rated at least "satisfactory" or its equivalent, shall have their basic annual salary increased to the second longevity step as found in paragraph e of subdivision one of this section. Such increases to longevity steps by eligible officers or employees shall become effective on the first day of the payroll period which next begins following the anniversary date which satisfies the prescribed service requirements.

~~(ii) Officers~~] **Notwithstanding any inconsistent provision of law, officers** and employees to whom paragraph [~~(c)~~] **e** of subdivision one of this section [~~apply~~] **applies** who, on or after April first, two thousand ten, on their anniversary date have five or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade, shall receive a lump sum payment in the amount of one thousand two hundred fifty dollars. **Effective April first, two thousand nineteen, such lump sum payment shall increase to one thousand five hundred dollars.** Officers and employees to whom paragraph e of subdivision one of this section applies who, on or after April first, two thousand ten, on their anniversary date have ten or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade shall receive a lump sum payment in the amount of two thousand five hundred dollars. **Effective April First, two thousand nineteen, such lump sum payment shall be increased to three thousand dollars.**

Officers and employees to whom paragraph e of subdivision one of this section applies who, on or after April first, two thousand twenty, on their anniversary date have fifteen or more years of continuous service as defined by paragraph (c) of subdivision three of this section at a

basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade shall receive a lump sum payment in the amount of four thousand five hundred dollars.

Such lump sum payment shall be in addition to and not part of the employee's basic annual salary, provided however that any amount payable herein shall be included as compensation for overtime and retirement purposes.

Such lump sum payment shall be payable in April of each fiscal year, or as soon as practicable thereafter, for those eligible employees who have achieved five or more, [~~or~~] ten or more **or fifteen or more** years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade during the period October first through March thirty-first of the previous fiscal year. Such payment shall be payable in October of each fiscal year, or as soon as practicable thereafter, for those eligible employees who have achieved five or more, [~~or~~] ten or more **or fifteen or more** years of continuous service as defined by paragraph (c) of subdivision three of this section at a basic annual salary rate equal to or in excess of the job rate or maximum salary of their salary grade during the period April first through September thirtieth of that same fiscal year. All compensation already included in an employee's basic annual salary [~~pursuant to subparagraph (i) of this paragraph~~] shall remain included in such basic annual salary.

[~~(d)~~] **(c)** Notwithstanding the provisions of [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision, officers and employees otherwise eligible to receive the longevity payments provided by [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision who, on their eligibility date, are serving in a higher graded position (i) on a temporary basis or on a probationary or a permanent basis and subsequently fail the probationary period or accept a voluntary demotion which is not a consequence or settlement of a disciplinary action or are demoted as a result of the abolition of positions and (ii) return to a position in a lower salary grade and (iii) remain in such lower salary grade for at least six payroll periods shall be eligible for such longevity payments.

[~~(e)~~] **(d)** Officers and employees to whom the provisions of this subdivision apply who were serving at an annual salary rate in excess of the job rate of their salary grade as of March thirty-first, nineteen hundred eighty-five, shall be deemed to have been paid at the annual salary rate equal to or above the job rate for their salary grade for a period of five years for the purpose of determining fulfillment of the service requirements specified in [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision. The provisions of this paragraph apply solely for the purpose of implementation of the provisions of [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision.

[~~(f)~~] **(e)** Officers and employees to whom the provisions of this subdivision apply who were serving at an annual salary rate equal to or in excess of the job rate or maximum salary of the salary grade of their position and who were appointed or promoted to a position of equivalent or higher salary grade at an annual salary rate equal to or in excess of the job rate or maximum salary of the salary grade of their position shall be entitled to have such service in each such position considered as eligible service in determining fulfillment of the service requirements specified in [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision.

[~~(g)~~] **(f)** Notwithstanding any foregoing provisions of this subdivision to the contrary, officers and employees to whom the provisions of this subdivision apply who were serving at an annual salary rate equal to or in excess of the job rate or maximum salary of the salary grade of their position and whose annual salary rate was subsequently less than the job rate or maximum salary of their position as a result of the mechanics of salary computation upon reallocation, shall, solely for the purpose of [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision, be entitled to have service at such lower salary rate deemed to be service at the job rate and considered as eligible service in determining fulfillment of the service requirements specified in [~~paragraphs~~] **paragraph** (b) [~~and (c)~~] of this subdivision provided the actual annual salary rate of such officers or employees is equal to or in excess of the job rate on March thirty-first, two thousand three, or on their anniversary dates for the purpose of paragraph [~~(c)~~] **(b)** of this subdivision.

§ 3. Subdivision 2 of section 131 of the civil service law is amended by adding a new paragraph (j) to read as follows:

(j) Notwithstanding any inconsistent provision of law, officers and employees to whom paragraphs a and e of subdivision one of section one hundred thirty of this title apply, who are promoted, appointed or otherwise advanced to a position in a higher salary shall receive the percentage increase in basic annual salary as provided in this subdivision or a basic annual salary equal to the hiring rate of such higher grade which is in effect at the time of promotion, whichever results in a higher annual salary. Effective April first, two thousand twenty, for the purposes of such calculation, where the terms of an agreement negotiated pursuant to article fourteen of this chapter applicable to such officers and employees so provide, the amount of longevity paid to such employee being promoted, appointed or advanced shall be considered as part of basic annual salary.

§ 4. 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 April 7, 2016, 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 April 6, 2017, 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. Effective April 5, 2018, 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.

5. Effective April 4, 2019, 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.

6. Effective April 2, 2020, 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.

7. Notwithstanding the provisions of subdivisions two, three, four, five and six 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 1, 2, 3, 4 and 5 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 1, 2, 3, 4 and 5 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, three, four, five and six of this section.

8. 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.

9. 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.

10. The increases in salary provided in subdivisions two, three, four, five and six 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 subdivisions seven and eight of this section shall not apply to employees serving on a seasonal basis, except as determined by the director of the budget.

11. 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 eight 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.

12. 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.

13. 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, three, four, five and six of this section shall not cause such officer's or employee's salary to exceed the job rate of such lower graded position.

14. 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.

§ 5. 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.

§ 6. 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.

§ 7. 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.

§ 8. During the period April 2, 2016 through April 1, 2021, 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, 2016, have the responsibility for discussing and attempting to resolve matters of mutual concern and implementing any agreements reached.

§ 9. The salary increases, 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 and modifications and which are fully executed in writing with the state pursuant to article 14 of the civil service law.

§ 10. Use of appropriations. The comptroller is authorized to pay any amounts required during the fiscal year commencing April 1, 2018 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.

§ 11. 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.

§ 12. 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, 2016, 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.

§ 13. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of four million five hundred thousand dollars ($4,500,000) is hereby appropriated in the general fund/state purposes account (10050) in miscellaneous-all state departments and agencies solely for apportionment/transfer by the direc-

tor of the budget for use by any state department or agency in any fund for the fiscal year beginning April 1, 2018 through March 31, 2019 to supplement appropriations 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. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to or during the state fiscal year commencing April 1, 2016 through March 31, 2019. For this purpose, these appropriations shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2019.

§ 14. 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, 2018 through March 31, 2019 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. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to or during the state fiscal year commencing April 1, 2016 through March 31, 2019. 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 Operations
State Purposes Account - 003

Non-Personal Service

Joint Committee on Health Benefits $18,000
Employee Assistance Program/Work-Life
Services $44,000
Employee Development and Training $201,000
Statewide Performance Rating Committee $3,000
Time & Attendance Umpire Process Admin $3,000
Disciplinary Panel Administration $3,000
Contract Administration $3,000
Employee Benefit Fund $455,000

§ 15. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 2, 2016. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2019.