

STATE OF NEW YORK

10735

IN ASSEMBLY

May 16, 2018

Introduced by M. of A. ABBATE -- read once and referred to the Committee
on Governmental Employees

AN ACT to amend the civil service law, in relation to credit for unused
sick leave for employees of community colleges

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 4 of section 167 of the civil service law, as
2 amended by section 7 of part T of chapter 56 of the laws of 2010, is
3 amended to read as follows:

4 4. Upon the retirement, on or after July first, nineteen hundred
5 sixty-five, of a state employee whose salary or compensation is paid
6 directly by the state, who is subject to a plan established by law,
7 rule, regulation, written order or written policy which provides for the
8 regular earning and accumulation of sick leave, and who is eligible to
9 continue coverage under the health benefit plan after retirement, the
10 department shall determine, based on the employee's age at the time of
11 retirement, the actuarial equivalent in monthly installments for the
12 remaining life expectancy of such retired employee, of the dollar value
13 of the earned and accumulated but unused sick leave standing to his or
14 her credit at the time of retirement, without interest. Such dollar
15 value shall be based on the employee's salary at the time of retirement.
16 In addition to regular employer contributions, contributions in the
17 amount of such monthly installments shall be paid from the state's
18 appropriation to the health insurance fund and applied towards the
19 charges for health benefits on account of such retired employee and his
20 or her dependents, to the extent necessary to pay such charges. The
21 remaining amount, if any, necessary to pay such charges shall be
22 contributed by such retired employee. On or after October first, nine-
23 teen hundred seventy when such dollar value of such sick leave amounts
24 to less than one hundred dollars for a particular retired employee, in
25 lieu of contributions which would otherwise be required from such
26 retired employee, additional contributions shall be paid for the state's
27 appropriation to the health insurance fund and applied towards the
28 charges for health benefits on account of such retired employee and his

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

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1 or her dependents until the sum of such additional contributions equals
2 such dollar value of such sick leave. The remaining amount, if any,
3 necessary to pay such charges shall be contributed by such retired
4 employee. For purposes of this subdivision, employees of the state
5 colleges of agriculture, home economics, industrial labor relations, and
6 veterinary medicine, the state agricultural experiment station at Gene-
7 va, and any other institution or agency under the management and control
8 of Cornell university as the representative of the board of trustees of
9 the state university of New York, and employees of the state college of
10 ceramics under the management and control of Alfred university as the
11 representative of the board of trustees of the state university of New
12 York, and employees of a community college as such term is defined in
13 article one hundred twenty-six of the education law, shall be deemed to
14 be state employees whose salaries or compensation is paid directly by
15 the state.

16 § 2. This act shall take effect immediately and shall apply to any
17 sick leave accrued by an applicable employee who has not otherwise
18 retired prior to the effective date of this act.