

# STATE OF NEW YORK

7891

2017-2018 Regular Sessions

## IN ASSEMBLY

May 18, 2017

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

AN ACT to amend the public authorities law, in relation to salary adjustments according to plan and step-ups or increments

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

1 Section 1. Paragraph (a) of subdivision 3 of section 3669 of the  
2 public authorities law, as added by chapter 84 of the laws of 2000, is  
3 amended to read as follows:

4 (a) During a control period, upon a finding by the authority that a  
5 wage freeze is essential to the adoption or maintenance of a county  
6 budget or a financial plan that is in compliance with this title, the  
7 authority, after enactment of a resolution so finding, may declare a  
8 fiscal crisis. Upon making such a declaration, the authority shall be  
9 empowered to order that all increases in salary or wages of employees of  
10 the county and employees of covered organizations which will take effect  
11 after the date of the order pursuant to collective bargaining agree-  
12 ments, other analogous contracts or interest arbitration awards, now in  
13 existence or hereafter entered into, requiring such salary increases as  
14 of any date thereafter are suspended. Such order may also provide that  
15 all increased payments for holiday and vacation differentials, and shift  
16 differentials[~~, salary adjustments according to plan and step-ups or~~  
17 ~~increments~~] for employees of the county and employees of covered organ-  
18 izations which will take effect after the date of the order pursuant to  
19 collective bargaining agreements, other analogous contracts or interest  
20 arbitration awards requiring such increased payments as of any date  
21 thereafter are, in the same manner, suspended. Such order may also  
22 provide that all increased payments for salary adjustments according to  
23 plan and step-ups or increments be suspended; provided, however, when  
24 (i) the county executive provides a four year financial plan approved by  
25 the county legislature pursuant to paragraph (a) of subdivision two of

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

LBD11662-01-7

1 section thirty-six hundred sixty-seven of this title and the authority  
2 determines, pursuant to paragraph (b) of such subdivision, that such  
3 financial plan is complete and complies with the standards set forth in  
4 such subdivision, and (ii) the authority makes a certification to the  
5 county setting forth revenue estimates agreed to by the authority in  
6 accordance with such determination, the salary adjustments according to  
7 plan and step-ups or increments shall not be suspended for each year in  
8 which the four year financial plan has been certified. For the purposes  
9 of computing the pension base of retirement allowances, any suspended  
10 salary or wage increases and any suspended other payments shall not be  
11 considered as part of compensation or final compensation or of annual  
12 salary earned or earnable. The suspensions authorized hereunder shall  
13 continue until one year after the date of the order and, to the extent  
14 of any determination of the authority that a continuation of such  
15 suspensions, to a date specified by the authority, is necessary in order  
16 to achieve the objectives of the financial plan, such suspensions shall  
17 be continued to the date specified by the authority, which date shall in  
18 no event be later than the end of the interim finance period, provided  
19 that such suspensions shall terminate with respect to employees who have  
20 agreed to a deferral of salary or wage increase upon the certification  
21 of the agreement by the authority pursuant to paragraph (b) of this  
22 subdivision.

23 § 2. This act shall take effect immediately and shall be deemed to  
24 have been in full force and effect on and after October 1, 2016.