STATE OF NEW YORK

8889

IN SENATE

August 7, 2020

Introduced by Sens. GOUNARDES, SAVINO, STAVISKY -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment of members of the agency police services unit; to amend the state finance law, in relation to the employee benefit fund for certain members of the agency police services unit; to implement an agreement or interest arbitration award between the state and the employee organization representing the members of the agency police services unit; making an appropriation for the purpose of effectuating certain provisions thereof; and to repeal certain provisions of the civil service law relating thereto

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

Section 1. Paragraph h of subdivision 1 of section 130 of the civil service law is REPEALED and a new paragraph h is added to read as follows:

h. Pursuant to the terms of an agreement entered into, or an interest arbitration award issued, pursuant to article fourteen of the civil service law between the state and an employee organization covering members of the collective negotiating unit designated as the agency police services unit, effective on the dates indicated, salary grades for such unit members shall be as follows:

(1) Effective April first, two thousand fifteen:

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5	Job Rate	Perf. Adv.	10 Yr Long Step	15 Yr Long Step	20 Yr Long Step	Long Max. 25 Yr Long Step
1	28663	29671	30679	31687	32695	33703	34711	1008	36218	37724	40644	42151
2	29540	30602	31664	32726	33788	34850	35912	1062	37506	39101	42106	43703
3	30764	31872	32980	34088	35196	36304	37412	1108	39075	40737	43813	45477

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

LBD12056-01-0

4	31940	33110	34280	35450	36620	37790	38960	1170	40710	42461	45619	47366
5	33237	34465	35693	36921	38149	39377	40605	1228	42445	44285	47537	49377
6	34736	36027	37318	38609	39900	41191	42482	1291	44420	46358	49710	51649
7	36442	37787	39132	40477	41822	43167	44512	1345	46527	48541	51969	53984
8	38238	39635	41032	42429	43826	45223	46620	1397	48713	50806	54312	56408
9	40115	41572	43029	44486	45943	47400	48857	1457	51047	53237	56836	59023
10	42133	43666	45199	46732	48265	49798	51331	1533	53625	55919	59621	61916
11	44351	45946	47541	49136	50731	52326	53921	1595	56308	58695	62497	64886
12	46560	48225	49890	51555	53220	54885	56550	1665	59048	61546	65458	67956
13	49066	50804	52542	54280	56018	57756	59494	1738	62096	64698	68714	71316
14	51622	53445	55268	57091	58914	60737	62560	1823	65285	68011	72151	74879
15	54326	56222	58118	60014	61910	63806	65702	1896	68542	71381	75634	78473
16	57131	59111	61091	63071	65051	67031	69011	1980	71980	74949	79327	82293
17	60083	62169	64255	66341	68427	70513	72599	2086	75722	78845	83380	86504
18	63238	65428	67618	69808	71998	74188	76378	2190	79660	82943	87642	90927
19	66434	68722	71010	73298	75586	77874	80162	2288	83590	87018	91857	95285
20	69606	71996	74386	76776	79166	81556	83946	2390	87534	91123	96119	99707
21	73101	75594	78087	80580	83073	85566	88059	2493	91799	95540	100-687	104-426
22	76762	79403	82044	84685	87326	89967	92608	2641	96562	100-515	105-880	109-835
23	80663	83378	86093	88808	91523	94238	96953	2715	101-027	105-101	110-585	114-659
24	84774	87590	90406	93222	96038	98854	101-670	2816	105-892	110-114	115-751	119-973
25	89244	92182	95120	98058	100-996	103-934	106-872	2938	111-276	115-681	121-494	125-896

(2) Effective April first, two thousand sixteen:

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5	Job Rate	Perf. Adv.	10 Yr Long Step	15 Yr Long Step	20 Yr Long Step	Long Max. 25 Yr Long Step
1	29236	30264	31292	32320	33348	34376	35404	1028	36941	38477	41456	42993
2	30131	31214	32297	33380	34463	35546	36629	1083	38255	39882	42947	44576
3	31379	32509	33639	34769	35899	37029	38159	1130	39855	41551	44688	46385
4	32579	33772	34965	36158	37351	38544	39737	1193	41522	43308	46529	48311
5	33902	35155	36408	37661	38914	40167	41420	1253	43297	45174	48491	50367
6	35431	36748	38065	39382	40699	42016	43333	1317	45310	47287	50706	52683
7	37171	38543	39915	41287	42659	44031	45403	1372	47458	49513	53009	55064
8	39003	40428	41853	43278	44703	46128	47553	1425	49688	51823	55399	57537
9	40917	42403	43889	45375	46861	48347	49833	1486	52067	54301	57972	60202
10	42976	44540	46104	47668	49232	50796	52360	1564	54700	57040	60816	63157
11	45238	46865	48492	50119	51746	53373	55000	1627	57435	59869	63748	66184
12	47491	49189	50887	52585	54283	55981	57679	1698	60227	62775	66765	69313
13	50047	51820	53593	55366	57139	58912	60685	1773	63339	65993	70089	72743
14	52654	54514	56374	58234	60094	61954	63814	1860	66594	69374	73597	76379
15	55413	57347	59281	61215	63149	65083	67017	1934	69914	72810	77148	80043
16	58274	60294	62314	64334	66354	68374	70394	2020	73422	76451	80916	83942
17	61285	63413	65541	67669	69797	71925	74053	2128	77238	80424	85050	88236
18	64503	66737	68971	71205	73439	75673	77907	2234	81255	84603	89396	92747
19	67763	70097	72431	74765	77099	79433	81767	2334	85264	88760	93696	97192
20	70998	73436	75874	78312	80750	83188	85626	2438	89286	92947	98042	101-

												702
21	74563	77106	79649	82192	84735	87278	89821	2543	93636	97452	102-702	106-515
22	78297	80991	83685	86379	89073	91767	94461	2694	98494	102-526	107-998	112-033
23	82276	85045	87814	90583	93352	96121	98890	2769	103-045	107-201	112-795	116-950
24	86469	89341	92213	95085	97957	100-829	103-701	2872	108-007	112-314	118-064	122-370
25	91029	94026	97023	100-020	103-017	106-014	109-011	2997	113-503	117-996	123-925	128-415

(3) Effective April first, two thousand seventeen:

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5	Job Rate	Perf. Adv.	10 Yr Long Step	15 Yr Long Step	20 Yr Long Step	Long Max. 25 Yr Long Step
1	29821	30870	31919	32968	34017	35066	36115	1049	37683	39249	42288	43856
2	30734	31839	32944	34049	35154	36259	37364	1105	39023	40682	43808	45470
3	32007	33160	34313	35466	36619	37772	38925	1153	40655	42385	45585	47316
4	33231	34448	35665	36882	38099	39316	40533	1217	42354	44175	47461	49278
5	34580	35858	37136	38414	39692	40970	42248	1278	44163	46077	49460	51374
6	36140	37483	38826	40169	41512	42855	44198	1343	46215	48231	51718	53735
7	37914	39314	40714	42114	43514	44914	46314	1400	48410	50506	54072	56168
8	39783	41237	42691	44145	45599	47053	48507	1454	50685	52862	56510	58691
9	41735	43251	44767	46283	47799	49315	50831	1516	53110	55388	59133	61407
10	43836	45431	47026	48621	50216	51811	53406	1595	55793	58180	62031	64419
11	46143	47803	49463	51123	52783	54443	56103	1660	58587	61069	65026	67511
12	48441	50173	51905	53637	55369	57101	58833	1732	61432	64031	68101	70700
13	51048	52857	54666	56475	58284	60093	61902	1809	64609	67316	71494	74201
14	53707	55604	57501	59398	61295	63192	65089	1897	67925	70760	75068	77905
15	56521	58494	60467	62440	64413	66386	68359	1973	71314	74268	78693	81646
16	59439	61500	63561	65622	67683	69744	71805	2061	74894	77983	82537	85624
17	62511	64682	66853	69024	71195	73366	75537	2171	78786	82035	86754	90004
18	65793	68072	70351	72630	74909	77188	79467	2279	82882	86297	91186	94604
19	69118	71499	73880	76261	78642	81023	83404	2381	86971	90537	95572	99138
20	72418	74905	77392	79879	82366	84853	87340	2487	91073	94807	100-004	103-738
21	76054	78648	81242	83836	86430	89024	91618	2594	95509	99402	104-757	108-646
22	79863	82611	85359	88107	90855	93603	96351	2748	100-465	104-577	110-159	114-274
23	83922	86746	89570	92394	95218	98042	100-866	2824	105-104	109-343	115-049	119-287
24	88198	91128	94058	96988	99918	102-848	105-778	2930	110-170	114-563	120-428	124-820
25	92850	95907	98964	102-021	105-078	108-135	111-192	3057	115-774	120-357	126-404	130-984

(4) Effective April first, two thousand eighteen:

Hiring	Perf. Advance	Perf. Advance	Perf. Advance	Perf. Advance	Perf. Advance	10 Yr	15 Yr	20 Yr	Long Max. 25 Yr

SG	ing Rate	Step 1	Step 2	Step 3	Step 4	Step 5	Job Rate	Perf. Adv.	Long Step	Long Step	Long Step	Long Step
1	30417	31487	32557	33627	34697	35767	36837	1070	38436	40034	43133	44733
2	31349	32476	33603	34730	35857	36984	38111	1127	39803	41495	44684	46379
3	32647	33823	34999	36175	37351	38527	39703	1176	41468	43232	46496	48262
4	33896	35137	36378	37619	38860	40101	41342	1241	43199	45057	48409	50262
5	35272	36576	37880	39184	40488	41792	43096	1304	45049	47002	50452	52405
6	36863	38233	39603	40973	42343	43713	45083	1370	47140	49197	52753	54811
7	38672	40100	41528	42956	44384	45812	47240	1428	49378	51516	55153	57291
8	40579	42062	43545	45028	46511	47994	49477	1483	51699	53919	57640	59865
9	42570	44116	45662	47208	48754	50300	51846	1546	54171	56494	60314	62634
10	44713	46340	47967	49594	51221	52848	54475	1627	56910	59344	63273	65708
11	47066	48759	50452	52145	53838	55531	57224	1693	59758	62289	66325	68860
12	49410	51177	52944	54711	56478	58245	60012	1767	62663	65314	69465	72116
13	52069	53914	55759	57604	59449	61294	63139	1845	65900	68661	72923	75684
14	54781	56716	58651	60586	62521	64456	66391	1935	69284	72175	76570	79463
15	57651	59664	61677	63690	65703	67716	69729	2013	72743	75756	80270	83282
16	60628	62730	64832	66934	69036	71138	73240	2102	76391	79542	84187	87335
17	63761	65976	68191	70406	72621	74836	77051	2215	80365	83679	88492	91807
18	67109	69434	71759	74084	76409	78734	81059	2325	84542	88026	93012	96499
19	70500	72929	75358	77787	80216	82645	85074	2429	88712	92350	97485	101-123
20	73866	76403	78940	81477	84014	86551	89088	2537	92896	96704	102-005	105-814
21	77575	80221	82867	85513	88159	90805	93451	2646	97420	101-391	106-853	110-820
22	81460	84263	87066	89869	92672	95475	98278	2803	102-474	106-669	112-362	116-559
23	85600	88481	91362	94243	97124	100-005	102-886	2881	107-209	111-533	117-353	121-675
24	89962	92951	95940	98929	101-918	104-907	107-896	2989	112-376	116-857	122-839	127-319
25	94707	97825	100-943	104-061	107-179	110-297	113-415	3118	118-089	122-763	128-931	133-603

§ 2. Section 207-d of the state finance law, as added by chapter 114 of the laws of 2006, paragraph (b) of subdivision 1 as amended by chapter 3 of the laws of 2007 and subdivision 2 as amended by chapter 15 of the laws of 2012, is amended to read as follows:

§ 207-d. Employee benefit fund; agency [~~law enforcement~~] police services unit. 1. As used in this section, unless otherwise expressly stated:

(a) "Director" shall mean the director of employee relations.

(b) "Employee" shall mean any person serving on a full-time annual salaried basis in the service of the state of New York who is appointed to and serving in a position in the collective negotiating unit designated as the agency [~~law enforcement~~] police services unit and is a police officer pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law [~~or a forest ranger 1 or a forest ranger 2~~].

2. Where and to the extent that an agreement between the state and an employee organization entered into pursuant to article fourteen of the civil service law or an interest arbitration award issued pursuant to subdivision four of section two hundred nine of the civil service law between the state and an employee organization so provides on behalf of employees in the collective negotiating unit designated as the agency police services unit established pursuant to article fourteen of the civil service law, and upon audit and warrant of the comptroller, the

director shall provide for the payment of moneys to such employee organization for the establishment and maintenance of an employee benefit fund established by the employee organization for the employees in the negotiating unit covered by the controlling provision of such agreement or award providing for such employee benefit fund, such amount to be determined consistent with said agreement or award on the basis of the number of full-time annual salaried employees, as determined by the comptroller, [~~on the payroll on March first, two thousand eleven for payments to be made on April first, two thousand eleven, on the payroll on March first, two thousand twelve for payments to be made on April first, two thousand twelve, on the payroll on March first, two thousand thirteen for payments to be made on April first, two thousand thirteen, and on the payroll on March first, two thousand fourteen for payments to be made on April first, two thousand fourteen~~] **on the payroll on March first, two thousand fifteen for payments to be made on April first, two thousand fifteen, on the payroll on March first, two thousand sixteen for payments to be made on April first, two thousand sixteen, on the payroll on March first, two thousand seventeen for payments to be made on April first, two thousand seventeen, and on the payroll on March first, two thousand eighteen for payments to be made on April first, two thousand eighteen**. The amount, which will be determined pursuant to this section, for employees who are paid from special or administrative funds, other than the general fund or the capital projects fund of the state, will be paid from the appropriations as provided by law, in which case the comptroller will establish procedures to ensure repayment from said special or administrative funds. The director shall enter into an agreement with an employee organization which sets forth the specific terms and conditions for the establishment and administration of an employee benefit fund as a condition for the transmittal of moneys pursuant to this section.

3. Such employee organization shall periodically as specified by the director, supply a description of the benefits purchased or provided by the employee benefit fund, the utilization experience of the benefit fund, the amount disbursed for or the cost of such benefits and such other information as may be requested by the director.

4. The employee organization shall report to the comptroller, in the form and manner as he or she may direct, the amount it expended for the purchase of or providing for such benefits for any period specified by the comptroller. The comptroller is hereby authorized to audit the books of the employee organization with respect to any moneys transmitted to it pursuant to this section.

5. Neither the state nor any officer or employee of the state shall be a party to any contract or agreement entered into by any employee organization providing for benefits purchased in whole or in part with moneys transmitted to such employee organization pursuant to this section. No benefit provided pursuant to such contracts or agreements shall be payable by the state and all such benefits shall be paid by the responsible parties to such agreements or contracts pursuant to the terms and conditions of such agreements or contracts. The employee organization shall be a fiduciary with respect to the employee benefit fund established pursuant to this section.

6. Nothing in this section shall be deemed to diminish, impair or reduce any benefit otherwise payable to any employee established or authorized by law, rule or regulation by reason of such employee's lack of eligibility to participate in any benefit program established by an employee organization pursuant to this section.

7. In the event it is determined that the moneys transmitted to an employee organization pursuant to this section is income for which payroll deductions are required for income tax withholdings from the salary or wages of employees pursuant to law, the comptroller shall determine the amount of such withholdings required and deduct the amount so required to be withheld from the salary or wages of the employees concerned.

8. The employee organization shall indemnify the state for any claims whatsoever paid by it arising from the establishment, administration or discontinuation of any employee benefit provided pursuant to this section, together with reasonable costs of litigation arising therefrom.

9. Insofar as the provisions of this section are inconsistent with the provisions of any other law, general or special, the provisions of this section shall be controlling.

§ 3. Compensation for members of the collective negotiating unit designated as agency police services unit pursuant to an agreement between the state of New York and the employee organization representing such individuals or an interest arbitration award binding the state of New York and the employee organization representing such individuals.

1. The provisions of this section shall apply to all full-time officers and employees in the collective negotiating unit designated as the agency police services unit established pursuant to article fourteen of the civil service law.

2. Effective April 1, 2015, the basic annual salary of all members of the agency police services unit who were in full-time annual salaried employment status on March 31, 2015 shall be increased by two percent.

3. Effective April 1, 2016, the basic annual salary of all members of the agency police services unit who were in full-time annual salaried employment status on March 31, 2016 shall be increased by two percent.

4. Effective April 1, 2017, the basic annual salary of all members of the agency police services unit who were in full-time annual salaried employment status on March 31, 2017 shall be increased by two percent.

5. Effective April 1, 2018, the basic annual salary of all members of the agency police services unit who were in full-time annual salaried employment status on March 31, 2018 shall be increased by two percent.

6. Advancement within salary grade. Payments pursuant to the provisions of subdivision 6 of section 131 of civil service law for members of the agency police services unit shall be payable pursuant to the terms of an agreement between the state and an employee organization representing employees subject to the provisions of this section.

7. Effective April 1, 2015, pursuant to the terms of an agreement covering members of the agency police services unit, for such unit members who are on the institutional payroll, the ten-year, the fifteen-year, the twenty-year, and the twenty-five-year longevity step payment for such unit members to whom the provisions of this section apply shall be that amount prescribed by paragraph h of subdivision 1 of section 130 of the civil service law, as added by section one of this act.

8. Notwithstanding any of the foregoing provisions of this section, if the basic annual salary of such unit members to whom the provisions of this section apply is identical with the hiring rate, performance advance step one, two, three, four or five, the job rate, the ten-year longevity step, the fifteen-year longevity step, the twenty-year longevity step or the twenty-five-year longevity step of his or her position on the effective dates of the increases provided in this section, such basic annual salary shall be increased to the hiring rate, performance advance step one, two, three, four or five, the job rate, the ten-year longevity step,

the fifteen-year longevity step, the twenty-year longevity step or the twenty-five-year longevity step, respectively, of such salary grade as contained in the appropriate salary schedule in subparagraphs (1), (2), (3), and (4) of paragraph h 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), and (4), 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 and five of this section.

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 is filled by the appointment of such unit members to whom the provisions of this section apply, 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 payable pursuant to this section shall apply on a prorated basis to officers and employees, otherwise eligible to receive an increase in salary pursuant to this section, 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 salaried rate; except that the provisions of subdivision eleven, twelve, or thirteen of this section shall not apply to employees serving on an hourly, per diem, or seasonal basis, except as determined by the director of the budget.

11. Notwithstanding any other provision of this section, the provisions of this section shall not apply to officers or employees paid on a fee schedule basis.

12. In order to provide for the officers and employees to whom this section applies who are not allocated to salary grades, performance advancements and payments 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 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 thereof for which adjustments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the department of civil service, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

13. Notwithstanding any of the foregoing provisions of this section, any increase in compensation may be withheld in whole or in part from any such unit members to whom the provisions of this section apply when, in the opinion of the director of the division of the budget and the director of employee relations, such increase is not warranted or is not appropriate.

§ 4. Additional compensation for certain members of the agency police services collective negotiating unit. 1. In recognition of the general requirement for full-time employees of the state in the agency police services unit to assemble for briefing prior to the commencement of duties, where and to the extent an agreement so provides, each such employee except such an employee receiving additional compensation pursuant to subdivision 5 of section 134 of the civil service law, shall

continue to receive additional compensation in recognition of pre-shift briefing at one and one-half times the hourly rate of pay provided for by subdivision 1 of section 134 of the civil service law and the rules and regulations of the director of the budget.

2. Members of the agency police services collective negotiating unit who are full-time annual salaried and are police officers pursuant to subdivision 34 of section 1.20 of the criminal procedure law, who are required, authorized and actually assemble for pre-shift briefing or line up before the commencement of their regular tour of duty shall continue to be paid for pre-shift briefing. However, employees of the department of environmental conservation who do not physically line up shall be paid the equivalent of pre-shift compensation for vehicle, equipment, office maintenance, and the handling of phone calls and home visitations received and instigated outside of the regular workday. This payment supplants any payments made to such employees for equipment storage. There shall be no payment of pre-shift briefing for any day in which any employee who is a member of the agency police services unit, full-time annual salaried and a police officer pursuant to subdivision 34 of section 1.20 of the criminal procedure law is not physically reporting to work. There shall be no change in the payment for pre-shift briefing for all other members of the agency police services unit.

3. Any such additional compensation pursuant to this section shall be paid in addition to and shall not be a part of such employee's basic annual salary and shall not be included as compensation for the purposes of computation of overtime pay, provided, however, that such additional compensation shall be included for retirement purposes. Notwithstanding the foregoing provisions of this section or of any other law, such additional compensation as added by this section shall be in lieu of the continuation of any other additional compensation for such unit members in recognition of pre-shift briefing.

§ 5. Clothing allowance. Effective April 1, 2015, pursuant to the terms of an agreement covering members of the agency police services collective negotiating unit who are full-time annual salaried and are classified as investigators or detectives, in recognition of the general requirement for such unit members to whom the provisions of this section apply to wear professional attire, each such employee who is on the payroll on the first day of November preceding the annual effective date shall continue to receive a clothing allowance at a rate of four hundred dollars per year effective December 1, 2011.

§ 6. Location pay. 1. Pursuant to the terms of an agreement covering members of the agency police services collective negotiating unit, and notwithstanding any inconsistent provision of law, effective April 1, 2015, all members of this unit who are full-time annual salaried employees and whose principal place of employment, or, in the case of a field employee, whose official station is determined in accordance with the regulations of the state comptroller, is located in the city of New York, or in the county of Rockland, Westchester, Nassau, or Suffolk shall continue to receive location pay in the amount of one thousand five hundred twenty dollars.

2. The location pay as set out in this section shall be in addition to and shall not be a part of an employee's basic annual salary, and shall not affect or impair any performance advance or other rights or benefits to which an employee may be entitled by law, provided, however, that location pay shall be included as compensation for the purposes of computation of overtime pay and for retirement purposes. This payment will be equally divided over the twenty-six payroll periods in each fiscal year.

§ 7. Supplemental location pay. 1. Pursuant to the terms of an agreement covering members of the agency police services collective negotiating unit, and notwithstanding any inconsistent provision of law, all members of this unit who are full-time annual salaried employees and whose principal place of employment, or, in the case of a field employee, whose official station is determined in accordance with the regulations of the state comptroller, is located in the city of New York, or in the county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk, shall continue to receive supplemental location pay, in the following amounts:

	Orange/Putnam/ Dutchess	NYC/Rockland/ Westchester	Nassau/Suffolk
Effective April 1,2015	$1,266	$1,900	$2,217

2. The supplemental location pay as set out in this section shall be in addition to and shall not be a part of an employee's basic annual salary, and shall not affect or impair any performance advance or other rights or benefits to which an employee may be entitled by law; provided, however, that supplemental location pay shall be included as compensation for the purposes of computation of overtime pay and for retirement purposes. This payment will be equally divided over the twenty-six payroll periods in each fiscal year.

§ 8. Expanded duty pay. Pursuant to the terms of an agreement or award covering members of the agency police services collective negotiating unit who are full-time annual salaried employees, in recognition of the additional and continued duties and responsibilities performed by the police officers in this unit as a result of the September 11th terrorist attacks, and notwithstanding any provision of law, rule or regulation to the contrary, members of this unit, effective April 1, 2015, shall continue to receive expanded duty pay in the amount of three thousand seventy-five dollars. Effective March 31, 2019, this amount shall be increased to three thousand eight hundred and twenty-five dollars. Expanded duty pay as set out in this section shall be in addition to and shall not be a part of an employee's basic annual salary, and shall not affect or impair any performance advance or other rights or benefits to which an employee may be entitled by law; provided, however, that expanded duty pay shall be included as compensation for the purposes of computation of overtime pay and for retirement purposes. This payment will be equally divided over the twenty-six payroll periods in each fiscal year.

§ 9. Marine/off-road enforcement pay. Pursuant to the terms of an agreement covering members of the agency police services collective negotiating unit who are full-time annual salaried employees, effective April 1, 2015, all members of this unit who are employed by the office of parks, recreation and historic preservation or the department of environmental conservation shall continue to receive one thousand five hundred dollars per year in recognition of their expertise in marine and off-road enforcement. Marine/off-road enforcement pay as set out in this section shall be in addition to and shall not be a part of an employee's basic annual salary, and shall not affect or impair any performance advance or other rights or benefits to which an employee may be entitled by law; provided, however, that marine/off-road enforcement pay shall be included as compensation for the purposes of computation of overtime pay and for retirement purposes. This payment will be equally divided over the twenty-six payroll periods in each fiscal year.

§ 10. Hazardous material pay. 1. Pursuant to the terms of an agreement covering members of the agency police services collective negotiating

unit who are full-time annual salaried employees, effective April 1, 2015, all members who are employed by the department of environmental conservation, except for those in the forest ranger title series, shall continue to receive one thousand five hundred dollars per year in recognition of their expertise and handling of hazardous materials. Hazardous material pay as set out in this section shall be in addition to and shall not be a part of an employee's basic annual salary, and shall not affect or impair any performance advance or other rights or benefits to which an employee may be entitled by law; provided, however, that hazardous material pay shall be included as compensation for the purposes of computation of overtime pay and for retirement purposes. This payment will be equally divided over the twenty-six payroll periods in each fiscal year.

2. Hazardous material/fire management/search and rescue pay. Pursuant to the terms of an agreement covering members of the agency police services collective negotiating unit who are full-time annual salaried employees, effective April 1, 2015, all members who are employed by the department of environmental conservation in the forest ranger title series shall continue to receive one thousand five hundred dollars per year in recognition of their expertise and handling of hazardous materials. Hazardous material/fire management/search and rescue pay as set out in this section shall be in addition to and shall not be a part of an employee's basic annual salary, and shall not affect or impair any performance advance or other rights or benefits to which an employee may be entitled by law; provided, however, that hazardous material/fire management/search and rescue pay shall be included as compensation for the purposes of computation of overtime pay and for retirement purposes. This payment will be equally divided over the twenty-six payroll periods in each fiscal year.

§ 11. Inconvenience pay program. Pursuant to chapter 333 of the laws of 1969, as amended, and an agreement negotiated between the state and the employee organization representing members of the agency police services unit, effective April 1, 2015, members of the agency police services unit shall continue to receive inconvenience pay in the amount of five hundred ninety-seven dollars. Any such additional compensation pursuant to this section shall be included as compensation for retirement purposes.

§ 12. During the period April 1, 2015 through March 31, 2019 or as otherwise agreed, there shall be a statewide joint labor-management committee continued and administered pursuant to the terms of the agreement negotiated between, or an interest arbitration award binding the state and the employee organization representing employees in the collective negotiating unit designated as the agency police services unit established pursuant to article 14 of the civil service law which shall, with the amounts available therefore, study and make recommendations concerning major issues of employee assistance, performance evaluation, education and training, quality of work life, health benefits, and provide for the implementation of the terms of agreements of such committees.

§ 13. 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 7 and 8 of the collective negotiating agreement between the state and the employee organization representing the collective negotiating unit designated as the agency police services unit established pursuant to article 14 of the civil service law.

§ 14. Notwithstanding any provision of law, rule or regulation to the contrary, and where and to the extent an agreement negotiated between the

state and the employee organization representing employees in the agency police services collective negotiating unit established pursuant to article 14 of the civil service law so provides, the salaries of newly hired employees on or after September 1, 1992 into state service in positions within said negotiating unit shall not be subject to the provisions of subdivision 2-a of section 200 of the state finance law.

§ 15. Date of entitlement to salary increase. Notwithstanding the provisions of this act or of any other provision of law to the contrary, the increase in salary or compensation provided by this act of any member of the agency police services collective negotiating unit established pursuant to article 14 of the civil service law who are full-time annual salaried employees and are police officers pursuant to subdivision 34 of section 1.20 of the criminal procedure law shall be added to the salary of such member at the beginning of that payroll period, the first day of which is nearest to the effective date of such increase as provided in this act, or at the beginning of the earlier of two payroll periods, the first days of which are nearest but equally near to the effective date of such increase as provided in this act; provided, however, that, for the purposes of determining the salary of such unit members upon reclassification, reallocation, appointment, promotion, transfer, demotion, reinstatement, or other change of status, such salary increase shall be deemed to be effective on the date thereof as prescribed by this act, with payment thereof pursuant to this section on a date prior thereto, instead of on such effective date, and shall not operate to confer any additional salary rights or benefits on such unit members. Payment of such salary increase may be deferred pursuant to section sixteen of this act.

§ 16. Deferred payment of salary increases. Notwithstanding the provisions of any other section of this act or of any other provision of law to the contrary, 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 salary and other 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, 2015, until the time when basic annual salaries and other compensation due are first paid pursuant to this act for such services in excess of the salary and other compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary and other compensation to which such incumbent is entitled for such services and the salary and other compensation actually received. Notwithstanding the provisions of this section or of any other section of this act, the lump sum payments resulting from the increases in salary and other compensation pursuant to this act shall be aggregated in the form of a lump sum payment and made to employees in two equal payments. However, effective the pay period closest to March 31, 2019, the denominator for purposes of calculating overtime shall be adjusted consistent with such interest arbitration award and recalculation of the overtime earned subsequent to March 31, 2019 will be reconciled, adjusted and applied in the first retroactive payment referenced herein. The first payment shall be paid as soon as practicable after the passage of legislation implementing a Final Decision and Award covering the period April 1, 2015 to March 31, 2019 and the second payment shall be paid on the first day of the payroll period commencing after April 1, 2021. For the purpose of calculating retirement benefits, the amounts paid under this act shall count as compensation earned during the year or years for which it is calculated and not as

compensation earned wholly in the year in which it is paid. Notwithstanding any law, rule or regulation to the contrary, no member of the agency police services unit to whom the provisions of this act apply shall be entitled to, or owed, any interest or other penalty for any reason on any monies due to such member pursuant to the terms of this act and the terms of the agreement or interest arbitration award covering employees in the agency police services unit.

§ 17. Use of appropriations. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the state comptroller is authorized to pay any amounts required during the fiscal year commencing April 1, 2020 by the 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 are insufficient in any fund 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. The aforementioned appropriations shall be available for payment of any liabilities or obligations incurred prior to April 1, 2020, in addition to current liabilities.

§ 18. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of fifty-five million dollars ($55,000,000) is hereby appropriated in the general fund/state purposes account (10050) in miscellaneous-all state departments and agencies solely for apportionment/transfer by the director of the budget for use by any state department or agency in any fund for the period April 1, 2015 through March 31, 2021 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 period April 1, 2015 through March 31, 2021. For this purpose, the monies appropriated shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2021.

§ 19. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, 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 period April 1, 2015 through March 31, 2021 to supplement appropriations from each respective fund available for other than personal service and fringe benefits, and to carry out the provisions of this act. The monies hereby appropriated are available for the payment of any liabilities or obligations incurred prior to or during the period commencing April 1, 2015 through March 31, 2021. No money shall be available for expenditure from the monies appropriated 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. Notwithstanding the provisions of any other section of this act, the salary increases, and lump sum payments provided for in this act shall not be implemented until

the director of employee relations has delivered notice to the director of the budget and the comptroller that a Final Decision and Award has been issued and signed by the interest arbitration panel so that such amounts may be paid.

ALL STATE DEPARTMENTS AND AGENCIES
SPECIAL PAY BILLS
General Fund / State Operations
State Purposes Account - 003

NONPERSONAL SERVICE

Joint committee on health benefits	15,782
Contract administration	30,000
Education and Training	91,337
Education and Training - Management Directed	55,746
Employee Assistance Program	13,810
Organizational Alcohol Program	21,441
Legal Defense Fund	10,000
Quality of Work Life Initiatives	67,420
Employee Benefit Fund	198,175

§ 20. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.