STATE OF NEW YORK

6979

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to service credit for unpaid maternity leave for a Westchester county correction officer or deputy commissioner

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

Section 1. Section 89-e of the retirement and social security law is amended by adding a new subdivision k to read as follows:

k. Notwithstanding any other provision of law to the contrary, an active member whose tenure with Westchester county as a correction officer or deputy commissioner who has elected to participate in the plan established pursuant to this section includes one or more unpaid maternity or bonding leaves of absence for which such member did not receive service credit, shall be eligible to purchase service credit for all such leaves of absence up to a maximum of three years at a rate based upon such member's salary immediately before such member commenced such leave of absence, provided that (1) at the time of any such leave of absence, such member was subject to the provisions of this section, (2) such member elects to purchase service credit for such leaves of absence by executing a periodic payroll deduction agreement, (3) such member has at least five years of creditable service at the time that such member executes such periodic payroll deduction agreement, and (4) such member agrees to pay both the employer's share and the employee's share of the cost for the period or periods of time being purchased. Such agreement shall, for each leave of absence being purchased pursuant to this subdivision, set forth the total cost of such credit, the employer's share of such cost that will be paid by the member, and the number of payroll periods in which such periodic payments shall be made. Such agreement shall be irrevocable, shall not be subject to amendment or modification in any manner, and shall expire only upon completion of payroll

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

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deductions specified therein. Notwithstanding the foregoing, any member who has entered into such a payroll deduction agreement and who terminates employment prior to completion of the payments required therein shall be credited with any service as to which such member shall have paid the contributions required under the terms of such agreement. Any service credited to a member pursuant to this subdivision shall be deemed to be creditable service and shall be included in computing years of total service for retirement pursuant to this section.

§ 2. This act shall take effect immediately.