STATE OF NEW YORK

8748

IN SENATE

April 7, 2022

Introduced by Sen. JACKSON -- (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, the state finance law, and the retirement and social security law, in relation to compensation, benefits and other terms and conditions of employment for members of the collective negotiating unit designated as the agency police services unit; to implement an agreement between the state of New York and the employee organization representing members of the collective negotiating unit designated as the agency police services unit; making an appropriation therefor; and to repeal certain provisions of the civil service law relating thereto (Part A); and to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment for members of the district council 37 rent regulation services unit; to implement a collective bargaining agreement between the state of New York and the district council 37 rent regulation services unit; making an appropriation therefor; and to repeal certain provisions of such law relating thereto (Part B)

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

Section 1. This act enacts into law major components of legislation relating to compensation, benefits and other terms and conditions of employment of various units. Each component is wholly contained within a Part identified as Parts A and B. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE STATE OF NEW YORK AND THE AGENCY POLICE SERVICES UNIT
FOR 2019 - 2023

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

LBD12039-02-2

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 Paragraph h of subdivision 1 of section 130 of the civil service law is REPEALED and a new paragraph h is added to read as follows: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

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5
1	31025	32117	33209	34301	35393	36485
2	31976	33126	34276	35426	36576	37726
3	33300	34500	35700	36900	38100	39300
4	34574	35840	37106	38372	39638	40904
5	35977	37307	38637	39967	41297	42627
6	37600	38998	40396	41794	43192	44590
7	39445	40902	42359	43816	45273	46730
8	41391	42904	44417	45930	47443	48956
9	43421	44998	46575	48152	49729	51306
10	45607	47267	48927	50587	52247	53907
11	48007	49734	51461	53188	54915	56642
12	50398	52200	54002	55804	57606	59408
13	53110	54992	56874	58756	60638	62520
14	55877	57851	59825	61799	63773	65747
15	58804	60857	62910	64963	67016	69069
16	61841	63985	66129	68273	70417	72561
17	65036	67295	69554	71813	74072	76331
18	68451	70823	73195	75567	77939	80311
19	71910	74388	76866	79344	81822	84300
20	75343	77931	80519	83107	85695	88283
21	79127	81826	84525	87224	89923	92622
22	83089	85948	88807	91666	94525	97384
23	87312	90251	93190	96129	99068	102007
24	91761	94810	97859	100908	103957	107006
25	96601	99781	102961	106141	109321	112501

SG	Job Rate	Perf. Adv.	10-yr. Long Step	15-yr. Long Step	20-yr. Long Step	Long Max. 25-yr. Long Step
1	37577	1092	39208	40838	43999	45631
2	38876	1150	40602	42328	45580	47309
3	40500	1200	42300	44100	47429	49230
4	42170	1266	44064	45959	49378	51268
5	43957	1330	45949	47941	51460	53452
6	45988	1398	48086	50184	53811	55911
7	48187	1457	50368	52549	56258	58439
8	50469	1513	52735	55000	58795	61065
9	52883	1577	55255	57624	61520	63887

10	55567	1660	58051	60533	64541	67025
11	58369	1727	60954	63535	67652	70238
12	61210	1802	63914	66618	70852	73556
13	64402	1882	67218	70034	74382	77198
14	67721	1974	70672	73621	78104	81054
15	71122	2053	74196	77270	81874	84946
16	74705	2144	77919	81133	85871	89082
17	78590	2259	81970	85351	90260	93641
18	82683	2372	86236	89789	94875	98432
19	86778	2478	90489	94200	99437	103148
20	90871	2588	94755	98639	104046	107932
21	95321	2699	99369	103420	108991	113037
22	100243	2859	104523	108802	114609	118890
23	104946	2939	109355	113766	119702	124111
24	110055	3049	114625	119195	125297	129866
25	115681	3180	120448	125216	131507	136273

(2) Effective April first, two thousand twenty:

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5
1	31646	32760	33874	34988	36102	37216
2	32616	33789	34962	36135	37308	38481
3	33966	35190	36414	37638	38862	40086
4	35265	36556	37847	39138	40429	41720
5	36697	38054	39411	40768	42125	43482
6	38352	39778	41204	42630	44056	45482
7	40234	41720	43206	44692	46178	47664
8	42219	43762	45305	46848	48391	49934
9	44289	45898	47507	49116	50725	52334
10	46519	48212	49905	51598	53291	54984
11	48967	50729	52491	54253	56015	57777
12	51406	53244	55082	56920	58758	60596
13	54172	56092	58012	59932	61852	63772
14	56995	59008	61021	63034	65047	67060
15	59980	62074	64168	66262	68356	70450
16	63078	65265	67452	69639	71826	74013
17	66337	68641	70945	73249	75553	77857
18	69820	72240	74660	77080	79500	81920
19	73348	75876	78404	80932	83460	85988
20	76850	79490	82130	84770	87410	90050
21	80710	83463	86216	88969	91722	94475
22	84751	87667	90583	93499	96415	99331
23	89058	92056	95054	98052	101050	104048
24	93596	96706	99816	102926	106036	109146
25	98533	101777	105021	108265	111509	114753

SG	Job Rate	Perf. Adv.	10-yr. Long Step	15-yr. Long Step	20-yr. Long Step	Long Max. 25-yr. Long Step
1	38330	1114	39994	41656	44880	46545

2	39654	1173	41415	43175	46492	48256
3	41310	1224	43146	44982	48378	50215
4	43011	1291	44943	46876	50363	52291
5	44839	1357	46871	48903	52492	54524
6	46908	1426	49048	51188	54887	57029
7	49150	1486	51375	53599	57382	59607
8	51477	1543	53788	56099	59970	62285
9	53943	1609	56362	58779	62753	65167
10	56677	1693	59211	61742	65830	68364
11	59539	1762	62176	64808	69008	71645
12	62434	1838	65192	67950	72269	75027
13	65692	1920	68564	71437	75872	78744
14	69073	2013	72083	75091	79664	82673
15	72544	2094	75679	78815	83511	86644
16	76200	2187	79478	82757	87589	90865
17	80161	2304	83609	87057	92064	95513
18	84340	2420	87964	91588	96776	100404
19	88516	2528	92301	96086	101428	105213
20	92690	2640	96652	100613	106129	110092
21	97228	2753	101357	105489	111171	115298
22	102247	2916	106613	110977	116900	121267
23	107046	2998	111543	116042	122097	126594
24	112256	3110	116917	121579	127803	132463
25	117997	3244	122859	127723	134140	139001

(3) Effective April first, two thousand twenty-one:

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5
1	32279	33415	34551	35687	36823	37959
2	33268	34465	35662	36859	38056	39253
3	34645	35894	37143	38392	39641	40890
4	35970	37287	38604	39921	41238	42555
5	37431	38815	40199	41583	42967	44351
6	39119	40574	42029	43484	44939	46394
7	41039	42555	44071	45587	47103	48619
8	43063	44637	46211	47785	49359	50933
9	45175	46816	48457	50098	51739	53380
10	47449	49176	50903	52630	54357	56084
11	49946	51743	53540	55337	57134	58931
12	52434	54309	56184	58059	59934	61809
13	55255	57214	59173	61132	63091	65050
14	58135	60188	62241	64294	66347	68400
15	61180	63316	65452	67588	69724	71860
16	64340	66571	68802	71033	73264	75495
17	67664	70014	72364	74714	77064	79414
18	71216	73685	76154	78623	81092	83561
19	74815	77394	79973	82552	85131	87710
20	78387	81080	83773	86466	89159	91852
21	82324	85132	87940	90748	93556	96364
22	86446	89420	92394	95368	98342	101316
23	90839	93897	96955	100013	103071	106129

24	95468	98640	101812	104984	108156	111328
25	100504	103813	107122	110431	113740	117049

SG	Job Rate	Perf. Adv.	10-yr. Long Step	15-yr. Long Step	20-yr. Long Step	Long Max. 25-yr. Long Step
1	39095	1136	40792	42488	45776	47474
2	40450	1197	42246	44041	47425	49224
3	42139	1249	44012	45884	49348	51222
4	43872	1317	45843	47814	51371	53338
5	45735	1384	47808	49880	53541	55614
6	47849	1455	50032	52215	55988	58172
7	50135	1516	52405	54673	58532	60801
8	52507	1574	54864	57221	61170	63531
9	55021	1641	57488	59954	64007	66469
10	57811	1727	60396	62977	67147	69732
11	60728	1797	63418	66102	70386	73076
12	63684	1875	66497	69310	73716	76529
13	67009	1959	69938	72869	77393	80322
14	70453	2053	73523	76591	81256	84325
15	73996	2136	77194	80392	85182	88378
16	77726	2231	81070	84414	89343	92684
17	81764	2350	85281	88798	93905	97423
18	86030	2469	89726	93423	98715	102415
19	90289	2579	94150	98010	103459	107320
20	94545	2693	98586	102626	108253	112295
21	99172	2808	103384	107598	113394	117603
22	104290	2974	108743	113195	119236	123690
23	109187	3058	113774	118363	124539	129126
24	114500	3172	119254	124009	130358	135111
25	120358	3309	125317	130279	136824	141782

(4) Effective April first, two thousand twenty-two:

SG	Hiring Rate	Perf. Advance Step 1	Perf. Advance Step 2	Perf. Advance Step 3	Perf. Advance Step 4	Perf. Advance Step 5
1	32925	34084	35243	36402	37561	38720
2	33933	35154	36375	37596	38817	40038
3	35338	36612	37886	39160	40434	41708
4	36689	38032	39375	40718	42061	43404
5	38180	39592	41004	42416	43828	45240
6	39901	41385	42869	44353	45837	47321
7	41860	43406	44952	46498	48044	49590
8	43924	45530	47136	48742	50348	51954
9	46079	47753	49427	51101	52775	54449
10	48398	50160	51922	53684	55446	57208
11	50945	52778	54611	56444	58277	60110
12	53483	55396	57309	59222	61135	63048
13	56360	58358	60356	62354	64352	66350
14	59298	61392	63486	65580	67674	69768
15	62404	64583	66762	68941	71120	73299

16	65627	67903	70179	72455	74731	77007
17	69017	71414	73811	76208	78605	81002
18	72640	75159	77678	80197	82716	85235
19	76311	78942	81573	84204	86835	89466
20	79955	82702	85449	88196	90943	93690
21	83970	86834	89698	92562	95426	98290
22	88175	91209	94243	97277	100311	103345
23	92656	95775	98894	102013	105132	108251
24	97377	100613	103849	107085	110321	113557
25	102514	105889	109264	112639	116014	119389

SG	Job Rate	Perf. Adv.	10-yr. Long Step	15-yr. Long Step	20-yr. Long Step	Long Max. 25-yr. Long Step
1	39879	1159	41610	43340	46694	48426
2	41259	1221	43091	44922	48374	50208
3	42982	1274	44892	46802	50335	52247
4	44747	1343	46757	48768	52396	54402
5	46652	1412	48766	50880	54614	56729
6	48805	1484	51032	53258	57107	59334
7	51136	1546	53451	55765	59701	62015
8	53560	1606	55964	58368	62396	64804
9	56123	1674	58639	61155	65289	67800
10	58970	1762	61607	64239	68493	71129
11	61943	1833	64687	67424	71794	74538
12	64961	1913	67830	70700	75194	78063
13	68348	1998	71336	74325	78940	81927
14	71862	2094	74993	78123	82881	86011
15	75478	2179	78740	82002	86888	90148
16	79283	2276	82694	86105	91132	94540
17	83399	2397	86986	90574	95783	99371
18	87754	2519	91524	95295	100693	104467
19	92097	2631	96035	99972	105530	109469
20	96437	2747	100559	104680	110419	114542
21	101154	2864	105450	109749	115660	119954
22	106379	3034	110921	115462	121624	126167
23	111370	3119	116049	120730	127029	131708
24	116793	3236	121642	126492	132968	137816
25	122764	3375	127822	132883	139559	144616

§ 2. Subdivision 2 of section 207-d of the state finance law, as amended by section 2 of part VV of chapter 55 of the laws of 2021, is amended to read as follows:

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 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~~] **on the payroll on March first, two thousand nineteen for payments to be made on April first, two thousand nineteen, on the payroll on March first, two thousand twenty for payments to be made on April first, two thousand twenty, on the payroll on March first, two thousand twenty-one for payments to be made on April first, two thousand twenty-one, and on the payroll on March first, two thousand twenty-two for payments to be made on April first, two thousand twenty-two**. 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. Paragraph 1 of subdivision j of section 41 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

1. In addition to any other service credit to which he or she is entitled, a member who meets the requirements set forth in paragraphs two and three of this subdivision shall be granted one day of additional service credit for each day of accumulated unused sick leave which he or she has at time of retirement for service, but such credit shall not (a) exceed one hundred sixty-five days, (b) be considered in meeting any service or age requirements prescribed in this chapter, and (c) be considered in computing final average salary. However, for an executive branch member designated managerial or confidential pursuant to article fourteen of the civil service law or in the collective negotiating units established by article fourteen of the civil service law designated the professional, scientific and technical services unit, the rent regulation services negotiating unit, the security services negotiating unit, the security supervisors negotiating unit, the state university professional services negotiating unit, the administrative services negotiating unit, the institutional services negotiating unit, the operational services negotiating unit and the division of military and naval affairs negotiating unit **and, effective on and after June twenty-seventh, two thousand seventeen for the agency police services unit** such service credit limitation provided in subparagraph (a) of this paragraph shall not exceed two hundred days. For a nonjudicial officer or employee of the unified court system not in a collective negotiating unit or in a collective negotiating unit specified in section one of chapter two hundred three of the laws of two thousand four, for employees of the New York state dormitory authority, for employees of the New York state thruway authority, the New York state canal corporation and the state

university construction fund and for employees of the New York liquidation bureau such service credit limitation provided in subparagraph (a) of this paragraph shall not exceed two hundred days. For members who first become members of a public retirement system of the state on or after April first, two thousand twelve, such credit shall not exceed one hundred days.

§ 4. Paragraph 1 of subdivision j of section 341 of the retirement and social security law, as amended by chapter 244 of the laws of 2002, is amended to read as follows:

1. In addition to any other service credit to which he or she is entitled, a member who meets the requirements set forth in paragraphs two and three of this subdivision shall be granted one day of additional service credit for each day of accumulated unused sick leave which he or she has at time of retirement for service, but such credit shall not (a) exceed one hundred sixty-five days, (b) be considered in meeting any service or age requirements prescribed in this chapter, and (c) be considered in computing final average salary. However, for a member of the collective negotiating units established by article fourteen of the civil service law designated the security services negotiating unit [~~and~~], the security supervisors negotiating unit **and effective on and after June twenty-seventh, two thousand seventeen, the agency police services unit** such service credit limitation provided in subparagraph (a) of this paragraph shall not exceed two hundred days.

§ 5. 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 14 of the civil service law.

2. Effective April 1, 2019, 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, 2019 shall be increased by two percent.

3. Effective April 1, 2020, 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, 2020 shall be increased by two percent.

4. Effective April 1, 2021, 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, 2021 shall be increased by two percent.

5. Effective April 1, 2022, 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, 2022 shall be increased by two percent.

6. Advancement within salary grade. Payments pursuant to the provisions of subdivision 6 of section 131 of the 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 or twelve 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.

§ 6. 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.

§ 7. Clothing allowance. Effective April 1, 2019, 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.

§ 8. 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, 2019, all members of this unit who are full-time annual salaried employ-

ees 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 fifteen hundred twenty dollars. Effective April 1, 2020, this amount shall increase to fifteen hundred fifty dollars. Effective April 1, 2021, this amount shall increase to fifteen hundred eighty-one dollars. Effective April 1, 2022, the amount shall increase to sixteen hundred thirteen 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.

§ 9. 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, 2019	$1,266	$1,900	$2,217
Effective April 1, 2020	$1,291	$1,938	$2,261
Effective April 1, 2021	$1,317	$1,977	$2,306
Effective April 1, 2022	$1,343	$2,017	$2,352

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.

§ 10. 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, 2019, shall continue to receive expanded duty pay in the amount of three thousand eight hundred and twenty-five dollars. Effective April 1, 2022, this amount shall increase to five thousand 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. Effective with the first academy class enrolled subsequent to ratification of the 2019-2023 collective bargaining agreement, expanded duty pay shall not be paid to such individuals until the beginning of the first pay period following their one-year anniversary of employment.

§ 11. 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, 2019, 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. Effective with the first academy class enrolled subsequent to ratification of the 2019-2023 collective bargaining agreement, marine/off-road enforcement pay shall not be paid to such individuals until the beginning of the first pay period following their one-year anniversary of employment.

§ 12. 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, 2019, 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. Effective with the first academy class enrolled subsequent to ratification of the 2019-2023 collective bargaining agreement, hazardous material pay shall not be paid to such individuals until the beginning of the first pay period following their one-year anniversary of employment.

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. Effective with the first academy class enrolled subsequent to ratification of the 2019-2023 collective bargaining agreement, hazardous material/fire management/search and rescue pay shall not be paid to such individuals until the beginning of the first pay period following their one-year anniversary of employment.

§ 13. Effective with the first academy class enrolled subsequent to ratification of the 2019-2023 collective bargaining agreement, the two hundred dollar payment to individuals who complete their initial training shall be eliminated.

§ 14. Fifteen years of service pay. Notwithstanding any provision of law to the contrary, pursuant to the terms of the agreement negotiated between the state and the employee organization representing the agency police services unit, effective April 1, 2021, all members of the unit who have fifteen years of service in the agency police services unit, including service in any predecessor units, shall receive a payment of twelve hundred dollars. Such payment shall be annualized and paid during regular bi-weekly periods. Such payment shall be in addition to, and shall not be a part of, a member's annual basic salary, and shall not affect or impair any increments or other rights or benefits to which the member may be entitled; provided, however, that the payment shall be included as compensation for purposes of computation of overtime pay and for retirement purposes. Such amount shall also be included for such eligible employees in the calculation of premium pay for those members who receive such pay.

§ 15. 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, 2019, 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.

§ 16. During the period April 1, 2019 through March 31, 2023 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.

§ 17. 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.

§ 18. 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.

§ 19. 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 twenty of this act.

§ 20. 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, 2019, 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 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.

§ 21. 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, 2022 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, 2022, in addition to current liabilities.

§ 22. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of thirty-four million dollars ($34,000,000) 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, 2019 through March 31, 2023 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, 2019 through March 31, 2023. For this purpose, the monies appropriated shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2023.

§ 23. 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, 2019 through March 31, 2023 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, 2019 through March 31, 2023. 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 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.

ALL STATE DEPARTMENTS AND AGENCIES
SPECIAL PAY BILLS

General Fund / State Operations
State Purposes Account - 003

NONPERSONAL SERVICE

Joint committee on health benefits $18,000
Contract administration $30,000
Education and Training $99,000
Education and Training - Management Directed $61,000
Employee Assistance Program $15,000
Organizational Alcohol Program $24,000
Legal Defense Fund $10,000
Quality of Work Life Initiatives $73,000
Employee Benefit Fund $218,000

§ 24. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2019. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2023.

REPEAL NOTE: Subparagraphs 1, 2, 3 and 4 of paragraph h of subdivision 1 of section 130 of the civil service law are REPEALED by section 1 of this act and are replaced with new subparagraphs 1, 2, 3 and 4.

PART B

COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE STATE OF NEW YORK AND THE DISTRICT COUNCIL 37 RENT REGULATION SERVICES UNIT
FOR 2021 - 2023

Section 1. Subparagraphs 1, 2, 3, 4 and 5 of paragraph e of subdivision 1 of section 130 of the civil service law are REPEALED and two new subparagraphs 1 and 2 are added to read as follows:

(1) Effective April first, two thousand twenty-one:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR	JR INCR
1	25825	26696	27567	28438	29309	30180	31051	31922	871	871
2	26811	27725	28639	29553	30467	31381	32295	33216	914	921
3	28150	29106	30062	31018	31974	32930	33886	34835	956	949
4	29379	30390	31401	32412	33423	34434	35445	36456	1011	1011
5	30785	31844	32903	33962	35021	36080	37139	38198	1059	1059
6	32507	33607	34707	35807	36907	38007	39107	40214	1100	1107
7	34304	35458	36612	37766	38920	40074	41228	42389	1154	1161
8	36239	37438	38637	39836	41035	42234	43433	44625	1199	1192
9	38257	39510	40763	42016	43269	44522	45775	47028	1253	1253
10	40446	41760	43074	44388	45702	47016	48330	49637	1314	1307
11	42792	44171	45550	46929	48308	49687	51066	52438	1379	1372
12	45241	46668	48095	49522	50949	52376	53803	55223	1427	1420
13	47923	49416	50909	52402	53895	55388	56881	58374	1493	1493
14	50697	52251	53805	55359	56913	58467	60021	61575	1554	1554
15	53641	55260	56879	58498	60117	61736	63355	64981	1619	1626
16	56646	58340	60034	61728	63422	65116	66810	68511	1694	1701
17	59834	61624	63414	65204	66994	68784	70574	72364	1790	1790
18	60069	62129	64189	66249	68309	70369	72429	76387	2060	3958
19	63325	65472	67619	69766	71913	74060	76207	80429	2147	4222
20	66566	68808	71050	73292	75534	77776	80018	84450	2242	4432
21	70094	72430	74766	77102	79438	81774	84110	88877	2336	4767

22	73863	76298	78733	81168	83603	86038	88473	93519	2435	5046
23	77771	80304	82837	85370	87903	90436	92969	98372	2533	5403
24	81912	84546	87180	89814	92448	95082	97716	103405	2634	5689
25	86432	89177	91922	94667	97412	100157	102902	108935	2745	6033
26	90984	93839	96694	99549	102404	105259	108114	114357	2855	6243
27	95910	98917	101924	104931	107938	110945	113952	120454	3007	6502
28	100959	104083	107207	110331	113455	116579	119703	126437	3124	6734
29	106252	109494	112736	115978	119220	122462	125704	132689	3242	6985
30	111803	115166	118529	121892	125255	128618	131981	139202	3363	7221
31	117762	121252	124742	128232	131722	135212	138702	146179	3490	7477
32	124025	127631	131237	134843	138449	142055	145661	153401	3606	7740

(2) Effective April sixth, two thousand twenty-two:

SG	HR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	JR	INCR	JR INCR
1	26342	27231	28120	29009	29898	30787	31676	32558	889	882
2	27347	28279	29211	30143	31075	32007	32939	33878	932	939
3	28713	29688	30663	31638	32613	33588	34563	35531	975	968
4	29967	30998	32029	33060	34091	35122	36153	37184	1031	1031
5	31401	32481	33561	34641	35721	36801	37881	38961	1080	1080
6	33157	34279	35401	36523	37645	38767	39889	41018	1122	1129
7	34990	36167	37344	38521	39698	40875	42052	43236	1177	1184
8	36964	38187	39410	40633	41856	43079	44302	45518	1223	1216
9	39022	40300	41578	42856	44134	45412	46690	47968	1278	1278
10	41255	42595	43935	45275	46615	47955	49295	50628	1340	1333
11	43648	45055	46462	47869	49276	50683	52090	53490	1407	1400
12	46146	47601	49056	50511	51966	53421	54876	56324	1455	1448
13	48881	50404	51927	53450	54973	56496	58019	59542	1523	1523
14	51711	53296	54881	56466	58051	59636	61221	62806	1585	1585
15	54714	56366	58018	59670	61322	62974	64626	66278	1652	1652
16	57779	59507	61235	62963	64691	66419	68147	69882	1728	1735
17	61031	62857	64683	66509	68335	70161	71987	73813	1826	1826
18	61270	63372	65474	67576	69678	71780	73882	77912	2102	4030
19	64592	66782	68972	71162	73352	75542	77732	82036	2190	4304
20	67897	70184	72471	74758	77045	79332	81619	86140	2287	4521
21	71496	73879	76262	78645	81028	83411	85794	90657	2383	4863
22	75340	77823	80306	82789	85272	87755	90238	95392	2483	5154
23	79326	81910	84494	87078	89662	92246	94830	100342	2584	5512
24	83550	86237	88924	91611	94298	96985	99672	105472	2687	5800
25	88161	90961	93761	96561	99361	102161	104961	111111	2800	6150
26	92804	95716	98628	101540	104452	107364	110276	118931	2912	8655
27	97828	100895	103962	107029	110096	113163	116230	125272	3067	9042
28	102978	106165	109352	112539	115726	118913	122100	131494	3187	9394
29	108377	111684	114991	118298	121605	124912	128219	137997	3307	9778
30	114039	117470	120901	124332	127763	131194	134625	144770	3431	10145
31	120117	123677	127237	130797	134357	137917	141477	152026	3560	10549
32	126506	130184	133862	137540	141218	144896	148574	159537	3678	10963

§ 2. 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 1, 2021, 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, 2022, 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. Notwithstanding the provisions of subdivisions two and three 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 and 2 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 and 2 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 and three of this section.

5. 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.

6. 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.

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

8. 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 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.

9. 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.

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

11. 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.

§ 3. 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.

§ 4. 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.

§ 5. 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.

§ 6. During the period April 2, 2021 through April 1, 2023, 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, 2021, have the responsibility for discussing and attempting to resolve matters of mutual concern and implementing any agreements reached.

§ 7. 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.

§ 8. Use of appropriations. The comptroller is authorized to pay any amounts required during the fiscal year commencing April 1, 2022 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.

§ 9. 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.

§ 10. 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, 2021, 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.

§ 11. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of two million, four hundred thousand dollars ($2,400,000) 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 fiscal year beginning April 1, 2021 through March 31, 2023 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, 2021 through March 31, 2023. For this purpose, these appropriations shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2023.

§ 12. 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 fiscal year beginning April 1, 2021 through March 31, 2023 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, 2021 through March 31, 2023. 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 $12,000
Employee Assistance Program/Work-Life
Services/Family Benefits $32,000
Employee Development and Training $158,000
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 $705,000

§ 13. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 2, 2021. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2023.

REPEAL NOTE: Subparagraphs 1, 2, 3, 4 and 5 of paragraph e of subdivision 1 of section 130 of the civil service law are REPEALED by section 1 of this act and are replaced with new subparagraphs 1 and 2.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately, provided, however, that the applicable effective dates of Parts A and B of this act shall be as specifically set forth in the last section of such Parts.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would allow members of the New York State and Local Police and Fire Retirement System (NYSLPFRS), represented by the Agency Police Services negotiating unit, to receive service credit for up to 200 days of unused sick leave. Currently, the maximum is 165 days. This would be retroactive to include retirements on or after July 27, 2017.

If this bill is enacted during the 2022 legislative session, we anticipate that there may occasionally be years where the annual sick leave rate in the NYSLPFRS increases by 0.1% as a result of this legislation, but such years are expected to be rare. Employees represented by the Agency Police Services negotiating unit are members of the NYSLPFRS only so there will not be any increases in the sick leave rates for the New York State and Local Employees' Retirement System (NYSLERS) as a result of this legislation.

There would also be additional administrative costs to review the retirements since July 27, 2017 and recalculate the benefits of those affected.

Summary of relevant resources:

Membership data as of March 31, 2021 was used in measuring the impact of the proposed change, the same data used in the April 1, 2021 actuarial valuation. Distributions and other statistics can be found in the 2021 Report of the Actuary and the 2021 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 and 2021 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2021 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated March 29, 2022, and intended for use only during the 2022 Legislative Session, is Fiscal Note No. 2022-95, prepared by the Actuary for the New York State and Local Retirement System.