STATE OF NEW YORK

5686

2021-2022 Regular Sessions

IN ASSEMBLY

February 23, 2021

Introduced by M. of A. ABBATE -- (at request of the Governor) -- read once and referred to the Committee on Governmental Employees

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 Paragraph h of subdivision 1 of section 130 of the civil 2 service law is REPEALED and a new paragraph h is added to read as 3 follows:

h. Pursuant to the terms of an agreement entered into, or an interest 5 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 8 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: 10

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11		Perf.	Perf.	Perf.	Perf.	Perf.						Long
12		Ad-	Ad-	Ad-	<u>Ad-</u>	Ad-						Max.
13	<u>Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>			<u> 10 Yr</u>	<u>15 Yr</u>	<u>20 Yr</u>	<u>25 Yr</u>
14	<u>ing</u>	<u>Step</u>	Step	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Job</u>	Perf.	Long	Long	Long	Long
15	SG Rate	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>Rate</u>	Adv.	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
16	1 28663	29671	30679	31687	32695	33703	34711	1008	36218	37724	40644	42151

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

LBD12002-01-1

2 29540 30602 31664 32726 33788 34850 35912 1062 37506 39101 42106 43703 <u>3 30764 31872 32980 34088 35196 36304 37412 1108 39075 40737 43813 45477</u> 3 <u>4</u> <u>31940</u> <u>33110</u> <u>34280</u> <u>35450</u> <u>36620</u> <u>37790</u> <u>38960</u> <u>1170</u> <u>40710</u> <u>42461</u> <u>45619</u> <u>47366</u> <u>5 33237 34465 35693 36921 38149 39377 40605 1228 42445 44285 47537 49377</u> <u>6 34736 36027 37318 38609 39900 41191 42482 1291 44420 46358 49710 51649</u> 7 36442 37787 39132 40477 41822 43167 44512 1345 46527 48541 51969 53984 <u>8 38238 39635 41032 42429 43826 45223 46620 1397 48713 50806 54312 56408</u> $\underline{9} \ \underline{40115} \ \underline{41572} \ \underline{43029} \ \underline{44486} \ \underline{45943} \ \underline{47400} \ \underline{48857} \ \underline{1457} \ \underline{51047} \ \underline{53237} \ \underline{56836} \ \underline{59023}$ 9 <u>10 42133 43666 45199 46732 48265 49798 51331 1533 53625 55919 59621 61916</u> 10 <u>11 44351 45946 47541 49136 50731 52326 53921 1595 56308 58695 62497 64886</u> 11 <u>12 46560 48225 49890 51555 53220 54885 56550 1665 59048 61546 65458 67956</u> <u>13 49066 50804 52542 54280 56018 57756 59494 1738 62096 64698 68714 71316</u> 12 13 <u>14 51622 53445 55268 57091 58914 60737 62560 1823 65285 68011 72151 74879</u> <u>15 54326 56222 58118 60014 61910 63806 65702 1896 68542 71381 75634 78473</u> 14 <u>16 57131 59111 61091 63071 65051 67031 69011 1980 71980 74949 79327 82293</u> 15 16 <u>17 60083 62169 64255 66341 68427 70513 72599 2086 75722 78845 83380 86504</u> <u>18 63238 65428 67618 69808 71998 74188 76378 2190 79660 82943 87642 90927</u> 17 <u>19</u> <u>66434</u> <u>68722</u> <u>71010</u> <u>73298</u> <u>75586</u> <u>77874</u> <u>80162</u> <u>2288</u> <u>83590</u> <u>87018</u> <u>91857</u> <u>95285</u> 18 19 <u>20 69606 71996 74386 76776 79166 81556 83946 2390 87534 91123 96119 99707</u> 20 <u>21</u> <u>73101</u> <u>75594</u> <u>78087</u> <u>80580</u> <u>83073</u> <u>85566</u> <u>88059</u> <u>2493</u> <u>91799</u> <u>95540</u> <u>100-</u> <u>104-</u> 21 687 426 22 22 76762 79403 82044 84685 87326 89967 92608 2641 96562 100-<u> 105-</u> 109-23 515 880 835 23 80663 83378 86093 88808 91523 94238 96953 2715 101-24 <u> 105-</u> 110-114-25 027 <u>101</u> <u>585</u> <u>659</u> 26 24 84774 87590 90406 93222 96038 98854 101-2816 105-110-115-<u> 119-</u> 27 670 892 114 751 <u>973</u> <u>25 89244 92182 95120 98058 100-</u> 121-28 <u> 103-</u> <u> 106-</u> 2938 111-115-125-29 996 872 276 494 <u>896</u> <u>934</u> 681

30 (2) Effective April first, two thousand sixteen:

31			Perf.	Perf.	Perf.	Perf.	Perf.						Long
32			<u> Ad-</u>						Max.				
33		<u> Hir-</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>	<u>vance</u>			<u>10 Yr</u>	<u>15 Yr</u>	<u>20 Yr</u>	<u>25 Yr</u>
34		<u>ing</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Job</u>	Perf.	Long	Long	Long	Long
35	SG	<u>Rate</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>Rate</u>	Adv.	<u>Step</u>	<u>Step</u>	<u>Step</u>	<u>Step</u>
36	<u>1</u>	<u>29236</u>	<u>30264</u>	31292	<u>32320</u>	<u>33348</u>	<u>34376</u>	<u>35404</u>	1028	<u>36941</u>	<u>38477</u>	<u>41456</u>	<u>42993</u>
37	<u>2</u>	30131	<u>31214</u>	<u>32297</u>	<u>33380</u>	<u>34463</u>	<u>35546</u>	<u> 36629</u>	1083	<u>38255</u>	<u> 39882</u>	<u>42947</u>	<u>44576</u>
38	<u>3</u>	<u>31379</u>	<u>32509</u>	<u>33639</u>	<u>34769</u>	<u>35899</u>	<u>37029</u>	<u>38159</u>	1130	<u>39855</u>	<u>41551</u>	<u>44688</u>	<u>46385</u>
39	<u>4</u>	<u>32579</u>	<u>33772</u>	<u>34965</u>	<u>36158</u>	<u>37351</u>	<u>38544</u>	<u> 39737</u>	<u>1193</u>	<u>41522</u>	<u>43308</u>	<u>46529</u>	<u>48311</u>
40	<u>5</u>	33902	<u>35155</u>	<u>36408</u>	<u>37661</u>	<u>38914</u>	<u>40167</u>	41420	1253	43297	<u>45174</u>	<u>48491</u>	<u>50367</u>
41	<u>6</u>	<u>35431</u>	<u>36748</u>	<u>38065</u>	<u>39382</u>	<u>40699</u>	<u>42016</u>	43333	<u>1317</u>	<u>45310</u>	<u>47287</u>	<u>50706</u>	<u>52683</u>
42	<u>7</u>	<u>37171</u>	<u>38543</u>	<u>39915</u>	<u>41287</u>	<u>42659</u>	<u>44031</u>	<u>45403</u>	1372	<u>47458</u>	<u>49513</u>	<u>53009</u>	<u>55064</u>
43	8	<u>39003</u>	<u>40428</u>	<u>41853</u>	<u>43278</u>	<u>44703</u>	<u>46128</u>	<u>47553</u>	1425	<u>49688</u>	<u>51823</u>	<u>55399</u>	<u>57537</u>
44	<u>9</u>	<u>40917</u>	<u>42403</u>	<u>43889</u>	<u>45375</u>	<u>46861</u>	<u>48347</u>	<u>49833</u>	1486	<u>52067</u>	<u>54301</u>	<u>57972</u>	60202
45	<u>10</u>	<u>42976</u>	<u>44540</u>	<u>46104</u>	<u>47668</u>	<u>49232</u>	<u>50796</u>	<u>52360</u>	<u>1564</u>	<u>54700</u>	<u>57040</u>	<u>60816</u>	<u>63157</u>
46	<u>11</u>	<u>45238</u>	<u>46865</u>	<u>48492</u>	<u>50119</u>	<u>51746</u>	<u>53373</u>	<u>55000</u>	1627	<u>57435</u>	<u>59869</u>	<u>63748</u>	<u>66184</u>
47	<u>12</u>	<u>47491</u>	<u>49189</u>	<u>50887</u>	<u>52585</u>	<u>54283</u>	<u>55981</u>	<u>57679</u>	<u>1698</u>	<u>60227</u>	<u>62775</u>	<u>66765</u>	<u>69313</u>
48	<u>13</u>	<u>50047</u>	<u>51820</u>	<u>53593</u>	<u>55366</u>	<u>57139</u>	<u>58912</u>	<u>60685</u>	<u>1773</u>	<u>63339</u>	<u>65993</u>	<u>70089</u>	<u>72743</u>
49	<u>14</u>	<u>52654</u>	<u>54514</u>	<u>56374</u>	<u>58234</u>	<u>60094</u>	<u>61954</u>	<u>63814</u>	1860	<u>66594</u>	<u>69374</u>	<u>73597</u>	<u>76379</u>
50	<u>15</u>	<u>55413</u>	<u>57347</u>	<u>59281</u>	<u>61215</u>	<u>63149</u>	<u>65083</u>	<u>67017</u>	<u>1934</u>	<u>69914</u>	<u>72810</u>	<u>77148</u>	80043
51	<u> 16</u>	<u>58274</u>	<u>60294</u>	<u>62314</u>	<u>64334</u>	<u>66354</u>	<u>68374</u>	<u>70394</u>	2020	<u>73422</u>	<u>76451</u>	<u>80916</u>	83942
52	<u>17</u>	<u>61285</u>	<u>63413</u>	<u>65541</u>	<u>67669</u>	<u>69797</u>	<u>71925</u>	<u>74053</u>	2128	<u>77238</u>	80424	<u>85050</u>	<u>88236</u>
53	<u>18</u>	<u>64503</u>	<u>66737</u>	<u>68971</u>	<u>71205</u>	<u>73439</u>	<u>75673</u>	77907	2234	81255	<u>84603</u>	<u>89396</u>	<u>92747</u>

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    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-
    <u>21</u> <u>74563</u> <u>77106</u> <u>79649</u> <u>82192</u> <u>84735</u> <u>87278</u> <u>89821</u> <u>2543</u> <u>93636</u> <u>97452</u> <u>102-</u>
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    <u>22 78297 80991 83685 86379 89073 91767 94461 2694 98494 102-</u>
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    <u>25</u> <u>91029</u> <u>94026</u> <u>97023</u> <u>100-</u> <u>103-</u>
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     (3) Effective April first, two thousand seventeen:
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                         <u>2</u>
                              <u>3</u>
     <u>1 29821 30870 31919 32968 34017 35066 36115 1049 37683 39249 42288 43856</u>
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        <u>30734</u> <u>31839</u> <u>32944</u> <u>34049</u> <u>35154</u> <u>36259</u> <u>37364</u> <u>1105</u> <u>39023</u> <u>40682</u> <u>43808</u> <u>45470</u>
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      <u>3 32007 33160 34313 35466 36619 37772 38925 1153 40655 42385 45585 47316</u>
      <u>4 33231 34448 35665 36882 38099 39316 40533 1217 42354 44175 47461 49278</u>
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      <u>5 34580 35858 37136 38414 39692 40970 42248 1278 44163 46077 49460 51374 </u>
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      6 36140 37483 38826 40169 41512 42855 44198 1343 46215 48231 51718 53735
      <u>7 37914 39314 40714 42114 43514 44914 46314 1400 48410 50506 54072 56168</u>
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     <u>8 39783 41237 42691 44145 45599 47053 48507 1454 50685 52862 56510 58691</u>
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     <u>9 41735 43251 44767 46283 47799 49315 50831 1516 53110 55388 59133 61407</u>
29
    10 43836 45431 47026 48621 50216 51811 53406 1595 55793 58180 62031 64419
30
    <u>11 46143 47803 49463 51123 52783 54443 56103 1660 58587 61069 65026 67511</u>
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    <u>12 48441 50173 51905 53637 55369 57101 58833 1732 61432 64031 68101 70700</u>
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<u>15 56521 58494 60467 62440 64413 66386 68359 1973 71314 74268 78693 81646</u> <u>16 59439 61500 63561 65622 67683 69744 71805 2061 74894 77983 82537 85624</u> 36 <u>17</u> <u>62511</u> <u>64682</u> <u>66853</u> <u>69024</u> <u>71195</u> <u>73366</u> <u>75537</u> <u>2171</u> <u>78786</u> <u>82035</u> <u>86754</u> <u>90004</u> <u>18 65793 68072 70351 72630 74909 77188 79467 2279 82882 86297 91186 94604</u> 37 <u>19 69118 71499 73880 76261 78642 81023 83404 2381 86971 90537 95572 99138</u> 38 39 <u>20</u> <u>72418</u> <u>74905</u> <u>77392</u> <u>79879</u> <u>82366</u> <u>84853</u> <u>87340</u> <u>2487</u> <u>91073</u> <u>94807</u> <u>100-</u> <u>103-</u> 40 21 76054 78648 81242 83836 86430 89024 91618 2594 95509 99402 104- 108-41 42 757 646 43 <u>22 79863 82611 85359 88107 90855 93603 96351 2748 100- 104-</u> <u>110-</u> <u>114-</u>

<u>13 51048 52857 54666 56475 58284 60093 61902 1809 64609 67316 71494 74201</u>

<u>14 53707 55604 57501 59398 61295 63192 65089 1897 67925 70760 75068 77905</u>

<u>465</u> <u>577</u> 159 274 45 23 83922 86746 89570 92394 95218 98042 100- 2824 105-109-115- 119-866 104 343 049 47 <u>24 88198 91128 94058 96988 99918 102-</u> <u> 105-</u> <u>2930 110-</u> <u> 114-</u> <u>120-</u> <u>124-</u>

48 848 <u>778</u> <u>170</u> <u>563</u> 428 820 49 <u>25 92850 95907 98964 102- 105- 108- 111- 3057 115- 120-</u> 126- 130-774 50 <u>135</u> <u>192</u> 021 <u>078</u> 357 404 984

51 (4) Effective April first, two thousand eighteen:

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A. 5686 4

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      2 31349 32476 33603 34730 35857 36984 38111 1127 39803 41495 44684 46379
 7
      <u>3 32647 33823 34999 36175 37351 38527 39703 1176 41468 43232 46496 48262</u>
 8
      \frac{4}{3} \frac{33896}{35137} \frac{36378}{36378} \frac{37619}{38860} \frac{40101}{40101} \frac{41342}{40101} \frac{1241}{40199} \frac{45057}{40101} \frac{48409}{40101}
 9
      <u>5 35272 36576 37880 39184 40488 41792 43096 1304 45049 47002 50452 52405</u>
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      <u>6 36863 38233 39603 40973 42343 43713 45083 1370 47140 49197 52753 54811</u>
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      7 38672 40100 41528 42956 44384 45812 47240 1428 49378 51516 55153 57291
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      <u>8 40579 42062 43545 45028 46511 47994 49477 1483 51699 53919 57640 59865</u>
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      <u>9 42570 44116 45662 47208 48754 50300 51846 1546 54171 56494 60314 62634</u>
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     <u>10 44713 46340 47967 49594 51221 52848 54475 1627 56910 59344 63273 65708</u>
     <u>11 47066 48759 50452 52145 53838 55531 57224 1693 59758 62289 66325 68860</u>
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     <u>12 49410 51177 52944 54711 56478 58245 60012 1767 62663 65314 69465 72116</u>
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     <u>13 52069 53914 55759 57604 59449 61294 63139 1845 65900 68661 72923 75684</u>
     <u>14</u> <u>54781</u> <u>56716</u> <u>58651</u> <u>60586</u> <u>62521</u> <u>64456</u> <u>66391</u> <u>1935</u> <u>69284</u> <u>72175</u> <u>76570</u> <u>79463</u>
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     <u>18 67109 69434 71759 74084 76409 78734 81059 2325 84542 88026 93012 96499</u>
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     <u>20</u> <u>73866</u> <u>76403</u> <u>78940</u> <u>81477</u> <u>84014</u> <u>86551</u> <u>89088</u> <u>2537</u> <u>92896</u> <u>96704</u> <u>102-</u>
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- § 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

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1 police services unit established pursuant to article fourteen of the civil service law, and upon audit and warrant of the comptroller, the 3 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 7 award providing for such employee benefit fund, such amount to be determined consistent with said agreement or award on the basis of the number 9 of full-time annual salaried employees, as determined by the comptroller, [on the payroll on March first, two thousand eleven for payments to be 10 made on April first, two thousand eleven, on the payroll on March first, 11 two thousand twelve for payments to be made on April first, two thousand 12 twelve, on the payroll on March first, two thousand thirteen for payments 13 14 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 15 16 first, two thousand fourteen on the payroll on March first, two thousand 17 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 18 19 on April first, two thousand sixteen, on the payroll on March first, two 20 thousand seventeen for payments to be made on April first, two thousand 21 seventeen, and on the payroll on March first, two thousand eighteen for payments to be made on April first, two thousand eighteen. The amount, 22 which will be determined pursuant to this section, for employees who are 23 paid from special or administrative funds, other than the general fund or 24 25 the capital projects fund of the state, will be paid from the appropriations as provided by law, in which case the comptroller will establish 26 27 procedures to ensure repayment from said special or administrative funds. 28 The director shall enter into an agreement with an employee organization 29 which sets forth the specific terms and conditions for the establishment 30 and administration of an employee benefit fund as a condition for the 31 transmittal of moneys pursuant to this section. 32

- 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

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 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

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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, 3 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 7 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. 9 The increases in basic annual salary provided by this subdivision shall 10 in lieu of any increase in basic annual salary provided for in subdi-11 visions two, three, four and five of this section.

- 9. If an unencumbered position is one which if encumbered, would be to the provisions of this section, the salary of such position shall be increased by the salary increase amounts specified in this 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.
- 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 schedule basis.
- 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, department of civil service, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
- 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, 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.
- Additional compensation for certain members of the agency police services collective negotiating unit. 1. In recognition of the general 54 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 are full-time annual salaried and are police officers pursuant to who 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 compu-

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tation 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 county of Putnam, Orange, Dutchess, Rockland, Westchester, Nassau or Suffolk, shall continue to receive supplemental location pay, following amounts:

> Orange/Putnam/ NYC/Rockland/ Nassau/Suffolk Westchester Dutchess

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, 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.
- 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 54 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.

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§ 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 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 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 commit-
- § 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 agree-54 ment between the state and the employee organization representing the collective negotiating unit designated as the agency police services unit 56 established pursuant to article 14 of the civil service law.

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§ 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 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

30 Deferred payment of salary increases. Notwithstanding the 16. 31 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 33 annual salaries of incumbents of positions subject to this act, 34 incumbents shall receive, as partial compensation for services rendered, 35 the rate of salary and other compensation otherwise payable in their 36 respective positions. An incumbent holding a position subject to this act 37 any time during the period from April 1, 2015, until the time when 38 basic annual salaries and other compensation due are first paid pursuant to this act for such services in excess of the salary and other compen-39 sation actually received therefor, shall be entitled to a lump 40 41 payment for the difference between the salary and other compensation to 42 which such incumbent is entitled for such services and the salary and 43 other compensation actually received. Notwithstanding the provisions of this section or of any other section of this act, the lump sum payments 44 45 resulting from the increases in salary and other compensation pursuant to 46 this act shall be aggregated in the form of a lump sum payment and made 47 to employees in two equal payments. However, effective the pay period closest to March 31, 2019, the denominator for purposes of calculating 48 overtime shall be adjusted consistent with such interest arbitration 49 50 award and recalculation of the overtime earned subsequent to March 31, 51 2019 will be reconciled, adjusted and applied in the first retroactive 52 payment referenced herein. The first payment shall be paid as soon as practicable after the passage of legislation implementing a Final sion and Award covering the period April 1, 2015 to March 31, 2019 and 55 the second payment shall be paid on the first day of the payroll period 56 commencing after April 1, 2021. For the purpose of calculating retirement

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benefits, the amounts paid under this act shall count as compensation earned during the year or years for which it is calculated and not 3 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 7 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 9 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, and/or April 1, 2021 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 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, and/or April 1, 2021 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 sixty-seven million, five hundred thousand dollars (\$67,500,000) 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, 2022 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, 2022. For this purpose, the monies appropriated shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2022.

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, 2022 to supplement appropriations from each respective fund available for other than personal service and fringe benefits, and to carry out the provisions 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, 2022. 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 54 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

1	provisions of any other section of this act, the salary increases, and
2	lump sum payments provided for in this act shall not be implemented until
3	the director of employee relations has delivered notice to the director
4	of the budget and the comptroller that a Final Decision and Award has
5	been issued and signed by the interest arbitration panel so that such
6	amounts may be paid.

7	ALL STATE DEPARTMENTS AND AGENCIES
8	SPECIAL PAY BILLS
9	General Fund / State Operations
10	State Purposes Account - 003
11	NONPERSONAL SERVICE
12	Joint committee on health benefits 15,782
13	Contract administration
14	Education and Training 91,337
15	Education and Training - Management Directed 55,746
16	Employee Assistance Program 13,810
17	Organizational Alcohol Program 21,441
18	Legal Defense Fund 10,000
19	Quality of Work Life Initiatives 67,420
20	Employee Benefit Fund 198,175

§ 20. This act shall take effect immediately and shall be deemed to 22 have been in full force and effect on and after April 1, 2015.