STATE OF NEW YORK

3754

2023-2024 Regular Sessions

IN ASSEMBLY

February 7, 2023

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to authorizing geographic pay differentials for certain police officers

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

Section 1. Section 134 of the civil service law is amended by adding a new subdivision 8 to read as follows:

8. Notwithstanding any other provision of law to the contrary, whenever the commissioner of parks, recreation and historic preservation, commissioner of environmental conservation or chancellor of the state university of New York finds that under community wage practices of police officers in public employment in one or more areas or locations in the state, wage rates of police officers in a given location are substantially higher than the wage rates paid by the state, he or she may, subject to the approval of the director of the budget, authorize a pay differential to be added as an adjustment to the established salary rates for the same or related occupations in the regional state park police, forest ranger, environmental conservation officer, and university police officer titles where such individuals are required to work in such areas or locations which are under each respective commissioner and chancellor. A pay differential under this subdivision shall be a percentage or a fixed dollar amount as prescribed in each case by the respective commissioner or chancellor subject to the approval of the director of the budget. Such differentials shall be in addition to and shall not be part of such officer's basic annual salary, and shall not affect or impair any performance advancement payments, performance awards, longevity payments, or other rights or benefits to which such officer may be entitled under the provisions of this chapter, provided, however, that any differential payable pursuant to this subdivision shall be included as compensation for overtime and retirement purposes.

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

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A pay differential shall be terminated for any officer when he or she ceases to be employed in the position, or area, or location for which such pay differential was authorized. A pay differential shall remain in effect until terminated by the commissioner or chancellor, with the consent of the director of the budget, or until a new pay differential is authorized pursuant to this subdivision. The director of the budget may adopt such regulations as he or she may deem necessary to carry out the provisions of this subdivision.

§ 2. This act shall take effect immediately.