

STATE OF NEW YORK

1521

2023-2024 Regular Sessions

IN SENATE

January 12, 2023

Introduced by Sen. HOYLMAN-SIGAL -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT in relation to terms and conditions of employment of certain nonjudicial officers and employees of the unified court system; to amend chapter 400 of the laws of 2014 relating to terms and conditions of employment of certain nonjudicial officers and employees of the unified court system, in relation to annual longevity payments for certain employees; and to repeal certain provisions of such chapter relating thereto

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

1 Section 1. Legislative findings. The legislature finds that collective
2 bargaining agreements have been negotiated by the unified court system
3 with employee organizations representing nonjudicial officers and
4 employees in the following collective negotiating units: (i) citywide
5 law assistants; (ii) Nassau county; (iii) New York city administrative,
6 librarian, clerical, and support; (iv) New York city administrative
7 services; (v) New York city court clerks; (vi) New York city court offi-
8 cers; (vii) New York city court reporters; (viii) New York city senior
9 court attorneys; (ix) New York city senior court officers; (x) ninth
10 judicial district; (xi) state judiciary; and (xii) Suffolk county. The
11 purpose of this act is to implement these agreements and to provide
12 increases in compensation for nonjudicial officers and employees of the
13 unified court system not in collective negotiating units. References in
14 this act to the unified court system's classification structure shall
15 mean the classification structure established by the chief administrator
16 of the courts on May 28, 1979, as amended since that date. Reference to
17 the April, 2020 salary schedule shall mean the salary schedule promul-
18 gated by the chief administrator pursuant to subdivision (b) of section
19 2 of chapter 71 of the laws of 2018. References to the April, 2021 sala-

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

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ry schedule, the April, 2022 salary schedule, the April, 2023 salary schedule, the April, 2024 salary schedule, and the April, 2025 salary schedule shall mean the salary schedules promulgated by the chief administrator pursuant to subdivisions (a), (b), (c), (d), and (e) of section two of this act, respectively.

§ 2. Salary schedules. The chief administrator of the courts shall promulgate salary schedules as follows:

(a) Effective April 1, 2021, each of the rates of pay established by the April, 2020 salary schedule shall be increased as follows:

(1) the maximum rate for each grade shall be increased by an amount equal to 2 percent thereof (and then rounded up to the nearest dollar);

(2) the amount of the increment for each grade shall equal one-seventh of the difference (rounded up to the nearest dollar) between the maximum rate for such grade, as increased by paragraph 1 of this subdivision, and 102 percent of the hiring rate for such grade on the April, 2020 salary schedule (rounded up to the nearest dollar);

(3) the hiring, first, second, third, fourth, fifth, and sixth year rates of compensation for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, minus 7, 6, 5, 4, 3, 2, and 1 times the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision, respectively;

(4) the longevity rate for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision; and

(5) the extra-longevity rate for each grade shall equal the longevity rate for such grade, as increased by paragraph 4 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision.

(b) Effective April 1, 2022, each of the rates of pay established by the April, 2021 salary schedule shall be increased as follows:

(1) the maximum rate for each grade shall be increased by an amount equal to 2 percent thereof (and then rounded up to the nearest dollar);

(2) the amount of the increment for each grade shall equal one-seventh of the difference (rounded up to the nearest dollar) between the maximum rate for such grade, as increased by paragraph 1 of this subdivision, and 102 percent of the hiring rate for such grade on the April, 2021 salary schedule (rounded up to the nearest dollar);

(3) the hiring, first, second, third, fourth, fifth, and sixth year rates of compensation for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, minus 7, 6, 5, 4, 3, 2, and 1 times the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision, respectively;

(4) the longevity rate for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision; and

(5) the extra-longevity rate for each grade shall equal the longevity rate for such grade, as increased by paragraph 4 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision.

(c) Effective April 1, 2023, each of the rates of pay established by the April, 2022 salary schedule shall be increased as follows:

(1) the maximum rate for each grade shall be increased by an amount equal to 3 percent thereof (and then rounded up to the nearest dollar);

(2) the amount of the increment for each grade shall equal one-seventh of the difference (rounded up to the nearest dollar) between the maximum rate for such grade, as increased by paragraph 1 of this subdivision, and 103 percent of the hiring rate for such grade on the April, 2022 salary schedule (rounded up to the nearest dollar);

(3) the hiring, first, second, third, fourth, fifth, and sixth year rates of compensation for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, minus 7, 6, 5, 4, 3, 2, and 1 times the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision, respectively;

(4) the longevity rate for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision; and

(5) the extra-longevity rate for each grade shall equal the longevity rate for such grade, as increased by paragraph 4 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision.

(d) Effective April 1, 2024, each of the rates of pay established by the April, 2023 salary schedule shall be increased as follows:

(1) the maximum rate for each grade shall be increased by an amount equal to 3 percent thereof (and then rounded up to the nearest dollar);

(2) the amount of the increment for each grade shall equal one-seventh of the difference (rounded up to the nearest dollar) between the maximum rate for such grade, as increased by paragraph 1 of this subdivision, and 103 percent of the hiring rate for such grade on the April, 2023 salary schedule (rounded up to the nearest dollar);

(3) the hiring, first, second, third, fourth, fifth, and sixth year rates of compensation for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, minus 7, 6, 5, 4, 3, 2, and 1 times the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision, respectively;

(4) the longevity rate for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision; and

(5) the extra-longevity rate for each grade shall equal the longevity rate for such grade, as increased by paragraph 4 of this subdivision, plus the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision.

(e) Effective April 1, 2025, each of the rates of pay established by the April, 2024 salary schedule shall be increased as follows:

(1) the maximum rate for each grade shall be increased by an amount equal to 3 percent thereof (and then rounded up to the nearest dollar);

(2) the amount of the increment for each grade shall equal one-seventh of the difference (rounded up to the nearest dollar) between the maximum rate for such grade, as increased by paragraph 1 of this subdivision, and 103 percent of the hiring rate for such grade on the April, 2024 salary schedule (rounded up to the nearest dollar);

(3) the hiring, first, second, third, fourth, fifth, and sixth year rates of compensation for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, minus 7, 6, 5, 4, 3, 2, and 1 times the amount of the increment for such grade, as prescribed by paragraph 2 of this subdivision, respectively;

(4) the longevity rate for each grade shall equal the maximum rate for such grade, as increased by paragraph 1 of this subdivision, plus the

1 amount of the increment for such grade, as prescribed by paragraph 2 of
2 this subdivision; and

3 (5) the extra-longevity rate for each grade shall equal the longevity
4 rate for such grade, as increased by paragraph 4 of this subdivision,
5 plus the amount of the increment for such grade, as prescribed by para-
6 graph 2 of this subdivision.

7 § 3. Increases in compensation for persons in allocated positions.

8 (a) Each nonjudicial officer and employee of the unified court system in
9 a position allocated to a salary grade in the unified court system's
10 classification structure shall receive increased compensation in accord-
11 ance with this section if he or she (i) is not in any collective negoti-
12 ating unit established pursuant to article 14 of the civil service law,
13 or (ii) is in a collective negotiating unit of nonjudicial officers and
14 employees of the unified court system specified in section one of this
15 act. Increases to basic annual salary, as provided in this section,
16 shall be prorated for any nonjudicial officer or employee whose position
17 is part-time, or who otherwise works part-time, and who is eligible,
18 under the rules of the chief judge of the state or an agreement between
19 the state and an employee organization pursuant to the provisions of
20 article 14 of the civil service law, to accrue annual and sick leave
21 credits. For purposes of this section:

22 (1) no nonjudicial officer or employee shall receive a full or partial
23 increment hereunder unless he or she shall have received other than an
24 unsatisfactory performance rating for his or her services during the
25 year immediately preceding pursuant to a performance evaluation system
26 set forth by the chief administrator or in an agreement specified in
27 section one of this act, nor shall any nonjudicial officer or employee
28 receive a bonus provided in this section where he or she, as of the date
29 on which this act becomes a law, already has received that bonus pursu-
30 ant to law other than a provision of this act;

31 (2) any full or partial increment received by a nonjudicial officer or
32 employee effective April 1, 2021 or April 1, 2022, pursuant to law other
33 than a provision of this act, shall not be considered when determining:
34 (i) a nonjudicial officer or employee's basic annual salary on a speci-
35 fied date; and (ii) whether a nonjudicial officer or employee is eligi-
36 ble to receive a full or partial increment of the grade of his or her
37 position on any of such dates pursuant to a provision of this act; and

38 (3) service in the employ of the unified court system shall mean
39 service in one or more courts or agencies thereof, whether as a judge or
40 a nonjudicial officer or employee. In order for a nonjudicial officer or
41 employee's years of service in the employ of the unified court system to
42 be "continuous," he or she must have served the equivalent of 120 week-
43 days in each of those years; and the number of years required to qualify
44 for a bonus hereunder must be served consecutively except that they may
45 be interrupted by one or more breaks of not more than one year each,
46 attributable to a period of time between any separation from his or her
47 position in the employ of the unified court system and resumption of
48 service in such employ.

49 (b) Effective April 1, 2021:

50 (1) Each such nonjudicial officer and employee who is eligible to
51 receive a full or partial increment of the grade of his or her position
52 in accordance with provisions of the judiciary law shall receive such
53 full or partial increment, to be determined in accordance with the
54 April, 2020 salary schedule; provided, however, this paragraph shall not
55 apply to any nonjudicial officer or employee at or above the maximum
56 rate of compensation of the grade of his or her position on such salary

1 schedule who is (i) not in any collective negotiating unit established
2 pursuant to article 14 of the civil service law, or (ii) in the collec-
3 tive negotiating unit specified in clause (x) of section one of this
4 act.

5 (2) Each such nonjudicial officer and employee shall be placed in his
6 or her grade on the April, 2021 salary schedule in the manner provided
7 as follows:

8 (A) If his or her basic annual salary under the April, 2020 salary
9 schedule, including any increase pursuant to paragraph 1 of this subdi-
10 vision, is identical with the hiring, first year, second year, third
11 year, fourth year, fifth year, sixth year, maximum, longevity, or
12 extra-longevity rate of compensation of the grade of his or her posi-
13 tion, that basic annual salary shall be increased to the corresponding
14 rate of compensation in such grade as established by the April, 2021
15 salary schedule; or

16 (B) If his or her basic annual salary under the April, 2020 salary
17 schedule, including any increase pursuant to paragraph 1 of this subdi-
18 vision, is not identical with the hiring, first year, second year, third
19 year, fourth year, fifth year, sixth year, maximum, longevity, or
20 extra-longevity rate of compensation of the grade of his or her posi-
21 tion, that basic annual salary shall be increased by an amount equaling
22 2 percent thereof (and then rounded up to the nearest dollar).

23 Notwithstanding the foregoing, where operation of the provisions of
24 this paragraph would result in a nonjudicial officer or employee receiv-
25 ing an increase in basic annual salary of less than 1,000 dollars, such
26 nonjudicial officer or employee shall be placed in his or her grade on
27 the April, 2021 salary schedule at his or her basic annual salary,
28 including any increase pursuant to paragraph 1 of this subdivision, plus
29 1,000 dollars.

30 (3) Each such nonjudicial officer and employee in the employ of the
31 unified court system having at least 20 years of continuous service in
32 the employ of the unified court system as of the preceding March 31
33 shall receive a bonus equaling: (i) 2,100 dollars, if he or she has
34 less than 25 years of such service as of such date; or (ii) 2,200
35 dollars, if he or she has at least 25 years but less than 30 years of
36 such service as of such date; or (iii) 2,300 dollars, if he or she has
37 at least 30 years of such service as of such date. Provided, however,
38 this paragraph shall not apply to any nonjudicial officer or employee
39 who is entitled to receive an annual longevity payment on April 1, 2021
40 pursuant to subdivision (g) of this section.

41 (c) Effective April 1, 2022:

42 (1) Each such nonjudicial officer and employee who is eligible to
43 receive a full or partial increment of the grade of his or her position
44 in accordance with provisions of the judiciary law shall receive such
45 full or partial increment, to be determined in accordance with the
46 April, 2021 salary schedule; provided, however, this paragraph shall not
47 apply to any nonjudicial officer or employee at or above the maximum
48 rate of compensation of the grade of his or her position on such salary
49 schedule who is (i) not in any collective negotiating unit established
50 pursuant to article 14 of the civil service law, or (ii) in the collec-
51 tive negotiating unit specified in clause (x) of section one of this
52 act.

53 (2) Each such nonjudicial officer and employee shall be placed in his
54 or her grade on the April, 2022 salary schedule in the manner provided
55 as follows:

(i) If his or her basic annual salary under the April, 2021 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her position, that basic annual salary shall be increased to the corresponding rate of compensation in such grade as established by the April, 2022 salary schedule; or

(ii) If his or her basic annual salary under the April, 2021 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is not identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her position, that basic annual salary shall be increased by an amount equaling 2 percent thereof (and then rounded up to the nearest dollar).

Notwithstanding the foregoing, where operation of the provisions of this paragraph would result in a nonjudicial officer or employee receiving an increase in basic annual salary of less than 1,000 dollars, such nonjudicial officer or employee shall be placed in his or her grade on the April, 2022 salary schedule at his or her basic annual salary, including any increase pursuant to paragraph 1 of this subdivision, plus 1,000 dollars.

(3) Each such nonjudicial officer and employee in the employ of the unified court system having at least 20 years of continuous service in the employ of the unified court system as of the preceding March 31 shall receive a bonus equaling: (i) 2,200 dollars, if he or she has less than 25 years of such service as of such date; or (ii) 2,300 dollars, if he or she has at least 25 years but less than 30 years of such service as of such date; or (iii) 2,400 dollars, if he or she has at least 30 years of such service as of such date. Provided, however, this paragraph shall not apply to any nonjudicial officer or employee who is entitled to receive an annual longevity payment on April 1, 2022 pursuant to subdivision (g) of this section.

(d) Effective April 1, 2023:

(1) Each such nonjudicial officer and employee who is eligible to receive a full or partial increment of the grade of his or her position in accordance with provisions of the judiciary law shall receive such full or partial increment, to be determined in accordance with the April, 2022 salary schedule.

(2) Except as otherwise provided in paragraph 3 of this subdivision, each such nonjudicial officer and employee shall be placed in his or her grade on the April, 2023 salary schedule in the manner provided as follows:

(i) If his or her basic annual salary under the April, 2022 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her position, that basic annual salary shall be increased to the corresponding rate of compensation in such grade as established by the April, 2023 salary schedule; or

(ii) If his or her basic annual salary under the April, 2022 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is not identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her posi-

tion, that basic annual salary shall be increased by an amount equaling 3 percent thereof (and then rounded up to the nearest dollar).

(3) Each such nonjudicial officer and employee who is either not in any collective negotiating unit established pursuant to article 14 of the civil service law or is in the collective negotiating unit specified in clause (x) of section one of this act whose basic annual salary under the April, 2022 salary schedule is at or above the maximum rate of compensation of the grade of his or her position on such salary schedule shall be placed in such grade on the April, 2023 salary schedule at:

(i) the longevity rate of compensation of such grade on such salary schedule, provided he or she has at least 4, but less than 8, years of continuous service at a basic annual salary equal to or greater than the maximum rate of compensation of the grade of his or her position on the salary schedule on which he or she was placed during those years of service;

(ii) the extra-longevity rate of compensation of such grade on such salary schedule provided he or she has at least 8 years of continuous service at a basic annual salary equal to or greater than the maximum rate of compensation of the grade of his or her position on the salary schedule on which he or she is placed during those years of service.

(4) Each such nonjudicial officer and employee in the employ of the unified court system having at least 20 years of continuous service in the employ of the unified court system as of the preceding March 31 shall receive a bonus equaling: (i) 2,270 dollars, if he or she has less than 25 years of such service as of such date; or (ii) 2,370 dollars, if he or she has at least 25 years but less than 30 years of such service as of such date; or (iii) 2,475 dollars, if he or she has at least 30 years of such service as of such date. Provided, however, this paragraph shall not apply to any nonjudicial officer or employee who is entitled to receive an annual longevity payment on April 1, 2023 pursuant to subdivision (g) of this section.

(e) Effective April 1, 2024:

(1) Each such nonjudicial officer and employee who is eligible to receive a full or partial increment of the grade of his or her position in accordance with provisions of the judiciary law shall receive such full or partial increment, to be determined in accordance with the April, 2023 salary schedule; provided, however, this paragraph shall not apply to nonjudicial officers and employees who are eligible to receive an annual longevity payment pursuant to subdivision (g) of this section on April 1, 2024.

(2) Each such nonjudicial officer and employee shall be placed in his or her grade on the April, 2024 salary schedule in the manner provided as follows:

(i) If his or her basic annual salary under the April, 2023 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her position, that basic annual salary shall be increased to the corresponding rate of compensation in such grade as established by the April, 2024 salary schedule; or

(ii) If his or her basic annual salary under the April, 2023 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is not identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her posi-

tion, that basic annual salary shall be increased by an amount equaling 3 percent thereof (and then rounded up to the nearest dollar).

(3) Each such nonjudicial officer and employee who is either not in any collective negotiating unit established pursuant to article 14 of the civil service law or is in the collective negotiating unit specified in clause (x) of section one of this act whose basic annual salary under the April, 2023 salary schedule is at or above the maximum rate of compensation of the grade of his or her position on such salary schedule shall be placed in such grade on the April, 2024 salary schedule at:

(i) the longevity rate of compensation of such grade on such salary schedule, provided he or she has at least 4, but less than 8, years of continuous service at a basic annual salary equal to or greater than the maximum rate of compensation of the grade of his or her position on the salary schedule on which he or she was placed during those years of service;

(ii) the extra-longevity rate of compensation of such grade on such salary schedule provided he or she has at least 8 years of continuous service at a basic annual salary equal to or greater than the maximum rate of compensation of the grade of his or her position on the salary schedule on which he or she is placed during those years of service.

(4) Each such nonjudicial officer and employee in the employ of the unified court system having at least 20 years of continuous service in the employ of the unified court system as of the preceding March 31 shall receive a bonus equaling: (i) 2,340 dollars, if he or she has less than 25 years of such service as of such date; or (ii) 2,440 dollars, if he or she has at least 25 years but less than 30 years of such service as of such date; or (iii) 2,550 dollars, if he or she has at least 30 years of such service as of such date. Provided, however, this paragraph shall not apply to any nonjudicial officer or employee who is entitled to receive an annual longevity payment on April 1, 2024 pursuant to subdivision (g) of this section.

(f) Effective April 1, 2025:

(1) Each such nonjudicial officer and employee who is eligible to receive a full or partial increment of the grade of his or her position in accordance with provisions of the judiciary law shall receive such full or partial increment, to be determined in accordance with the April, 2024 salary schedule who are eligible to receive an annual longevity payment pursuant to subdivision (g) of this section on April 1, 2025.

(2) Each such nonjudicial officer and employee shall be placed in his or her grade on the April, 2025 salary schedule in the manner provided as follows:

(i) If his or her basic annual salary under the April, 2024 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her position, that basic annual salary shall be increased to the corresponding rate of compensation in such grade as established by the April, 2025 salary schedule; or

(ii) If his or her basic annual salary under the April, 2024 salary schedule, including any increase pursuant to paragraph 1 of this subdivision, is not identical with the hiring, first year, second year, third year, fourth year, fifth year, sixth year, maximum, longevity, or extra-longevity rate of compensation of the grade of his or her posi-

tion, that basic annual salary shall be increased by an amount equaling 3 percent thereof (and then rounded up to the nearest dollar).

(3) Each such nonjudicial officer and employee in the employ of the unified court system having at least 20 years of continuous service in the employ of the unified court system as of the preceding March 31 shall receive a bonus equaling: (i) 2,410 dollars, if he or she has less than 25 years of such service as of such date; or (ii) 2,515 dollars, if he or she has at least 25 years but less than 30 years of such service as of such date; or (iii) 2,630 dollars, if he or she has at least 30 years of such service as of such date. Provided, however, this paragraph shall not apply to any nonjudicial officer or employee who is entitled to receive an annual longevity payment on April 1, 2025 pursuant to subdivision (g) of this section.

(g) Annual longevity payments continued. (1) As authorized by subdivision (i) of section 3 of chapter 400 of the laws of 2014, as amended, eligible nonjudicial officers and employees shall receive annual longevity payments effective April 1, 2021, April 1, 2022, April 1, 2023, April 1, 2024, and April 1, 2025.

(2) As provided in subdivision (a) of section 3 of chapter 400 of the laws of 2014, annual longevity payments shall be in addition to and shall not be a part of an employee's basic annual salary; provided, however, they shall be included as compensation for retirement purposes.

§ 4. Increases in compensation for persons in unallocated positions.

(a) Each nonjudicial officer or employee of the unified court system to whom the provisions of section three of this act would apply but for the fact that he or she holds a position that is not allocated to a salary grade in the unified court system's classification structure shall receive increased compensation in accordance with this section. Bonuses and increases to basic annual salary as provided in this section shall be prorated for any nonjudicial officer or employee whose position is part-time, or who otherwise works part-time, and who is eligible, under rules of the chief judge of the state or an agreement between the state and an employee organization pursuant to the provisions of article 14 of the civil service law to accrue annual and sick leave credits. Bonuses as provided in this section shall be in addition to and shall not be a part of an employee's basic annual salary, but shall be included as compensation for retirement purposes. For purposes of this section:

(1) no nonjudicial officer or employee shall receive a bonus hereunder unless he or she shall have received other than an unsatisfactory performance rating for his or her services during the year immediately preceding pursuant to a performance evaluation system set forth by the chief administrator of the courts or in an agreement specified in section one of this act, nor shall any nonjudicial officer or employee receive a bonus provided in this section where he or she, as of the date on which this act becomes a law, already has received that bonus pursuant to law other than a provision of this act; and

(2) service in the employ of the unified court system shall mean service as a nonjudicial officer or employee in one or more courts or agencies of the unified court system. In order for a nonjudicial officer or employee's years of service in the employ of the unified court system to be "continuous," he or she must have served the equivalent of 120 workdays in each of those years; and the number of years required to qualify for a bonus hereunder must be served consecutively except that they may be interrupted by one or more breaks of not more than 1 year each, attributable to a period of time between any separation from his

1 or her position in the employ of the unified court system and resumption
2 of service in such employ.

3 (b) Effective April 1, 2021:

4 (1) the basic annual salary of each such nonjudicial officer and
5 employee shall be increased by an amount equal to 2 percent thereof (and
6 then rounded up to the nearest dollar); and

7 (2) each such nonjudicial officer and employee in the employ of the
8 unified court system having at least 20 years of continuous service in
9 the employ of the unified court system as of the preceding March 31
10 shall receive a bonus equaling: (i) 2,200 dollars, if he or she has less
11 than 25 years of such service as of such date; or (ii) 2,300 dollars, if
12 he or she has at least 25 but less than 30 years of such service as of
13 such date; or (iii) 2,400 dollars, if he or she has at least 30 years of
14 such service as of such date.

15 (c) Effective April 1, 2022:

16 (1) the basic annual salary of each such nonjudicial officer and
17 employee shall be increased by an amount equal to 2 percent thereof (and
18 then rounded up to the nearest dollar); and

19 (2) each such nonjudicial officer and employee in the employ of the
20 unified court system having at least 20 years of continuous service in
21 the employ of the unified court system as of the preceding March 31
22 shall receive a bonus equaling: (i) 2,200 dollars, if he or she has less
23 than 25 years of such service as of such date; or (ii) 2,300 dollars, if
24 he or she has at least 25 but less than 30 years of such service as of
25 such date; or (iii) 2,400 dollars, if he or she has at least 30 years of
26 such service as of such date.

27 (d) Effective April 1, 2023:

28 (1) the basic annual salary of each such nonjudicial officer and
29 employee shall be increased by an amount equal to 3 percent thereof (and
30 then rounded up to the nearest dollar); and

31 (2) each such nonjudicial officer and employee in the employ of the
32 unified court system having at least 20 years of continuous service in
33 the employ of the unified court system as of the preceding March 31
34 shall receive a bonus equaling: (i) 2,270 dollars, if he or she has less
35 than 25 years of such service as of such date; or (ii) 2,370 dollars, if
36 he or she has at least 25 but less than 30 years of such service as of
37 such date; or (iii) 2,475 dollars, if he or she has at least 30 years of
38 such service as of such date.

39 (e) Effective April 1, 2024:

40 (1) the basic annual salary of each such nonjudicial officer and
41 employee shall be increased by an amount equal to 3 percent thereof (and
42 then rounded up to the nearest dollar); and

43 (2) each such nonjudicial officer and employee in the employ of the
44 unified court system having at least 20 years of continuous service in
45 the employ of the unified court system as of the preceding March 31
46 shall receive a bonus equaling: (i) 2,340 dollars, if he or she has less
47 than 25 years of such service as of such date; or (ii) 2,440 dollars, if
48 he or she has at least 25 but less than 30 years of such service as of
49 such date; or (iii) 2,550 dollars, if he or she has at least 30 years of
50 such service as of such date.

51 (f) Effective April 1, 2025:

52 (1) the basic annual salary of each such nonjudicial officer and
53 employee shall be increased by an amount equal to 3 percent thereof (and
54 then rounded up to the nearest dollar); and

55 (2) each such nonjudicial officer and employee in the employ of the
56 unified court system having at least 20 years of continuous service in

1 the employ of the unified court system as of the preceding March 31
2 shall receive a bonus equaling: (i) 2,410 dollars, if he or she has less
3 than 25 years of such service as of such date; or (ii) 2,515 dollars, if
4 he or she has at least 25 but less than 30 years of such service as of
5 such date; or (iii) 2,630 dollars, if he or she has at least 30 years of
6 such service as of such date.

7 § 5. Additional payment. Each nonjudicial officer and employee to whom
8 the provisions of section three or four of this act apply shall be enti-
9 tled to a one-time lump sum payment of 3,000 dollars provided he or she
10 is in the employ of the unified court system: (i) on the effective date
11 of this act, if he or she is not in a collective negotiating unit estab-
12 lished pursuant to article 14 of the civil service law, or (ii) on the
13 date the members of such a collective negotiating unit ratify a collec-
14 tive bargaining agreement providing for such payment for officers and
15 employees in positions in such unit, if he or she is in such a collec-
16 tive negotiating unit.

17 § 6. Location pay. (a) Notwithstanding any other provision of law:
18 (1) Effective during the fiscal years commencing on the dates specified
19 in this paragraph, each nonjudicial officer and employee to whom the
20 provisions of section three or four of this act apply and whose princi-
21 pal place of employment is in the city of New York or Nassau, Suffolk,
22 Rockland, or Westchester county shall receive location pay at the
23 following rates:

24 (i) 4,300 dollars annually, during the fiscal year commencing April 1,
25 2021;

26 (ii) 4,500 dollars annually, during the fiscal year commencing April
27 1, 2022;

28 (iii) 4,635 dollars annually, during the fiscal year commencing April
29 1, 2023;

30 (iv) 4,775 dollars annually, during the fiscal year commencing April
31 1, 2024;

32 (v) 4,920 dollars annually, during the fiscal year commencing April 1,
33 2025 and during each fiscal year commencing each April 1 thereafter.

34 (2) Effective during the fiscal years commencing on the dates speci-
35 fied in this paragraph, each nonjudicial officer and employee to whom
36 the provisions of section three or four of this act apply and whose
37 principal place of employment is in Dutchess, Putnam, or Orange county
38 shall receive location pay at the following rates:

39 (i) 2,150 dollars annually, during the fiscal year commencing April 1,
40 2021;

41 (ii) 2,250 dollars annually, during the fiscal year commencing April
42 1, 2022;

43 (iii) 2,318 dollars annually, during the fiscal year commencing April
44 1, 2023;

45 (iv) 2,388 dollars annually, during the fiscal year commencing April
46 1, 2024;

47 (v) 2,460 dollars annually, during the fiscal year commencing April 1,
48 2025 and during each fiscal year commencing each April 1 thereafter.

49 (3) Effective during the fiscal year commencing April 1, 2021 and
50 during each fiscal year commencing each April 1 thereafter, each nonju-
51 dicial officer and employee to whom the provisions of section three or
52 four of this act apply and whose principal place of employment is in
53 Monroe county and who was entitled to receive annual location pay pursu-
54 ant to paragraph 3 of subdivision (a) of section 5 of chapter 400 of the
55 laws of 2014 shall continue to receive such location pay in the amount
56 specified in such paragraph.

(b) The location pay provided in this section shall be in lieu of any other location pay provided by law; except that, where a nonjudicial officer or employee eligible to receive location pay pursuant to the provisions of this section has received location pay during a fiscal year commencing on or after April 1, 2021, pursuant to law other than a provision of this act, the amount of location pay authorized by this section shall be reduced by the amount of the location pay that was received.

(c) Except as provided in subdivision (a) of this section, no nonjudicial officer and employee to whom the provisions of section three or four of this act apply shall receive location pay. Any location pay authorized hereunder shall be in addition to and shall not be a part of an employee's basic annual salary and shall not impair rights or benefits to which an employee may be entitled by law; provided, however, that location pay shall be included as compensation for purposes of computation of overtime pay and for retirement purposes. Location pay, as provided in this section, shall be prorated for any nonjudicial officer and employee to whom the provisions of section three or four of this act apply and whose position is part-time, but not compensated on a per diem or hourly basis.

§ 7. Payment to certain nonjudicial officers and employees who are authorized to carry a firearm while on duty. (a) (1) Except as otherwise provided in subdivision (b) of this section, an annual payment shall be made on April first of each fiscal year specified hereunder to each nonjudicial officer and employee to whom the provisions of section three of this act apply who is in a title on such date in the security series under the unified court system's classification structure and who has: (i) served the equivalent of 120 workdays in a title in such security series during the preceding state fiscal year; and (ii) received other than an unsatisfactory performance rating for his or her services during the year immediately preceding pursuant to a performance evaluation system set forth in an agreement specified in section one of this act. The amount of such annual payment shall equal:

(A) 750 dollars, on April 1, 2021;

(B) 800 dollars, on April 1, 2022;

(C) 825 dollars, on April 1, 2023;

(D) 850 dollars, on April 1, 2024; and

(E) 875 dollars, on April 1, 2025 and on each April 1 thereafter.

(2) Such payment shall not be a part of an employee's basic annual salary but shall be included as compensation for retirement purposes. Such payment shall also be prorated for any such nonjudicial officer or employee otherwise entitled thereto whose position is part-time, but not compensated on a per diem or hourly basis.

(b) (1) Effective April 1, 2023 and each April first thereafter, a nonjudicial officer or employee otherwise entitled to an annual payment pursuant to subdivision (a) of this section who is in the court officer-trainee title shall not receive such payment where it would be the first such payment he or she receives pursuant to such subdivision unless he or she had served the equivalent of 120 workdays in such title during the twelve-month period ending as of the preceding October first.

(2) Notwithstanding any other provision of this section, no nonjudicial officer or employee shall receive the payment prescribed herein on April 1, 2021 or April 1, 2022 if, prior to the effective date of this section, he or she already received such payment pursuant to law other than a provision of this act.

§ 8. Vacation credit exchange. (a) This section shall apply to nonjudicial officers and employees specified in section three or four of this act.

(b) Notwithstanding any other provision of law, each such nonjudicial officer or employee who is entitled to earn and accumulate vacation and/or overtime credits may elect to receive a cash payment in exchange for such credits as follows:

(1) effective in the month of January in 2023 (or within 30 days following the date on which this act becomes a law where such date is later than January 1, 2023), such nonjudicial officer or employee may exchange no less than 2 days nor more than 10 days of such earned and accumulated vacation and/or overtime credits standing to the employee's credit at the time of election;

(2) effective in the month of August in each of the calendar years 2023, 2024, and 2025, such nonjudicial officer or employee may exchange no less than 2 days nor more than 5 days of such earned and accumulated vacation and/or overtime credits standing to the employee's credit at the time of the election.

Notwithstanding the foregoing, no exchange pursuant to this section may leave an officer or employee with less than 10 days of such earned and accumulated credits standing to the employee's credit.

Each cash payment authorized by this subdivision shall be effective on the date the affected nonjudicial officer or employee exchanges his or her vacation and/or overtime credits therefor in accordance with subdivision (c) of this section.

(c) Cash payments in accordance with this section shall be at a rate established by the chief administrator of the courts, subject to the terms of any agreement negotiated between the state and an employee organization pursuant to article 14 of the civil service law. Such payments shall be paid in addition to and shall not be a part of an employee's basic annual salary, nor shall they be included as compensation for retirement purposes. Such payments shall not be regarded as compensation for purposes of computation of overtime pay. The chief administrator may adopt such regulations the chief administrator may deem necessary to carry out the provisions of this act, subject to the terms of any agreement negotiated between the state and an employee organization pursuant to article 14 of the civil service law.

§ 8-a. Uniform allowance. Where a nonjudicial officer or employee, to whom the provisions of section three or four of this act apply, is entitled to receive a uniform allowance pursuant to a collective bargaining agreement specified in section one of this act, such allowance shall not be a part of such employee's basic annual salary but shall be included as compensation for retirement purposes.

§ 9. Collective bargaining agreement required. The provisions of sections three through eight-a of this act shall not be implemented for nonjudicial officers and employees in a collective negotiating unit established pursuant to article 14 of the civil service law until the chief administrator of the courts shall deliver to the comptroller a certificate that there is in effect with respect to such negotiating unit a written collective bargaining agreement with the state pursuant to article 14 of the civil service law which provides therefor; and any increase in compensation, including increases in basic annual salary, increments or partial increments, bonuses, or payments, provided by sections three through eight-a of this act or otherwise authorized by law:

(a) may be withheld in whole or in part from any nonjudicial officer and employee not in a collective negotiating unit established pursuant to article 14 of the civil service law when in the opinion of the chief administrator, such increase is not warranted or is not appropriate; and

(b) shall not preclude any other increases in compensation for such a nonjudicial officer or employee as may be authorized by law.

§ 10. Date of entitlement to salary increase. Notwithstanding the provisions of this act or any other law, each increase in salary or compensation for nonjudicial officers or employees provided by this act shall be added to the salary or compensation of such officer or employee at the beginning of the payroll period the first day of which is nearest to the effective date of such increase as provided in this act; provided, however, for the purposes of determining the salary of such officer or employee 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 in this act, and the payment thereof pursuant to this section on the date prior thereto instead of on such effective date, shall not operate to confer any additional salary rights or benefits on such officer or employee.

§ 11. Deferred payment of salary increase. Notwithstanding the provisions of this act or any other law, commencing April 1, 2021, and pending payment pursuant to this act of the basic annual salaries of incumbents of positions subject to this act commencing April 1, 2021, such incumbents shall receive, as partial compensation for services rendered, the rate of compensation otherwise payable in their respective positions pursuant to law then in effect. 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 service 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 service and the compensation actually received therefor. Such lump sum payment shall be made as soon as practicable.

§ 12. Subdivision (i) of section 3 of chapter 400 of the laws of 2014, relating to terms and conditions of employment of certain nonjudicial officers and employees of the unified court system, is REPEALED and a new subdivision (i) is added to read as follows:

(i) (A) This section shall apply only to nonjudicial officers and employees who are in positions that are not in a collective negotiating unit established pursuant to article 14 of the civil service law or that are in the state judiciary collective negotiating unit.

(B) Effective April 1, 2021, each such nonjudicial officer or employee who has completed at least four years of continuous service at a basic annual salary rate equal to or higher than the maximum rate of the employee's salary grade as of the preceding March 31 shall receive an annual longevity payment equaling (1) 2,300 dollars, if he or she has completed less than 8 years of such service as of such date, (2) 4,700 dollars, if he or she has completed at least 8 but less than 13 years of such service as of such date, or (3) 6,900 dollars, if he or she has completed at least 13 years of such service as of such date.

(C) Effective April 1, 2022, each such nonjudicial officer or employee who has completed at least 4 years of continuous service at a basic annual salary rate equal to or higher than the maximum rate of the employee's salary grade as of the preceding March 31 shall receive an annual longevity payment equaling (1) 2,400 dollars, if he or she has

1 completed less than 8 years of such service as of such date, (2) 4,900
2 dollars, if he or she has completed at least 8 but less than 13 years of
3 such service as of such date, or (3) 6,900 dollars, if he or she has
4 completed at least 13 years of such service as of such date.

5 (D) Effective April 1, 2023, April 1, 2024, and April 1, 2025, each
6 such nonjudicial officer or employee who has completed at least 8 years
7 of continuous service at a basic annual salary rate equal to or higher
8 than the maximum rate of the employee's salary grade as of the preceding
9 March 31 shall receive an annual longevity payment equaling (1) 5,050
10 dollars (5,200 dollars effective April 1, 2024, or 5,355 dollars effec-
11 tive April 1, 2025), if he or she has completed less than 13 years of
12 such service as of such date, (2) 6,900 dollars, if he or she has
13 completed at least 13 years of such service as of such date. Notwith-
14 standing the foregoing, where a nonjudicial officer or employee is enti-
15 tled to receive an annual longevity payment pursuant to subparagraph (1)
16 of this paragraph on April 1, 2023, the amount of any annual longevity
17 payment to which he or she shall be entitled on April 1, 2024 and April
18 1, 2025 shall be determined as if he or she had fewer than 13 years of
19 service as of such date regardless of the number of actual years of
20 service he or she may have.

21 § 13. Subdivision (i) of section 3 of chapter 400 of the laws of 2014,
22 relating to terms and conditions of employment of certain nonjudicial
23 officers and employees of the unified court system, is REPEALED.

24 § 14. This act shall take effect immediately and shall be deemed to
25 have been in full force and effect on and after April 1, 2021; except
26 that section thirteen of this act shall take effect March 31, 2026.