STATE OF NEW YORK

7576

2023-2024 Regular Sessions

IN SENATE

June 8, 2023

Introduced by Sen. JACKSON -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment of certain state officers and employees; to implement agreements between the state and an employee organization; and to repeal certain provisions of the civil service law relating thereto; and making an appropriation for the purpose of effectuating certain provisions therefor (Part A); to amend the civil service law and the correction law, in relation to salaries of certain state officers and employees excluded from collective negotiating units; to repeal certain provisions of the civil service law and the correction law relating thereto; and making an appropriation for the purpose of effectuating certain provisions therefor (Part B)

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

Section 1. This act enacts into law legislation necessary to implement a collective bargaining agreement and to implement changes to salary and benefits for certain state officers and employees excluded from collective negotiating units. Each component is wholly contained within a Part identified as Parts A through B. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section two of this act sets forth the general severability clause applicable to this act. Section three of this act sets forth the general effective date of this act.

PART A

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

LBD12014-03-3

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 Subparagraphs 1, 2, 3 and 4 of paragraph c of subdivision 1 of section 130 of the civil service law are REPEALED and three new subparagraphs 1, 2 and 3 are added to read as follows:

(1) Effective March thirtieth, two thousand twenty-three for officers and employees on the administrative payroll and effective April sixth, two thousand twenty-three for officers and employees on the institutional payroll:

PS&T SALARY SCHEDULE
EFFECTIVE March 30, 2023 (ADMIN)
EFFECTIVE April 6, 2023 (INST)

SG	HIRING RATE	JOB RATE	ADVANCE AMOUNT	JOB RATE ADVANCE
1	$25,991	$33,537	$1,079	$1,072
2	$26,977	$34,894	$1,131	$1,131
3	$28,298	$36,595	$1,186	$1,181
4	$29,567	$38,300	$1,244	$1,269
5	$30,969	$40,127	$1,309	$1,304
6	$32,628	$42,251	$1,374	$1,379
7	$34,460	$44,531	$1,430	$1,491
8	$36,357	$46,886	$1,481	$1,643
9	$38,383	$49,405	$1,535	$1,812
10	$40,559	$52,146	$1,603	$1,969
11	$42,883	$55,093	$1,707	$1,968
12	$45,289	$58,016	$1,765	$2,137
13	$47,925	$61,330	$1,836	$2,389
14	$50,678	$64,693	$1,961	$2,249
15	$53,546	$68,269	$2,034	$2,519
16	$56,550	$71,979	$2,112	$2,757
17	$59,724	$76,029	$2,212	$3,033
18	$63,108	$80,248	$2,167	$4,138
19	$66,527	$84,496	$2,257	$4,427
20	$69,934	$88,721	$2,352	$4,675
21	$73,641	$93,374	$2,455	$5,003
22	$77,600	$98,252	$2,557	$5,310
23	$81,705	$103,350	$2,663	$5,667
24	$86,057	$108,638	$2,766	$5,985
25	$90,806	$114,444	$2,884	$6,334
26	$95,588	$117,825	$3,001	$4,231
27	$100,761	$124,107	$3,159	$4,392
28	$106,068	$130,270	$3,282	$4,510
29	$111,627	$136,714	$3,408	$4,639
30	$117,460	$143,423	$3,534	$4,759
31	$123,721	$150,612	$3,666	$4,895
32	$130,299	$158,054	$3,789	$5,021
33	$137,387	$166,013	$3,914	$5,142
34	$144,706	$174,283	$4,050	$5,277
35	$152,207	$182,697	$4,180	$5,410
36	$159,856	$191,352	$4,324	$5,552
37	$168,247	$200,683	$4,459	$5,682
38	$156,967			

(2) Effective March twenty-eighth, two thousand twenty-four for officers and employees on the administrative payroll and effective April fourth, two thousand twenty-four for officers and employees on the institutional payroll:

PS&T SALARY SCHEDULE
EFFECTIVE March 28, 2024 (ADMIN)
EFFECTIVE April 4, 2024 (INST)

SG	HIRING RATE	JOB RATE	ADVANCE AMOUNT	JOB RATE ADVANCE
1	$26,771	$34,540	$1,112	$1,097
2	$27,786	$35,942	$1,165	$1,166
3	$29,147	$37,692	$1,222	$1,213
4	$30,454	$39,450	$1,282	$1,304
5	$31,898	$41,328	$1,349	$1,336
6	$33,607	$43,521	$1,415	$1,424
7	$35,494	$45,864	$1,473	$1,532
8	$37,448	$48,294	$1,525	$1,696
9	$39,534	$50,884	$1,581	$1,864
10	$41,776	$53,708	$1,651	$2,026
11	$44,169	$56,743	$1,758	$2,026
12	$46,648	$59,757	$1,818	$2,201
13	$49,363	$63,169	$1,891	$2,460
14	$52,198	$66,634	$2,020	$2,316
15	$55,152	$70,317	$2,095	$2,595
16	$58,247	$74,135	$2,175	$2,838
17	$61,516	$78,307	$2,278	$3,123
18	$65,001	$82,656	$2,232	$4,263
19	$68,523	$87,032	$2,325	$4,559
20	$72,032	$91,381	$2,422	$4,817
21	$75,850	$96,173	$2,528	$5,155
22	$79,928	$101,197	$2,634	$5,465
23	$84,156	$106,454	$2,743	$5,840
24	$88,639	$111,897	$2,849	$6,164
25	$93,530	$117,875	$2,970	$6,525
26	$98,456	$121,360	$3,091	$4,358
27	$103,784	$127,830	$3,254	$4,522
28	$109,250	$134,178	$3,380	$4,648
29	$114,976	$140,815	$3,510	$4,779
30	$120,984	$147,726	$3,640	$4,902
31	$127,433	$155,130	$3,776	$5,041
32	$134,208	$162,796	$3,903	$5,170
33	$141,509	$170,993	$4,032	$5,292
34	$149,047	$179,511	$4,171	$5,438
35	$156,773	$188,178	$4,306	$5,569
36	$164,652	$197,093	$4,454	$5,717
37	$173,294	$206,703	$4,593	$5,851
38	$161,676			

(3) Effective March twenty-seventh, two thousand twenty-five for officers and employees on the administrative payroll and effective April third, two thousand twenty-five for officers and employees on the institutional payroll:

PS&T SALARY SCHEDULE
EFFECTIVE March 27, 2025 (ADMIN)
EFFECTIVE April 3, 2025 (INST)

SG	HIRING RATE	JOB RATE	ADVANCE AMOUNT	JOB RATE ADVANCE
1	$27,574	$35,574	$1,145	$1,130

2	$28,620	$37,022	$1,200	$1,202
3	$30,021	$38,823	$1,259	$1,248
4	$31,368	$40,635	$1,320	$1,347
5	$32,855	$42,565	$1,389	$1,376
6	$34,615	$44,828	$1,457	$1,471
7	$36,559	$47,237	$1,517	$1,576
8	$38,571	$49,743	$1,571	$1,746
9	$40,720	$52,413	$1,628	$1,925
10	$43,029	$55,322	$1,700	$2,093
11	$45,494	$58,447	$1,811	$2,087
12	$48,047	$61,548	$1,873	$2,263
13	$50,844	$65,061	$1,947	$2,535
14	$53,764	$68,630	$2,081	$2,380
15	$56,807	$72,429	$2,157	$2,680
16	$59,994	$76,359	$2,240	$2,925
17	$63,361	$80,655	$2,347	$3,212
18	$66,951	$85,138	$2,299	$4,393
19	$70,579	$89,645	$2,394	$4,702
20	$74,193	$94,121	$2,495	$4,958
21	$78,126	$99,056	$2,604	$5,306
22	$82,326	$104,230	$2,713	$5,626
23	$86,681	$109,650	$2,825	$6,019
24	$91,298	$115,252	$2,934	$6,350
25	$96,336	$121,413	$3,060	$6,717
26	$101,410	$125,001	$3,184	$4,487
27	$106,898	$131,665	$3,352	$4,655
28	$112,528	$138,203	$3,482	$4,783
29	$118,425	$145,039	$3,616	$4,918
30	$124,614	$152,158	$3,749	$5,050
31	$131,256	$159,784	$3,889	$5,194
32	$138,234	$167,680	$4,020	$5,326
33	$145,754	$176,123	$4,153	$5,451
34	$153,518	$184,896	$4,296	$5,602
35	$161,476	$193,823	$4,435	$5,737
36	$169,592	$203,006	$4,588	$5,886
37	$178,493	$212,904	$4,730	$6,031
38	$166,526			

§ 2. Notwithstanding any law to the contrary, there shall be a dental allowance consistent with the terms of the agreement between the employee organization representing members of the professional, scientific and technical services unit. Such allowance shall not be added to base salary and shall not be pensionable.

§ 3. Compensation for certain state officers and employees in collective negotiating units. 1. The provisions of this section shall apply to annual-salaried officers and employees in the collective negotiating unit designated as the professional, scientific and technical services unit established pursuant to article 14 of the civil service law.

2. Effective March 30, 2023 for officers and employees on the administrative payroll and effective April 6, 2023 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time employment status on the day before such payroll period shall be increased by three percent adjusted to the nearest whole dollar amount.

3. Effective March 28, 2024 for officers and employees on the administrative payroll and effective April 4, 2024 for officers and employees on the institutional payroll, the basic annual salary of officers and

employees in full-time employment status on the day before such payroll period shall be increased by three percent adjusted to the nearest whole dollar amount.

4. Effective March 27, 2025 for officers and employees on the administrative payroll and effective April 3, 2025 for officers and employees on the institutional payroll, the basic annual salary of officers and employees in full-time employment status on the day before such payroll period shall be increased by three percent adjusted to the nearest whole dollar amount.

5. Notwithstanding the provisions of subdivisions two, three and four of this section, if the basic annual salary of an officer or employee to whom the provisions of this section apply is identical with the hiring rate or the job rate of the salary grade of his or her position on the effective dates of the increases provided in these subdivisions, such basic annual salary shall be increased to the hiring rate or job rate, respectively, of such salary grade as contained in the appropriate salary schedules in subparagraphs 1, 2 and 3 of paragraph c of subdivision 1 of section 130 of the civil service law, as added by section one of this act, to take effect on the dates provided in such subparagraphs. Except as herein provided to the contrary, the increases in basic annual salary provided by this subdivision shall be in lieu of any increase in basic annual salary provided for in subdivisions two, three and four of this section.

6. Payments pursuant to the provisions of subdivision 6 of section 131 of the civil service law for annual salaried officers and employees entitled to such payments to whom the provisions of this section apply shall be payable in accordance with the terms of an agreement reached pursuant to article 14 of the civil service law between the state and an employee organization representing employees subject to the provisions of this section.

7. If an unencumbered position is one which if encumbered, would be subject to the provisions of this section, the salary of such position shall be increased by the salary increase amounts specified in this section. If a position is created, and filled by the appointment of an officer or employee who is subject to the provisions of this section, the salary otherwise provided for such position shall be increased in the same manner as though such position had been in existence but unencumbered. Notwithstanding the provisions of this section, the director of the budget may reduce the salary of any such position which is or becomes vacant.

8. The increases in salary provided in subdivisions two, three and four of this section shall apply on a pro-rated basis to officers and employees, otherwise eligible to receive an increase in salary, who are paid on an hourly or per diem basis, employees serving on a part-time or seasonal basis, and employees paid on any basis other than at an annual salary rate. Notwithstanding the foregoing, the provisions of subdivisions five, six and thirteen of this section shall not apply to employees serving on a per diem or seasonal basis, except as determined by the director of the budget.

9. In order to provide for the officers and employees to whom this section applies but are not allocated to salary grades, but are paid on an annual basis, increases and payments pursuant to subdivisions six and thirteen of this section in proportion to those provided to persons to whom this section applies who are allocated to salary grades, the director of the budget is authorized to add appropriate adjustments and/or payments to the compensation which such officers and employees are

otherwise entitled to receive. The director of the budget shall issue certificates which shall contain schedules of positions and the salaries and/or payments thereof for which adjustments and/or payments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the department of civil service, the chair of the senate finance committee and the chair of the assembly ways and means committee.

10. Notwithstanding any other provision of this section, the provisions of this section shall not apply to officers or employees paid on a fee schedule basis, provided however, that the increases in basic annual salary provided for in subdivisions two, three and four of this section shall apply to fire instructors paid on a fee schedule basis employed by the division of homeland security and emergency services.

11. Notwithstanding any other provision of this section, except subdivision one of this section, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increase in salary provided in this section shall not cause such officer's or employee's salary to exceed the job rate of such lower graded position.

12. Notwithstanding any other provision of this section or any law to the contrary, any increase in compensation may be withheld in whole or in part from any employee to whom the provisions of this section are applicable when, in the opinion of the director of the budget and the director of employee relations, such increase is not warranted or is not appropriate for any reason.

13. Notwithstanding any law, rule or regulation to the contrary, officers and employees to whom the provisions of this section apply shall receive performance awards in accordance with the terms of a collectively negotiated agreement between the state and the employee organization representing such employees entered into pursuant to article 14 of the civil service law, effective for the period commencing April 2, 2023, in accordance with the rules and regulations issued by the director of the budget to implement payment of such negotiated performance awards.

§ 4. Notwithstanding any other provision of law, when, in the professional, scientific and technical services unit, a determination has been implemented to increase the hiring rate of a position in accordance with subdivision 4 of section 130 of the civil service law, incumbents of such positions who are employed in any state department, state institution or other state agency, in the particular area or areas or location or locations affected, who did not receive the benefit of the new hiring salary or have their salaries brought up to such new hiring salary may receive increased compensation as determined by an agreement between the office of employee relations and the employee organization representing such unit.

§ 5. For employees in the professional, scientific and technical services unit, a one-time $3,000 signing bonus will be paid to all eligible members of the unit. This signing bonus is not part of basic annual salary. Similarly, the signing bonus is not subject to any salary increases and is not pensionable. The signing bonus shall be pro-rated for those employees paid on any basis other than an annual basis. Employees paid on a part-time, hourly or per diem basis shall receive a signing bonus pro-rated on a basis reflecting the actual hours worked between June 6, 2023 and October 12, 2023 for officers and employees on

the administrative payroll or October 19, 2023 for officers and employees on the institutional payroll. To qualify, employees must be in continuous service in the PS&T Unit between June 6, 2023 and October 12, 2023 for officers and employees on the administrative payroll or October 19, 2023 for officers and employees on the institutional payroll as defined by paragraph c of subdivision 3 of section 130 of the civil service law. Employees who separate from state service between June 6, 2023 and October 12 or October 19, 2023, respectively, are not eligible for this signing bonus unless they retire directly from active state employment. This bonus shall be effective October 12, 2023 for officers and employees on the administrative payroll and effective October 19, 2023 for officers and employees on the institutional payroll.

§ 6. Notwithstanding any other law to the contrary, where an agreement between the state and the employee organization that represents employees in the professional, scientific and technical services unit so provides, there shall be paid a higher education differential consistent with the terms of such agreement.

§ 7. Location compensation for certain state officers and employees. Notwithstanding any inconsistent provisions of law, officers and employees, including seasonal officers and employees who shall continue to receive the compensation provided for pursuant to this section on a pro-rated basis except part-time officers and employees, in the collective negotiating unit designated as the professional, scientific and technical services unit established pursuant to article 14 of the civil service law, whose principal place of employment or, in the case of a field employee, whose official station as determined in accordance with the regulations of the state comptroller, is located: in the county of Monroe and who were eligible to receive location pay on March 31, 1985, shall receive location pay at the rate of $200 per year provided they continue to be otherwise eligible; or in the city of New York, or in the county of Rockland, Westchester, Nassau or Suffolk shall continue to receive a downstate adjustment at the annual rate of $3,026 effective April 1, 2011, which shall increase to $3,087 effective April 1, 2023 and to $3,400 effective April 1, 2024 and to $4,000 effective April 1, 2025; or in the county of Dutchess, Putnam or Orange shall continue to receive a mid-Hudson adjustment at the annual rate of $1,513 effective April 1, 2011 which shall increase to $1,543 effective April 2, 2023 and to $1,650 effective April 1, 2024, and to $2,000 effective April 1, 2025. Such location payments shall be in addition to and shall not be a part of an officer's or employee's basic annual salary and shall not affect or impair any performance advancements or other rights or benefits to which an officer or employee may be entitled by law, provided, however, that location payments shall be included as compensation for purposes of computation of overtime pay and for retirement purposes. For the sole purpose of continuing eligibility for location pay in Monroe county, an officer or employee previously eligible to receive location pay on March 31, 1985 who is on an approved leave of absence or participates in an employer program to reduce to part-time service during summer months shall continue to be eligible for said location pay upon return to full-time state service in Monroe county.

§ 8. Continuation of location compensation for certain officers and employees of the Hudson Valley developmental disabilities services office. 1. Notwithstanding any law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the collective negotiating unit designated as the professional, scientific and technical services unit, who

is receiving location pay pursuant to section 5 of chapter 174 of the laws of 1993 shall continue to receive such location pay under the conditions and at the rate specified by such section.

2. Notwithstanding any law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the collective negotiating unit designated as the professional, scientific and technical services unit, who is receiving location pay pursuant to subdivision 2 of section 9 of chapter 315 of the laws of 1995 shall continue to receive such location pay under the conditions and at the rates specified by such subdivision.

3. Notwithstanding section seven of this act or any other law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office represented in the collective negotiating unit designated as the professional, scientific and technical services unit, who is receiving location pay pursuant to section seven of this act shall continue to be eligible for such location pay if as the result of a reduction or redeployment of staff, such officer or employee is reassigned to or otherwise appointed or promoted to a different position at another work location within the Hudson Valley developmental disabilities services office. The rate of such continued location pay shall not exceed the rate such officer or employee is receiving on the date of such reassignment, appointment or promotion.

§ 9. Special assignment to duty pay. Notwithstanding any inconsistent provisions of law, effective April 2, 2023, where and to the extent that, an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides, a special assignment to duty lump sum shall be paid each year to an employee who is serving in a particular assignment deemed qualified pursuant to such agreement. Such payment shall be in an amount negotiated for those employees assigned to qualifying work assignments and who work such assignments for the minimum periods of time in a year provided in the negotiated agreement. Assignment to duty pay shall not be paid in any year an employee does not meet the minimum period of time in such qualifying assignment required by the agreement or upon cessation of the assignment to duty program on April 1, 2026 unless an extension is negotiated by the parties. Such lump sum shall be considered salary only for final average salary retirement purposes.

§ 10. Long term seasonal employees. Notwithstanding any inconsistent provisions of law, effective April 2, 2023, where and to the extent that, an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides, a lump sum shall be paid each year to an employee who is serving in a qualifying long term seasonal position. Such payment shall be in an amount negotiated and pursuant to negotiated qualifying criteria and shall be considered salary only for final average salary retirement purposes. Such benefit shall be available until March 31, 2026.

§ 11. Notwithstanding any inconsistent provisions of law, where and to the extent that an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides on behalf of employees in the collective negotiating unit designated as the professional, scientific and technical services unit established pursuant to article 14 of the civil service law, the state shall contribute an amount designated in such agreement and for the period covered by such agreement to the accounts of such employees enrolled for dependent care deductions pursuant to subdivision 7 of section 201-a of the state finance law. Such amounts shall be from funds

appropriated in this act and shall not be part of basic annual salary for overtime or retirement purposes.

§ 12. 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 33 and 34 of the collective negotiating agreement between the state and the employee organization representing the collective negotiating unit designated as the professional, scientific and technical services unit established pursuant to article 14 of the civil service law.

§ 13. During the period April 2, 2023 through April 1, 2026, there shall be a statewide labor-management committee continued and administered pursuant to the terms of the agreement negotiated between the state and an employee organization representing employees in the collective negotiating unit designated as the professional, scientific and technical services unit established pursuant to article 14 of the civil service law which shall after April 2, 2023, have the responsibility of studying, making recommendations concerning the major issues of productivity, the quality of work life and implementing the agreements reached.

§ 14. Inconvenience pay program. Pursuant to chapter 333 of the laws of 1969, as amended, and an agreement negotiated between the state and an employee organization representing employees in the professional, scientific and technical services unit established pursuant to article 14 of the civil service law, an eligible employee shall continue to be paid $575 per year for working four or more hours between the hours of 6:00 p.m. and 6:00 a.m. effective April 2, 2011.

§ 15. Notwithstanding any provision of law to the contrary, effective April 2, 2023, where and to the extent that an agreement between the state and an employee organization so provides for a program concerning a firearms training and safety incentive for peace officers in the professional, scientific and technical services bargaining unit, a lump sum payment for such incentive shall be paid for each year of such program to any employee who is deemed qualified pursuant to such agreement. Such payment shall be in an amount negotiated for those employees who meet criteria established by such program. Such payment shall occur at the time prescribed by such program or as soon as practicable thereafter. Such lump sum payment shall not be paid in any year an employee does not meet the qualifications and criteria of such program. Such lump sum payment shall be considered salary for overtime purposes.

§ 16. Notwithstanding any provision of law to the contrary, effective April 2, 2023, where and to the extent that an agreement between the state and an employee organization entered into pursuant to article 14 of the civil service law so provides on behalf of certain employees in the collective negotiating unit designated as the professional, scientific and technical services unit, and where there exists a policy requiring employees in the fire protection specialist title series at the office of fire prevention and control to wear uniforms, a lump sum uniform allowance shall be paid to covered employees in accordance with the terms of such agreement and policy. Such payments shall be in an amount negotiated for covered employees and shall not be paid in any year where a policy does not exist requiring uniforms in accordance with the terms of the agreement or where an employee is not required to wear a uniform or receives a regular uniform service. Such uniform allowance will cease to exist on April 1, 2026, unless an extension is negotiated

by the parties. Such lump sum shall be considered salary only for final average salary purposes.

§ 17. Notwithstanding any provision of law to the contrary, employees in eligible titles who fall under the pilot workers compensation program that was collectively negotiated by the state and an employee organization shall be paid in accordance with the terms of that agreed upon program.

§ 18. The salary increases and benefit modifications provided for by this act for state employees in the collective negotiating unit designated as the professional, scientific and technical services unit established pursuant to article 14 of the civil service law shall not be implemented until the director of employee relations shall have delivered to the director of the budget and the state comptroller a letter certifying that there is in effect with respect to such negotiating unit a collectively negotiated agreement, ratified by the membership, which provides for such increases and modifications and which are fully executed in writing with the state pursuant to article 14 of the civil service law.

§ 19. Date of entitlement to salary increases. Notwithstanding the provisions of this act or of any other provision of law to the contrary, the increases in salary or compensation to employees provided by this act shall be added to the salary of such employee at the beginning of that payroll period, the first day of which is nearest to the effective dates of such increases 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 dates of such increases 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 increases shall be deemed to be effective on the dates thereof as prescribed by this act, with payment thereof pursuant to this section on a date prior thereto, instead of on such effective dates, and shall not operate to confer any additional salary rights or benefits on such unit members. Payment of such salary increases may be deferred pursuant to section twenty of this act.

§ 20. Deferred payment of salary increase. Notwithstanding the provisions of any other section of this act or any other provision of law to the contrary, pending payment pursuant to this act of the basic annual salaries of incumbents of positions subject to this act, such incumbents shall receive, as partial compensation for services rendered, the rate of salary and other compensation otherwise payable in their respective positions. An incumbent holding a position subject to this act at any time during the period from April 1, 2023, until the time when basic annual salaries and other compensation due are first paid pursuant to this act for such services in excess of the salary and other compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary and other compensation to which such incumbent is entitled for such services and the salary and other compensation actually received pursuant to the terms of an agreement between the state and the employee organization representing the employees covered by this act.

§ 21. Use of appropriations. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the state comptroller is authorized to pay any amounts required during the fiscal year commencing April 1, 2023 by the provisions of this act for any state department or agency from any appropriation or other funds

available to such state department or agency for personal service or for other related employee benefits during such fiscal year. To the extent that such appropriations are insufficient in any fund to accomplish the purposes herein set forth, the director of the budget is authorized to allocate to the various departments and agencies, from any appropriations available in any fund, the amounts necessary to pay such amounts. The aforementioned appropriations shall be available for payment of any liabilities or obligations incurred prior to April 1, 2023 in addition to current liabilities.

§ 22. Effect of participation in special annuity program. No officer or employee participating in a special annuity program pursuant to the provisions of article 8-C of the education law shall, by reason of an increase in compensation pursuant to this act, suffer any reduction of the salary adjustment to which he or she would otherwise be entitled by reason of participation in such program, and such salary adjustment shall be based upon the salary of such officer or employee without regard to the reduction authorized by such article.

§ 23. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of $414,000,000 is hereby appropriated in the general fund/state purposes account (10050) in miscellaneous-all state departments and agencies solely for apportionment/transfer by the director of the budget for use by any state department or agency in any fund for the period April 1, 2023 through March 31, 2024 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, 2023 through March 31, 2024. For this purpose, the monies appropriated shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2024.

§ 24. 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 commencing April 1, 2023 through March 31, 2024 to supplement appropriations from each respective fund available for other than personal service and fringe benefits, and to carry out the provisions of this act. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to or during the period commencing April 1, 2023 through March 31, 2024. No money shall be available for expenditure from the monies appropriated until a certificate of approval has been issued by the director of the budget and a copy of such certificate or any amendment thereto has been filed with the state comptroller, the chair of the senate finance committee and the chair of the assembly ways and means committee.

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES LABOR MANAGEMENT COMMITTEES

General Fund/State Operations State Purposes Account - 10050
Professional, Scientific and Technical Services Unit

Professional development and quality of work-

ing life committee 177,352
Health and Safety 230,223
PSTP Program 1,603,676
Joint Funded Programs 608,101
Multi-Funded Programs 321,074
Professional Development for Nurses 167,313
Property Damage 6,927
Work-Life Services 773,186
Joint Committee on Health Benefits 167,312
Contract Administration 50,000

§ 25. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 2, 2023. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2024.

REPEAL NOTE.--Subparagraphs 1, 2, 3 and 4 of paragraph c of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided a salary schedule for state employees in the professional, scientific and technical services unit and is replaced by revised salary schedules in new subparagraphs 1, 2 and 3.

PART B

SALARIES AND BENEFITS FOR CERTAIN STATE
OFFICERS AND EMPLOYEES EXCLUDED FROM
COLLECTIVE NEGOTIATING UNITS FOR 2023-2026

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

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

GRADE	HIRING RATE	JOB RATE
M/C 3	$29,747	$38,030
M/C 4	$31,061	$39,755
M/C 5	$32,924	$41,685
M/C 6	$34,321	$43,822
M/C 7	$36,299	$46,194
M/C 8	$38,293	$48,575
M/C 9	$40,481	$51,160
M/C 10	$42,662	$54,000
M/C 11	$45,250	$56,996
M/C 12	$47,639	$59,986
M/C 13	$50,408	$63,319
M/C 14	$53,403	$66,801
M/C 15	$56,375	$70,407
M/C 16	$59,553	$74,163
M/C 17	$62,933	$78,255
M/C 18	$63,266	$78,505
M/C 19	$66,660	$82,588
M/C 20	$70,058	$86,730
M/C 21	$73,836	$91,210
M/C 22	$77,804	$96,002
M/C 23	$81,792	$102,189
M 1	$88,283	$111,592

M 2	$97,908	$123,761
M 3	$108,665	$137,319
M 4	$120,187	$151,674
M 5	$133,453	$168,606
M 6	$147,758	$185,851
M 7	$162,868	$201,711
M 8	$137,322 ±	

(2) Effective April first, two thousand twenty-four:

GRADE	HIRING RATE	JOB RATE
M/C 3	$30,639	$39,171
M/C 4	$31,993	$40,948
M/C 5	$33,912	$42,936
M/C 6	$35,351	$45,137
M/C 7	$37,388	$47,580
M/C 8	$39,442	$50,032
M/C 9	$41,695	$52,695
M/C 10	$43,942	$55,620
M/C 11	$46,608	$58,706
M/C 12	$49,068	$61,786
M/C 13	$51,920	$65,219
M/C 14	$55,005	$68,805
M/C 15	$58,066	$72,519
M/C 16	$61,340	$76,388
M/C 17	$64,821	$80,603
M/C 18	$65,164	$80,860
M/C 19	$68,660	$85,066
M/C 20	$72,160	$89,332
M/C 21	$76,051	$93,946
M/C 22	$80,138	$98,882
M/C 23	$84,246	$105,255
M 1	$90,931	$114,940
M 2	$100,845	$127,474
M 3	$111,925	$141,439
M 4	$123,793	$156,224
M 5	$137,457	$173,664
M 6	$152,191	$191,427
M 7	$167,754	$207,762
M 8	$141,442 ±	

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

GRADE	HIRING RATE	JOB RATE
M/C 3	$31,558	$40,346
M/C 4	$32,953	$42,176
M/C 5	$34,929	$44,224
M/C 6	$36,412	$46,491
M/C 7	$38,510	$49,007
M/C 8	$40,625	$51,533
M/C 9	$42,946	$54,276
M/C 10	$45,260	$57,289
M/C 11	$48,006	$60,467
M/C 12	$50,540	$63,640
M/C 13	$53,478	$67,176
M/C 14	$56,655	$70,869

M/C 15	$59,808	$74,695
M/C 16	$63,180	$78,680
M/C 17	$66,766	$83,021
M/C 18	$67,119	$83,286
M/C 19	$70,720	$87,618
M/C 20	$74,325	$92,012
M/C 21	$78,333	$96,764
M/C 22	$82,542	$101,848
M/C 23	$86,773	$108,413
M 1	$93,659	$118,388
M 2	$103,870	$131,298
M 3	$115,283	$145,682
M 4	$127,507	$160,911
M 5	$141,581	$178,874
M 6	$156,757	$197,170
M 7	$172,787	$213,995
M 8	$145,685 ±	

§ 2. Subdivision 1 of section 19 of the correction law is REPEALED and a new subdivision 1 is added to read as follows:

1. This section shall apply to each superintendent of a correctional facility appointed on or after August ninth, nineteen hundred seventy-five and any superintendent heretofore appointed who elects to be covered by the provisions thereof by filing such election with the commissioner.

a. The salary schedule for superintendents of a correctional facility with an incarcerated individual population capacity of four hundred or more incarcerated individuals shall be as follows:

Effective April first, two thousand twenty-three:

Hiring Rate	Job Rate
$139,737	$190,694

Effective April first, two thousand twenty-four:

Hiring Rate	Job Rate
$143,929	$196,415

Effective April first, two thousand twenty-five:

Hiring Rate	Job Rate
$148,247	$202,307

b. The salary schedule for superintendents of correctional facilities with an incarcerated individual population capacity of fewer than four hundred incarcerated individuals shall be as follows:

Effective April first, two thousand twenty-three:

Hiring Rate	Job Rate
$108,665	$137,321

Effective April first, two thousand twenty-four:

Hiring Rate	Job Rate
$111,925	$141,441

Effective April first, two thousand twenty-five:

Hiring Rate	Job Rate
$115,283	$145,684

§ 3. Lump sum payment. 1. The provisions of this section shall apply to the following annual-salaried state officers and employees: (a) officers and employees whose positions are designated managerial or confidential pursuant to article 14 of the civil service law; (b) civilian state employees of the division of military and naval affairs in the executive department whose positions are not in, or are excluded from

representation rights in, any recognized or certified negotiating unit; (c) officers and employees excluded from representation rights under article 14 of the civil service law pursuant to rules or regulations of the public employment relations board; and (d) officers and employees whose salaries are prescribed by section 19 of the correction law.

2. A lump sum payment of $3,000 shall be made to each employee in full-time annual salaried employment status who was (i) active August 2, 2022 and (ii) in continuous service, as defined by paragraph c of subdivision 3 of section 130 of the civil service law, from that date until March 30, 2023 for officers and employees on the administrative payroll and effective April 6, 2023 for officers and employees on the institutional payroll. Such lump sum shall not be considered salary for retirement purposes nor shall it become part of basic annual salary. Notwithstanding the foregoing provisions of this subdivision, officers and employees who would have otherwise been eligible to receive such lump sum payment, but who were not on the payroll on such date, shall be eligible for said payment if they return to full-time employment status during the fiscal year 2024 without a break in continuous service. Such payment shall be pro-rated for employees in less than full-time annual salaried service.

3. Notwithstanding any of the foregoing provisions of this section or any law to the contrary, the lump sum payment of $3,000 may be withheld in whole or in part from any employee to whom the provisions of this section apply pursuant to section twelve of this act.

§ 4. Compensation for certain state officers and employees. 1. The provisions of this section shall apply to the following annual-salaried state officers and employees: (a) officers and employees whose positions are designated managerial or confidential pursuant to article 14 of the civil service law; (b) civilian state employees of the division of military and naval affairs in the executive department whose positions are not in, or are excluded from representation rights in, any recognized or certified negotiating unit; (c) officers and employees excluded from representation rights under article 14 of the civil service law pursuant to rules or regulations of the public employment relations board; and (d) officers and employees whose salaries are prescribed by section 19 of the correction law.

2. For such officers and employees the following increases shall apply: effective April 1, 2023 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by three percent adjusted to the nearest whole dollar amount, effective April 1, 2024 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by three percent adjusted to the nearest whole dollar amount, and effective April 1, 2025 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by three percent adjusted to the nearest whole dollar amount.

3. If an unencumbered position is one that, if encumbered, would be subject to the provisions of this section, the salary of such position shall be increased by the salary increase amount specified in this section. If a position is created and is filled by the appointment of an officer or employee who is subject to the provisions of this section, the salary otherwise provided for such position shall be increased in the same manner as though such position had been in existence but unencumbered.

4. The increase in salary payable pursuant to this section shall apply on a pro-rated basis in accordance with guidelines issued by the direc-

tor of the budget to officers and employees otherwise eligible to receive an increase in salary pursuant to this act who are paid on an hourly or per diem basis, employees serving on a part-time or seasonal basis, and employees paid on any basis other than at an annual salary rate.

5. Notwithstanding any of the foregoing provisions of this section, the provisions of this section shall not apply to the following except as otherwise provided by law: (a) officers or employees paid on a fee schedule basis; (b) officers or employees whose salaries are prescribed by section 40, 60 or 169 of the executive law; (c) officers or employees in collective negotiating units established pursuant to article 14 of the civil service law.

6. Officers and employees to whom the provisions of this section apply who are incumbents of positions that are not allocated to salary grades specified in paragraph d of subdivision 1 of section 130 of the civil service law and whose salary is not prescribed in any other statute shall receive the salary increases specified in subdivision two of this section.

7. In order to provide for the officers and employees to whom this section applies who are not allocated to salary grades, performance advancements, merit awards, longevity payments and in lieu payments, and special achievement awards 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 that such officers and employees are otherwise entitled to receive. The director of the budget shall issue certificates that shall contain schedules of positions and the salaries or payments thereof for which adjustments or payments are made pursuant to the provisions of this subdivision, and a copy of each such certificate shall be filed with the state comptroller, the department of civil service, the chair of the senate finance committee and the chair of the assembly ways and means committee.

8. Notwithstanding any of the foregoing provisions of this section, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increases in salary provided in subdivision two of this section shall not cause such officer's or employee's salary to exceed the job rate of any such lower graded position at salary grade.

9. Notwithstanding any of the foregoing provisions of this section or of any law to the contrary, the director of the budget may reduce the salary of any position which is vacant or which becomes vacant, so long as the position, if encumbered, would be subject to the provisions of this section. The director of the budget does not need to provide a reason for such reduction.

§ 5. Compensation for certain state officers and employees in the division of state police. 1. The provisions of this section shall apply to officers and employees whose salaries are provided for by paragraph (a) of subdivision 1 of section 215 of the executive law.

2. Effective April 1, 2023 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by three percent adjusted to the nearest whole dollar amount, effective April 1, 2024 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased

by three percent adjusted to the nearest whole dollar amount, and effective April 1, 2025 the basic annual salary of officers and employees to whom the provisions of this subdivision apply shall be increased by three percent adjusted to the nearest whole dollar amount.

3. The increase in salary payable pursuant to this section shall apply on a pro-rated basis in accordance with guidelines issued by the director of the budget to officers and employees otherwise eligible to receive an increase in salary pursuant to this act who are paid on an hourly or per diem basis, employees serving on a part-time or seasonal basis, and employees paid on any basis other than at an annual salary rate.

4. Notwithstanding any of the foregoing provisions of this section, any increase in compensation for any officer or employee appointed to a lower graded position from a redeployment list pursuant to subdivision 1 of section 79 of the civil service law who continues to receive his or her former salary pursuant to such subdivision shall be determined on the basis of such lower graded position provided, however, that the increase in salary provided in subdivision two of this section shall not cause such officer's or employee's salary to exceed the job rate of any such lower graded position at salary grade.

§ 6. Compensation for certain state employees in the state university and certain employees of contract colleges at Cornell and Alfred universities. 1. (a) Effective April 1, 2023, the basic annual salary of incumbents of positions in the professional service in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential as defined pursuant to article 14 of the civil service law, may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate three percent of the total basic annual salary rates in effect on March 31, 2023.

(b) Effective April 1, 2024, the basic annual salary of incumbents of positions in the professional service in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential as defined pursuant to article 14 of the civil service law, may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate three percent of the total basic annual salary rates in effect on March 31, 2024.

(c) Effective April 1, 2025, the basic annual salary of incumbents of positions in the professional service in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential as defined pursuant to article 14 of the civil service law, may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate three percent of the total basic annual salary rates in effect on March 31, 2025.

2. (a) Effective April 1, 2023, the basic annual salary of incumbents of positions in the institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate three percent of the total basic annual salary rates in effect March 31, 2023.

(b) Effective April 1, 2024, the basic annual salary of incumbents of positions in the institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate three percent of the total basic annual salary rates in effect March 31, 2024.

(c) Effective April 1, 2025, the basic annual salary of incumbents of positions in the institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law may be increased pursuant to plans approved by the state university trustees. Such increase in basic annual salary rates shall not exceed in the aggregate three percent of the total basic annual salary rates in effect March 31, 2025.

3. (a) During the period April 1, 2023 through March 31, 2024, the basic annual salary of incumbents of positions in the non-professional service that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law, except those positions in the Cornell service and maintenance unit that are subject to the terms of a collective bargaining agreement between Cornell university and the employee organization representing employees in such positions and except those positions in the Alfred service and maintenance unit that are subject to the terms of a collective bargaining agreement between Alfred university and the employee organization representing employees in such positions, in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university may be increased pursuant to plans approved by the state university trustees. Such plans may include a new salary schedule which shall supersede the salary schedules then in effect applicable to such employees. Such plans shall provide for an increase in basic annual salary, which, exclusive of performance advancement payments or merit recognition payments, shall not exceed in the aggregate three percent of the total basic annual salary rates in effect on March 31, 2023.

(b) During the period April 1, 2024 through March 31, 2025, the basic annual salary of incumbents of positions in the non-professional service that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law, except those positions in the Cornell service and maintenance unit that are subject to the terms of a collective bargaining agreement between Cornell university and the employee organization representing employees in such positions and except those positions in the Alfred service and maintenance unit that are subject to the terms of a collective bargaining agreement between Alfred university and the employee organization representing employees in such positions, in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university may be increased pursuant to plans approved by the state university trustees. Such plans may include a new salary schedule which

shall supersede the salary schedules then in effect applicable to such employees. Such plans shall provide for an increase in basic annual salary, which, exclusive of performance advancement payments or merit recognition payments, shall not exceed in the aggregate three percent of the total basic annual salary rates in effect on March 31, 2024.

(c) During the period April 1, 2025 through March 31, 2026, the basic annual salary of incumbents of positions in the non-professional service that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law, except those positions in the Cornell service and maintenance unit that are subject to the terms of a collective bargaining agreement between Cornell university and the employee organization representing employees in such positions and except those positions in the Alfred service and maintenance unit that are subject to the terms of a collective bargaining agreement between Alfred university and the employee organization representing employees in such positions, in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university may be increased pursuant to plans approved by the state university trustees. Such plans may include a new salary schedule which shall supersede the salary schedules then in effect applicable to such employees. Such plans shall provide for an increase in basic annual salary, which, exclusive of performance advancement payments or merit recognition payments, shall not exceed in the aggregate three percent of the total basic annual salary rates in effect on March 31, 2025.

4. For the purposes of this section, the basic annual salary of an employee is that salary that is obtained through direct appropriation of state moneys for the purpose of paying wages. Nothing in this part shall prevent increasing amounts paid to incumbents of such positions in the professional service in addition to the basic annual salary, provided, however, that the amounts required for such increase and the cost of fringe benefits attributable to such increase, as determined by the comptroller, are made available to the state in accordance with the procedures established by the state university, with the approval of the director of the budget, for such purposes.

5. Notwithstanding any of the foregoing provisions of this section or any law to the contrary, any increase in compensation may be withheld in whole or in part from any employee to whom the provisions of this section apply pursuant to section twelve of this act.

§ 7. Compensation for certain state employees in the state university that are designated, stipulated, or excluded from negotiating units as managerial or confidential pursuant to article 14 of the civil service law and certain employees of contract colleges at Cornell and Alfred universities.

1. The provisions of this subdivision shall apply only to incumbents of positions in bargaining unit 13 in the professional service of the state university that are designated, stipulated or excluded from negotiating units as managerial or confidential pursuant to article 14 of the civil service law. For each of the years 2023, 2024, 2025 and 2026, there shall be available an amount equal to one percent of the total of the basic annual salaries on June 30 of each such year of incumbents to whom the provisions of this subdivision apply, for distribution to such incumbents on the payroll on June 30 of each such year and at the time of payment by the state university trustees in their discretion, and subject to the approval of the chancellor and the director of the budget. Such distributions as described in this paragraph shall occur not

later than December 31 of each year, and shall be retroactive to July 1 of such year. Subject to the approval of the state university trustees, in their discretion, and subject to the approval of the chancellor and the director of the budget, there shall also be an amount available in 2024 and 2025 for a lump sum payment consistent with any lump sum negotiated for the professional services negotiation unit within the university.

2. The compensation increases in subdivision one of this section may also be provided by Cornell and Alfred universities, within available appropriations, at their discretion, and with the requisite approval of the state university trustees and the director of the budget, to incumbents of positions in the institutions under the management of Cornell and Alfred universities as representative of the board of trustees of the state university of New York that, in the opinion of the director of employee relations, would be designated managerial or confidential were they subject to article 14 of the civil service law.

§ 8. Location compensation for certain state officers and employees. 1. This section shall apply to all full-time annual salaried state officers and employees and non-annual salaried seasonal state officers and employees except the following:

(a) officers and employees of the legislature and the judiciary, including officers and employees of boards, bodies and commissions that are deemed to be part of the legislature or judiciary for the purposes of section 49 of the state finance law;

(b) officers and employees whose salaries are prescribed by or determined in accordance with section 40, 60, 169, 215 or 216 of the executive law;

(c) incumbents of allocated or unallocated positions in the professional service in the state university and in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university; and

(d) officers and employees who are in recognized or certified collective negotiating units pursuant to article 14 of the civil service law.

2. Notwithstanding the provisions of section 15 of chapter 333 of the laws of 1969, as amended, officers and employees subject to this section whose principal place of employment or, in the case of field employees, whose official station as determined in accordance with the regulations of the state comptroller is located:

(a) in the county of Monroe and who were eligible to receive location pay on March 31, 1985, shall receive location pay at the rate of $200 per year provided they continue to be otherwise eligible.

(b) in the city of New York, or in the county of Rockland, Westchester, Nassau, or Suffolk shall continue to receive a downstate adjustment at the rate of $3,026 effective October 1, 2008. Such amount shall increase to $3,087 effective April 1, 2023. Such amount shall increase to $3,400 effective April 1, 2024. Such amount shall increase to $4,000 effective April 1, 2025.

(c) in the county of Dutchess, Orange, or Putnam shall continue to receive a mid-Hudson adjustment at the rate of $1,513 effective October 1, 2008. Such amount shall increase to $1,543 effective April 1, 2023. Such amount shall increase to $1,650 effective April 1, 2024. Such amount shall increase to $2,000 effective April 1, 2025.

3. Such location payments 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 advancements or other rights or benefits to which an employee may be entitled by law, provided, however, that location payments shall be

included as compensation for purposes of computation of overtime pay and for retirement purposes.

4. For the sole purpose of continuing eligibility for location pay in Monroe county, an employee previously eligible to receive location pay on March 31, 1985 who is on an approved leave of absence or participates in an employer program to reduce to part-time service during summer months shall continue to be eligible for said location pay upon return to full-time state service in Monroe county.

§ 9. Continuation of location compensation for certain officers and employees of the Hudson Valley developmental disabilities services office. 1. Notwithstanding any law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office not represented in collective negotiating units established pursuant to article 14 of the civil service law who is receiving location pay pursuant to section 5 of chapter 174 of the laws of 1993 shall continue to receive such location pay under the conditions and at the rates specified by such section.

2. Notwithstanding section eight of this act or any other law, rule or regulation to the contrary, any officer or employee of the Hudson Valley developmental disabilities services office not represented in collective negotiating units established pursuant to article 14 of the civil service law who is receiving location pay pursuant to said section eight of this act shall continue to be eligible for such location pay if such officer's or employee's principal place of employment is changed to a location outside of the county of Rockland as the result of a reduction or redeployment of staff, provided, however, that such officer or employee is reassigned to or otherwise appointed or promoted to a different position at another work location within such Hudson Valley developmental disabilities services office located outside of the county of Rockland. The rate of such continued location pay shall not exceed the rate such officer or employee is receiving on the date of such reassignment, appointment, or promotion.

§ 10. Overtime meal allowance. Notwithstanding any other provision of law to the contrary, individuals in positions in the classified service of the state of New York designated managerial or confidential pursuant to article 14 of the civil service law, shall continue to receive, effective April 1, 2011, an overtime meal allowance in the amount of $5.50 pursuant to eligibility guidelines developed by the director of employee relations.

§ 11. Effect of participation in special annuity program. No officer or employee participating in a special annuity program pursuant to the provisions of article 8-C of the education law shall, by reason of an increase in compensation pursuant to this act, suffer any reduction of the salary adjustment to which that employee would otherwise be entitled by reason of participation in such program, and such salary adjustment shall be based upon the salary of such officer or employee without regard to the reduction authorized by such article.

§ 12. 1. Notwithstanding the provisions of any other section of this act or any other provision of law to the contrary, any increase in compensation provided: (a) in this act, or (b) as a result of a promotion, appointment, or advancement to a position in a higher salary grade, or (c) pursuant to paragraph (c) of subdivision 6 of section 131 of the civil service law, or (d) pursuant to paragraph (b) of subdivision 8 of section 130 of the civil service law, or (e) pursuant to paragraph (a) of subdivision 3 of section 13 of chapter 732 of the laws of 1988, as amended, may be withheld in whole or in part from any officer

or employee when, in the opinion of the director of the budget, such withholding is necessary to reflect the job performance of such officer or employee, or to maintain appropriate salary relationships among officers or employees of the state, or to reduce state expenditures to acceptable levels or when, in the opinion of the director of the budget, such increase is not warranted or is not appropriate. As a result of an exercise of the director's authority under this act to withhold any increase, such salary schedules as defined in section one of this act shall be implemented and/or modified by the director of the budget, as necessary, consistent with the provision or withholding of such increases pursuant to this section.

2. Notwithstanding the provisions of any other section of this act, the salary increase provided for in this act shall not be implemented until the director of the budget delivers notice to the state comptroller that such amounts may be paid.

§ 13. Notwithstanding any provision of law to the contrary, the appropriations contained in this act shall be available to the state for the payment of grievance settlements and awards pursuant to executive order 42, dated October 14, 1970, and title 9, part 560, official compilation of codes, rules and regulations of the state of New York.

§ 14. Date of entitlement to salary increase. Notwithstanding the provisions of this act or of any other law, the increase in salary or compensation of any officer or employee provided by this act shall be added to the salary or compensation of such officer or employee at the beginning of that payroll period the first day of which is nearest to the effective date of such increases 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 dates of such increases as provided in this act, provided, however, that 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 a 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. Payment of such salary increase may be deferred pursuant to section fifteen of this act.

§ 15. Deferred payment of salary increases. Notwithstanding the provisions of any other section of this act or any other provision of law to the contrary, pending payment pursuant to this act of the basic annual salaries of incumbents of positions subject to this act, such incumbents shall receive, as partial compensation for services rendered, the rate of salary and other compensation otherwise payable in their respective positions. An incumbent holding a position subject to this act at any time during the period from April 1, 2023, until the time when basic annual salaries and other compensation due are first paid pursuant to this act for such services in excess of the salary and other compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary and other compensation to which such incumbent is entitled for such services and the salary and other compensation actually received.

§ 16. 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, 2023 by the provisions of this act for any state department or agency from any appropriation or other funds

available to such state department or agency for personal service or for other related employee benefits during such fiscal year. To the extent that such appropriations are insufficient in any fund to accomplish the purposes herein set forth, the director of the budget is authorized to allocate to the various departments and agencies, from any appropriations available in any fund, the amounts necessary to pay such amounts. The aforementioned appropriations shall be available for payment of any liabilities or obligations incurred prior to April 1, 2023 in addition to current liabilities.

§ 17. Notwithstanding any provision of the state finance law or any other provision of law to the contrary, the sum of $114,000,000 is hereby appropriated in the general fund/state purposes account (10050) in miscellaneous-all state departments and agencies solely for apportionment/transfer by the director of the budget for use by any state department or agency in any fund for the state fiscal year April 1, 2023 through March 31, 2024 to supplement appropriations for personal service, other than personal service and fringe benefits, and to carry out the provisions of this act. No money shall be available for expenditure from this appropriation until a certificate of approval has been issued by the director of the budget and a copy of such certificate or any amendment thereto has been filed with the state comptroller, the chair of the senate finance committee and the chair of the assembly ways and means committee. The monies hereby appropriated are available for payment of any liabilities or obligations incurred prior to or during the state fiscal year April 1, 2023 through March 31, 2024. For this purpose, the monies appropriated shall remain in full force and effect for the payment of liabilities incurred on or before March 31, 2024.

§ 18. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023. Appropriations made by this act shall remain in full force and effect for liabilities incurred through March 31, 2024.

REPEAL NOTE.--Subparagraphs 1 and 2 of paragraph d of subdivision 1 of section 130 of the civil service law, repealed by section one of this act, provided a salary schedule for state employees who are officers and employees excluded from representation and are replaced by revised salary schedules in new subparagraphs 1, 2 and 3. Subdivision 1 of section 19 of the correction law, repealed by section two of this act, provided for salaries for certain superintendents of correction facilities, and is replaced by a new subdivision 1.

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

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