§ 132. Reallocations; adjustment of salaries. 1. When any position allocated to a salary grade in paragraph b of subdivision one of section one hundred thirty of this article is reallocated on or after April first, nineteen hundred seventy-nine to a higher salary grade the basic annual salary of an incumbent of such position on the effective date of such reallocation shall be determined as follows:

(a) If, immediately prior to the effective date of such reallocation, the basic annual salary of such incumbent is identical to the hiring rate, performance advancement rate one, performance advancement rate two, or job rate of the lower grade from which such position is reallocated, the incumbent's basic annual salary shall be increased to the corresponding rate of compensation of the higher grade to which such position is reallocated.

(b) If, immediately prior to the effective date of such reallocation, the basic annual salary of such incumbent is less than the job rate, and not identical to the hiring rate, performance advancement rate one, or performance advancement rate two of the lower grade from which such position is reallocated, the incumbent's basic annual salary shall be increased by an amount equal to the difference between the next higher rate of compensation of such lower grade and the corresponding rate of compensation of the higher grade to which such position is reallocated.

(c) If, immediately prior to the effective date of such reallocation, the basic annual salary of such incumbent exceeds the job rate of the lower grade from which such position is reallocated, the incumbent's basic annual salary shall be increased to the job rate of the higher grade to which such position is reallocated.

(d) In determining the increase to which such incumbent is entitled under the provisions of paragraphs (a) or (b) or (c) of this subdivision the amount of such incumbent's basic annual salary which is considered to be longevity payment in accordance with the provisions of paragraph d of subdivision three of section one hundred thirty of this article shall not be considered as basic annual salary for the purpose of determining such increase, and such amount shall be adjusted to the longevity amount appropriate for such higher salary grade and added to and become part of his basic annual salary in such higher grade.

(e) The provisions of this subdivision shall apply to temporary and provisional employees, as well as permanent employees.

2. When a position allocated to a salary grade in section one hundred thirty of this article is reclassified to a title allocated to a higher salary grade, and the president finds that such reclassification represents no substantial change in duties and responsibilities from those associated with the former title, the incumbent thereof may continue to serve in such position without further examination, and his salary in this new title shall be determined in accordance with the provisions of this article. This subdivision has no application to a reclassification obtained pursuant to subdivision five of section one hundred twenty-one of this article.

3. When a position allocated to a salary grade in paragraphs a, c, or d of subdivision one of section one hundred thirty of this article is reallocated on or after April first, nineteen hundred seventy-nine or when a position allocated to a salary grade in paragraph e of subdivision one of such section is reallocated on or after April first, nineteen hundred eighty-five to a higher salary grade other than grades thirty-eight or M-eight, the annual salary of an incumbent shall be determined in accordance with the provisions of subdivision two of section one hundred thirty-one of this article; provided, however, that when a position allocated to a salary grade in paragraph a of subdivision one of such section one hundred thirty of this article is reallocated to a higher salary grade on or after April first, nineteen hundred eighty-six, the annual salary of the incumbent shall not be increased to more than one thousand five hundred dollars above the job rate of the higher salary grade; provided further, however, that, when a position allocated to a salary grade in such paragraph a is reallocated to a higher salary grade on or after April first, nineteen hundred eighty-seven, the annual salary of the incumbent shall not be increased to more than the second longevity step of the salary grade to which the position is reallocated.

4. Notwithstanding the provisions of subdivision three of this section, when a position allocated to salary grade M/C 17 or below in paragraph d of subdivision one of section one hundred thirty of this article is reallocated to a higher salary grade on or after April first,

nineteen hundred eighty-six, the annual salary of the incumbent shall not be increased to more than one thousand five hundred dollars above the job rate of the higher salary grade.

5. Notwithstanding the provisions of this chapter or any other law and where, and to the extent that, an agreement between the state and an employee organization entered into pursuant to article fourteen of this chapter so provides on behalf of employees serving in positions in a collective negotiating unit represented by such employee organization and for employees designated managerial or confidential pursuant to such article of this chapter and civilian state employees in the division of military and naval affairs whose positions are not in or are excluded from representation rights in any recognized or certified negotiating unit, when positions allocated to one of the salary grades included in section one hundred thirty of this article are reallocated to a lower salary grade, incumbents of such positions on the effective date of such reallocations and employees on authorized leave from such positions on the effective date of such reallocations who subsequently return to such positions shall be entitled to be paid, and shall have all future salary computations authorized by this article made, on the basis of the higher grade from which such positions were reallocated as long as such officers and employees serve in such position as so reallocated.