

# PROGRAM BILL # 42

## GOVERNOR'S PROGRAM BILL 2014

### MEMORANDUM

AN ACT to provide for the adjustment of stipends of certain incumbents in the state university of New York and designating moneys therefor; to continue a doctoral program recruitment and retention enhancement fund; to continue an employee assistance program; to continue a professional development committee; to continue a comprehensive college graduate program recruitment and retention fund; to continue a fee mitigation fund; to continue a downstate location fund; to continue a joint labor management advisory board; to continue an accidental death benefit; and making an appropriation therefor

#### Purpose:

This bill would implement the terms of a collectively negotiated agreement between the State of New York (hereafter "State") and the CWA Local 1104/Graduate Students Employees Union (hereafter "GSEU"), the employee organization representing members of the State University Graduate Student Negotiating Unit (hereafter "Unit") established pursuant to Article 14 of the Civil Service Law.

#### Summary of Provisions:

Section 1 of this bill would provide for an increase in stipends for eligible members of the Unit in the following amounts: a 2 percent annual increase in the stipends effective on October 1, 2009; a 3 percent annual increase in the stipends effective on October 1, 2010; a 2 percent annual increase in the stipends effective on October 1, 2014; and a 2 percent annual increase in the stipends effective on October 1, 2015. Section 1 of the bill would also provide a non-recurring lump sum payment to eligible members of the unit. Lastly, Section 1 of the bill would provide for an increase in the minimum stipend to eligible members of the Unit to the following amounts in each of the following academic years: \$8,758 for 2009-2010; \$9,021 for 2010-2011; \$9,201 for 2014-2015; and \$9,385 for 2015-2016. Only employees who were on the State payroll on the payment effective date as well as at the time of payment will be eligible to receive any retroactive increase.

Section 2 of this bill would continue the Doctoral Program Recruitment and Retention Enhancement Fund from amounts appropriated in the bill, to enhance employee compensation for the purpose of recruitment and retention of new and existing doctoral students in selected programs, and provide for the expiration of the program on July 1, 2016. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 3 of this bill would continue the Comprehensive College Graduate Program Recruitment and Retention Fund from amounts appropriated in the bill, to enhance employee compensation for the purpose of recruitment and retention of new and existing graduate students in selected degree programs, and provide for the expiration of the program on July 1, 2016. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 4 of this bill would continue the Fee Mitigation Fund from amounts appropriated in the bill, for the purpose of funding the cost of various fees including but not limited to technology fees, and provide for the expiration of the program on July 1, 2016. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 5 of this bill would continue the Downstate Location Fund from the amounts appropriated in the bill, for the purpose of funding salary adjustments in the downstate area for employees whose work site is New York City, Suffolk, Nassau, Rockland, Westchester, Dutchess, Putnam, or Orange counties, and provide for the expiration of the program on July 1, 2016. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 6 of this bill would continue the Joint Labor-Management Advisory Board, which would study and make recommendations concerning issues of family benefits. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 7 of this bill would continue the Employee Assistance Program for graduate student employees, within appropriations available for that purpose, and provide for the expiration of the program on July 1, 2016. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 8 of this bill would continue the Professional Development Committee to review, make recommendations, and implement programs for professional development, and provide for the expiration of the program on July 1, 2016. Pursuant to the terms of the collective bargaining agreement, these funds may be reallocated for use by other joint committees upon mutual agreement of the parties.

Section 9 of this bill would make the appropriations contained in this bill available to the State for the payment of grievance and arbitration awards as provided for in the collectively negotiated agreement.

Section 10 of this bill would continue the Accidental Death Benefit in the amount of \$50,000, payable to an employee's surviving spouse and children or to the employee's estate in the event an employee dies on or after July 2, 2007 as the result of an accidental on-the-job injury.

Section 11 of this bill would provide that the stipend adjustments, the lump sum payment and benefit modifications provided in this bill would not be implemented until the Director of the Budget and the Comptroller receive a letter certifying that there is in effect with respect to the unit a fully executed and ratified collectively negotiated agreement.

Sections 12 through 14 of this bill would set forth the dates of entitlement to the stipend increases and deferred payment of stipend increases provided by this bill.

Section 15 of this bill would authorize and direct the Comptroller, at the request of the Director of the Budget and in accordance with section 4 of the state finance law, to transfer up to \$2,695,000 from the general fund to the state university income fund (345) to carry out the provisions of section sixteen of this act.

Section 16 of this bill would set forth the use and amount of appropriation necessary to implement this bill.

Section 17 of this bill would make it effective immediately and deem it to have been in effect on and after July 2, 2009.

**Existing Law:**

Chapter 189 of the Laws of 2011 addresses a variety of terms and conditions of employment established by the previous collective bargaining agreement for the members of the Unit for the period of July 2, 2007 to July 1, 2009.

**Statement in Support:**

This bill is necessary to implement the terms of the collectively negotiated agreement between the State and the GSEU, the employee organization representing members of the State University Graduate Student Negotiating Unit, in relation to the terms and conditions of employment of members of the Unit, including but not limited to negotiated stipend increases and programs.

**Budget Implications:**

This bill includes \$4.782 million in All Funds appropriations (\$2.059 million general fund) to cover pay increases provided in the collectively negotiated agreement, through the 2014-

2015 fiscal year. The 2014-15 Financial Plan has sufficient reserves to accommodate the costs associated with this bill.

**Effective Date:**

This bill would take effect immediately and be deemed to have been in effect on and after July 2, 2009.