

PROGRAM BILL # 25

GOVERNOR'S PROGRAM BILL

2016

MEMORANDUM

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; making an appropriation for the purpose of effectuating certain provisions thereof; and to repeal certain provisions of the civil service law relating thereto

Purpose:

This bill would implement the terms of a collective bargaining agreement ("the Agreement"), entered into pursuant to Article 14 of the Civil Service Law ("CSL"), between the Executive Branch of the State of New York and the employee organization representing members of the collective negotiating unit designated as the Professional, Scientific and Technical Services Unit ("PS&T Unit").

Summary of Provisions:

Section 1 of this bill would repeal subparagraphs 1 and 2 of CSL §130(1)(c) and replace them with a new subparagraph 1 to provide a new salary schedule for officers and employees in the PS&T Unit. The new salary schedule would be effective March 26, 2015 for officers and employees on the administrative payroll and effective April 2, 2015 for officers and employees on the institutional payroll.

Section 2 of this bill would increase compensation for covered members of the PS&T Unit, including: (a) a two percent basic annual salary increase effective March 26, 2015 for officers and employees on the administrative payroll, and effective April 2, 2015 for officers and employees on the institutional payroll; and (b) performance advancement payments to covered members of the PS&T Unit pursuant to CSL §131(6).

This section would also give the Director of the Division of Budget and the Director of the Governor's Office of Employee Relations discretion to withhold all or a portion of a unit members' salary increase, where appropriate or warranted.

Section 3 of the bill would continue existing location compensation for employees whose principal place of employment is located in New York City or in the counties of Rockland, Westchester, Nassau, Suffolk, Dutchess, Putnam, Orange and Monroe. Employees in the counties of Dutchess, Putnam or Orange will continue to receive location compensation at the annual rate

of \$1,513. Employees in New York City or in the counties of Rockland, Westchester, Nassau or Suffolk will continue to receive location compensation at the annual rate of \$3,026. For the county of Monroe, only employees who were eligible on March 31, 1985 to receive location compensation would be eligible for continued location compensation of \$200 per year. If an employee is on an approved leave of absence for less than one year or participates in an employer program to work part-time during the summer months, prior eligibility for location pay would continue upon return to full-time State service in Monroe County.

Section 4 of the bill would continue location compensation for certain officers and employees of the Hudson Valley Developmental Disabilities Services Office.

Section 5 of the bill would continue special assignment to duty pay in the form of an annual lump sum payment to certain employees in a particular assignment deemed qualified under the terms of the Agreement. This payment will expire on April 1, 2016 unless an extension is negotiated by the parties.

Section 6 of the bill would provide for an annual lump sum payment to long-term seasonal employees in an amount specified by, and subject to, the qualifying criteria established by the Agreement. This payment will expire on March 31, 2016.

Section 7 of the bill would authorize contributions to employee dependent care accounts in amounts and for the time period designated in the Agreement.

Section 8 of the bill would provide for the payment and publication of grievance and arbitration settlements and awards between the State and the employee organization representing employees who are members of the PS&T Unit.

Section 9 of the bill would provide that statewide labor-management committees, administered pursuant to the terms of the Agreement, shall be responsibilities for studying and making recommendations concerning major issues of productivity and the quality of work life and implementing the agreements reached.

Section 10 of the bill would provide inconvenience pay to continue at a rate of \$575 per year for eligible employees who work four or more hours between the hours of 6:00 p.m. and 6:00 a.m.

Section 11 of the bill would provide payment of a lump sum Firearms Training and Safety Incentive to qualified peace officers who are members of the PS&T Unit pursuant to the terms of a pilot program collectively negotiated between the State and the employee organization representing such members. The pilot program will expire on April 1, 2016 unless an extension is negotiated by the parties.

Section 12 of the bill would provide payment of a lump sum uniform allowance to certain employees of the Office of Fire Prevention and Control in the Fire Protection Specialist title series if there is a policy in place that requires employees to wear uniforms, in accordance with the terms of a negotiated side letter to the Agreement. This allowance will terminate on April 1, 2016 unless an extension is negotiated by the parties.

Section 13 of the bill would require that, prior to any salary increase, benefit modification or any other modification to terms and conditions of employment provided by this bill, the Director of the Division of the Budget and the State Comptroller must receive a letter from the Director of the Governor's Office of Employee Relations certifying that the agreement has been ratified by the membership.

Section 14 of the bill would set the date upon which incumbent members of the PS & T unit would receive the salary increase provided by the agreement.

Section 15 of the bill would authorize a lump sum payment for retroactive salary increases and compensation modifications deemed in effect on April 1, 2015, as provided for by this bill.

Section 16 of the bill would authorize the State Comptroller to pay any amounts required by this bill during the fiscal year commencing April 1, 2016 for any state department or agency from any appropriation or other funds available to such state department or agency for personal service or for any other related employee benefits during such fiscal year. To the extent that such appropriations in any fund are insufficient, the Director of the Division of Budget would be authorized to allocate to the various departments and agencies, from any appropriations available in any fund, the amounts necessary to pay such amounts.

Section 17 of the bill would provide that employees who participate in a special annuity program under Article 8-C of the Educ. Law shall not suffer any reduction of the salary adjustment to which they are otherwise entitled under the program, as a result of an increase in compensation provided for in this bill.

Section 18 of the bill would provide for a lump sum appropriation for personal and non-personal services, and for salary adjustments for use by state departments or agencies, to carry out the provisions of this bill.

Section 19 of the bill would provide that certain funds for statewide labor management committees are appropriated for use by the Labor Management Committee agency to carry out the provisions of this bill.

Section 20 of the bill would require it to become effective immediately, and deem it to have been in full force and effect on and after April 2, 2015. Appropriations made by this bill would remain in full force and effect for liabilities incurred through March 31, 2017.

Statement in Support:

Enactment of this bill is necessary to implement the provisions of the collective bargaining agreement, negotiated by the Executive Branch of the State of New York and the Public Employees Federation, AFL-CIO, on behalf of members of the PS&T Unit. Approximately 54,000 employees are covered by the Agreement, which includes a variety of professional, scientific and technical titles including information technology professionals, nurses, accountants, lawyers, engineers and physicians.

The prior agreement governing these employees expired on April 1, 2015. This new Agreement covers the time period April 2, 2015, to April 1, 2016. This bill incorporates the terms of that Agreement.

Budget Implications:

This bill would provide appropriations totaling approximately \$ 220 million to pay for the cost of the Agreement during the period from April 1, 2015 to March 31, 2017.