

GOVERNOR'S PROGRAM BILL
2015

MEMORANDUM

An act to amend the executive law, in relation to the terms and conditions of employment for members of the collective negotiating unit consisting of commissioned and non-commissioned officers in the division of state police and salary schedules for members of such unit; to amend the state finance law, in relation to the employee benefit fund for members of such unit; and making an appropriation therefor; and repealing certain provisions of such laws relating thereto

Purpose of Bill:

This bill would implement the provisions of a collective bargaining agreement between the State of New York and the employee organization representing members of the collective negotiating unit consisting of Commissioned and Non-Commissioned Officers in the Division of State Police (hereafter "Commissioned and Non-Commissioned Officers") for the period April 1, 2011 to March 31, 2018.

Summary of Provisions:

Section 1 of the bill would repeal subparagraphs 5, 6, 7 and 8 of paragraph a of subdivision 2 of section 215 of the Executive Law and replace them with new salary schedules reflecting the collective bargaining agreement for Commissioned and Non-Commissioned Officers. The new salary schedules include a 2 percent increase, effective April 1, 2014; a 2 percent increase, effective April 1, 2015; a 1.5 percent increase, effective April 1, 2016; and a 1.5 percent increase effective April 1, 2017.

Section 2 of the bill would repeal paragraph a of subdivision 2 of section 207-b of the State Finance Law and replace it with a new paragraph a providing for continued annual State payments to the Employee Benefit Fund. The payment is based on the number of full-time annual-salaried Commissioned and Non-Commissioned Officers on the payroll on March 1 of each year.

Section 3 of the bill would continue location compensation at a rate of \$200 per year for eligible Commissioned and Non-Commissioned Officers working in Monroe County. The member must have been on the payroll on March 31, 1985, and received this compensation continually since then. Additionally, location compensation is also continued at a rate of \$1,536 per year for eligible Commissioned and Non-Commissioned Officers working in New York City, or in the counties of Rockland, Westchester, Nassau or Suffolk.

Section 4 of the bill would continue supplemental location compensation for eligible Commissioned and Non Commissioned Officers, as follows: i) \$1,280 for eligible Commissioned and Non Commissioned Officers working in Orange, Putnam or Dutchess counties; ii) \$1,918 for eligible

Commissioned and Non Commissioned Officers working in Rockland or Westchester counties or New York City; and iii) \$2,239 for eligible Commissioned and Non Commissioned Officers working in Nassau or Suffolk counties.

Section 5 of the bill would continue the payment of expanded duty pay in the amount of \$7,452 during the period covering April 1, 2010 through March 31, 2014. Effective April 1, 2014, the annual payment shall increase to \$8,702. There shall be no retroactive payment of the increases to this payment for the period covering April 1, 2011 to March 31, 2014 under any circumstances. Pursuant to the collective bargaining agreement, the entire increase of \$1,250 covering April 1, 2011 to March 31, 2014 is only payable on a prospective basis commencing April 1, 2014.

Section 6 of the bill would continue the payment of hazardous duty pay in the amount of \$1,200 during the period covering April 1, 2010 through March 31, 2014. Effective April 1, 2014, the annual payment shall increase to \$2,450. There shall be no retroactive payment of the increases to this payment for the period covering April 1, 2011 to March 31, 2014 under any circumstances. Pursuant to the collective bargaining agreement, the entire increase of \$1,250 covering April 1, 2011 to March 31, 2014 is only payable on a prospective basis commencing with the scheduled December 2014 payment.

Section 7 of the bill would continue to fund command pay for Commissioned and Non-Commissioned Officers in the amount of \$319 annually.

Section 8 of the bill would continue the committee on health benefits for Commissioned and Non-Commissioned Officers. Pursuant to the collective bargaining agreement, this amount is increased by 2 percent in fiscal year 2015 (\$5,100); 2 percent in fiscal year 2016 (\$5,202); 1.5 percent in FY 2017 (\$5,280); and 1.5 percent in FY 2018 (\$5,359).

Section 9 of the bill would continue professional development and training funds for Commissioned and Non-Commissioned Officers. These funds provide for the tuition reimbursement program, the master's program, and the employee assistance program. Pursuant to the collective bargaining agreement, this amount is increased by 2 percent in fiscal year 2015 (\$94,248); 2 percent in fiscal year 2016 (\$96,133); 1.5 percent in FY 2017 (\$97,575); and 1.5 percent in FY 2018 (\$99,039).

Section 10 of the bill would continue annual lump sum payments to Commissioned and Non-Commissioned Officers who possess or obtain a recognized degree.

Section 11 of the bill would continue to provide Commissioned and Non-Commissioned Officers the payment of \$30 for each short swing they are required to work and actually work.

Section 12 of the bill would continue to provide the lump sum payment for unused sick leave at retirement for Commissioned and Non-Commissioned officers.

Section 13 of the bill would continue to provide the overtime meal allowance benefit for Commissioned and Non-Commissioned Officers.

Section 14 would prevent implementation of this bill until the Director of Employee Relations informs the Director of the Budget and the State Comptroller that the collective bargaining agreement for Commissioned and Non-Commissioned Officers has been ratified.

Sections 15 through 20 of this bill would provide for: payment and publication of grievance arbitration settlements and awards; payment of the collectively negotiated salary increases; the use of appropriations; the appropriation amounts; and the bill's effective date.

Existing Law:

The last pay bill for Commissioned and Non-Commissioned Officers, covering the period April 1, 2007 to March 31, 2011, was enacted by Chapter 69 of the Laws of 2009. Section 215 of the Executive Law contains the current salary schedules for Commissioned and Non-Commissioned Officers. Section 207-b of the State Finance Law authorizes payments to an employee benefit fund on behalf of Commissioned and Non-Commissioned Officers.

Statement in Support:

This bill is necessary to implement the ratified collectively negotiated agreement between the State of New York and the employee organization representing Commissioned and Non-Commissioned Officers in the Division of State Police. Such agreement is for the period April 1, 2011 to March 31, 2018.

Budget Implications:

This bill includes General Fund appropriations totaling \$10.231 million, which covers the cost of the agreement through March 31, 2016.

Effective Date:

This bill would take effect immediately and would be deemed to have been in full force and effect on and after April 1, 2011.