

**GOVERNOR'S PROGRAM BILL
2024**

MEMORANDUM

An act to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment for members of the district council 37 rent regulation services unit; to implement a collective bargaining agreement between the state of New York and the district council 37 rent regulation services unit; making an appropriation therefor; and to repeal certain provisions of such law relating thereto.

Purpose:

This bill would implement the terms of an agreement entered into pursuant to Article 14 of the Civil Service Law (the "Agreement") between the executive branch of the State of New York ("State") and the employee organization which represents members of the collective negotiating unit designated as the Rent Regulation Services Unit (the "RRSU").

Summary of Provisions:

Section 1 of the bill would repeal subparagraphs 1 and 2 of Civil Service Law Section 130(1)(e) and replace them with new subparagraphs 1, 2 and 3 to provide for the application of new salary schedules for officers and employees in the RRSU for the period April 2, 2023, to April 1, 2026.

Section 2 of the bill would amend section 10 of part A of Chapter 361 of the laws of 2022 to provide an increase in location pay for officers and employees of the State in the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit, or the division of military and naval affairs unit established pursuant to article 14 of the civil service law consistent with negotiated agreements.

Section 3 of the bill would provide for increases in basic annual salary for covered members of the RRSU of three percent effective March 30, 2023, March 28, 2024, and March 27, 2025. This section provides that these increases will be paid on a pro-rated basis to otherwise eligible officers and employees who are paid on an hourly or per diem basis or serving on a part-time or seasonal basis. It further authorizes performance advance payments to covered members of the RRSU in graded positions pursuant to the terms of the Agreement and Civil Service Law Section 131(6), and to non-statutory employees as authorized by the Director of the Budget. Finally, this section specifies that any increase in compensation may be withheld when, in the opinion of the Director of the Budget and the Director of Employee Relations, such increase is not warranted or appropriate.

Section 4 of the bill would continue existing location compensation for employees whose principal place of employment is located in New York City or the counties of Rockland, Westchester, Nassau and Suffolk at the annual rate of \$3,026 and increase it as follows:

Effective April 1, 2023: \$3,087

Effective April 1, 2024: \$3,400

Effective April 1, 2025: \$4,000

Section 5 of the bill would provide for a one-time signing bonus of \$3000 to retain employees in the RRSU. 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 prorated for those employees paid on any basis other than an annual basis. To qualify, employees must be in continuous service in the RRSU between December 22, 2023 and April 24, 2024 as defined by paragraph c of subdivision 3 of section 130 of the civil service law. Employees who separate from state service between December 22, 2023 and April 24, 2024 are not eligible for this signing bonus unless they retire directly from active state employment. This bonus shall be effective April 24, 2024 for officers and employees on the administrative payroll.

Section 6 of the bill provides that longevity payments, as contractually agreed, will effective April 1, 2025 be paid in accordance with the terms of such agreement.

Section 7 of the bill provides that a higher education differential consistent with the terms of such agreement shall be paid to eligible members of the RRSU.

Section 8 of the bill would authorize contributions to employee dependent care advantage accounts in amounts and for the time periods specified by the Agreement.

Section 9 of the bill would provide for the payment and publication of grievance and arbitration settlements and awards pursuant to the Agreement.

Section 10 of the bill would provide that labor-management committees, created, continued and administered pursuant to the terms of the Agreement, shall have responsibility for discussing and attempting to resolve matters of mutual concern and implementing any agreements reached.

Section 11 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 Employee Relations must submit a letter to the Director of the Budget and the State Comptroller certifying that the collectively negotiated agreement has been ratified by the membership.

Section 12 of the bill would authorize the State Comptroller to pay any amounts required by this bill during the fiscal year commencing April 1, 2023, 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 in any fund are insufficient, the Director of the Budget is authorized to allocate to the various department and agencies, from any appropriations available in any fund, the amounts necessary to pay such amounts.

Section 13 of the bill would provide those employees who participate in a special annuity program under Article 8-C of the Education 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 14 of the bill would authorize a lump sum payment for retroactive salary increases and compensation modifications deemed in effect on the payroll closest to April 1, 2023.

Sections 15 and 16 of the bill would appropriate funding for the personal service, non-personal service and labor-management committee costs associated with this bill in accordance with the terms of the Agreement.

Section 17 of the bill would provide for an immediate effective date of this act, which shall be deemed to have been in full force and effect on and after April 2, 2023. Appropriations made by this chapter shall remain in full force and effect for liabilities incurred through March 31, 2025.

Existing Law:

The last pay bill for the RRSU, covering the period April 2, 2021 to April 1, 2023, was enacted by Chapter 60 of the Laws of 2022. The last paybill for employees in the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit, or the division of military and naval affairs unit established pursuant to article 14 of the civil service law covering the period April 2, 2021 to April 1, 2026 was enacted by Chapter 361 of the Laws of 2022.

Justification:

The bill is necessary to implement the terms of a collective bargaining agreement between the executive branch of the State of New York and District Council 37, the employee organization certified to represent members of the RRSU, which was entered into pursuant to Article 14 of the Civil Service Law which has been ratified by the membership and covers the period April 2, 2023, to April 1, 2026. Section 2 of the bill is necessary to implement an agreement concerning location pay for the collective negotiating units designated as the administrative services unit, the institutional services unit, the operational services unit, or the division of military and naval affairs unit established pursuant to article 14 of the civil service law represented by CSEA.

Legislative History:

New bill.

Budget Implications:

The bill would provide appropriations totaling approximately \$6.2 million to pay for the cost of the agreement during the period April 2, 2023, to April 1, 2025.

Effective Date:

This bill would take effect immediately and be deemed to have been in full force and effect on and after April 1, 2023.