



Office of the State Comptroller  
**PAYROLL BULLETIN**

<b>Subject</b> Repayment of Salary Withheld Under the Salary Withholding Program to Employees in the Security Units (NU 01 and 61) and Transaction Code PABACK LSP	<b>Bulletin No.</b> P-847
	<b>Date</b> January 12, 1995

An Agreement between the State and the Security and Law Enforcement Employees Council 82, which represents employees in negotiating units 01 and 61, provided for an end to the Salary Withholding and Lump Sum Payment Program established in 1990-91 and repayment for the days withheld under the program. The deferral of salary was ended for all employees newly appointed in the units after September 1, 1992. Employees who had salary withheld under the program are now eligible to receive payment for those days. The repayment will be made in two steps, under the following schedule:

January, 1995 - 3 days  
June, 1995 - 2 days

The repayment is to be made at the current salary, or at the salary the employee was earning at the time of the withholding, whichever is higher. This Bulletin contains instructions for the January payment.

The payment will be for 3 days (or less if the withholding for an employee was for a total of less than 3 days). The payments will be made using the salary at the end of Period 20-Lag (the last payroll period before the special payrolls are produced).

Payment

OSC will pay all active employees in the Security Services (01) and Security Supervisors (61) negotiating units automatically in a separate check dated January 24, 1995.

Deductions will be taken for Federal, State, New York City and Yonkers City Taxes, Social Security/Medicare, retirement normal contributions, garnishees and Federal levies. Taxes will be computed using an annualized tax method.

Fixed taxes submitted on either an AC-1040 form or through the On-Line Deduction Processing System will not be processed for this payment.

PR-76 Transmittal

In order for you to receive the pay checks, OSC must have a PR-76 transmittal on file. You should prepare a PR-76 Transmittal. Enter Security PABACK LSP at the top, leave the certification total blank and sign the agency payroll certification. Submit the PR-76 to NYS Office of the State Comptroller, Payroll Planning Office-8th Floor, A.E. Smith State Office Building, Albany, New York 12236. If a PR-76 Transmittal is not received in time for payment, the checks will not be released.

Salary Registers and Information Listings

The Special Salary Registers and checks will be distributed the week of January 23, 1995. The amount of the payment will appear on the check stub in the ADDTL SAL INFO block and will be identified with the code PLS.

You will also receive two Listings with information you will need to review.

1. Security PABACK Automatic Payment Listing

This listing will contain each active annual salaried, biweekly and hourly employee who will receive a payment. This listing will show the total days withheld under the original program, the negotiating unit, the pay basis code, current salary and the days and amount of the January payment.

2. Security LWOP Employees-PABACK LSP PR-75's Required for Payment Listing

Employees who are on a leave without pay will appear on this listing. This listing will show the total days withheld, the negotiating unit, the pay basis code, current salary and the days due for the January payment. These employees are entitled to be paid at the time of reinstatement to the payroll. The salary to be used in calculating the payment is the salary the employee is earning at the time of reinstatement, or the salary at the time of withholding, whichever is greater.

NOTE: Hourly employees who have not been paid since Period 18-Lag (and therefore who are not active on the payroll file) will not be identified on a listing and will not be paid automatically. These employees, if eligible, are due the January payment when a PR-75 is next submitted paying the employee for time worked.

Adjustment of Payments

OSC will pay all active employees at their current salary. Agencies are responsible for submitting an adjustment when they identify an employee who had the salary withheld at a higher salary rate. Submit a PR-75 with the transaction code ADJ SAL PA. Use the check date of the original payment in Misc Block A (Block 49). Explain the adjustment in the REMARKS Block.

Transaction Code PABACK LSP

Agencies are responsible for submission of the payment on a PR-75 for the following conditions:

1. Employees who are currently on Leave Without Pay.

Employees who are on leave without pay are entitled to the payment upon reinstatement to the payroll in a NU 01 or 61 position. Use the salary rate the employee is receiving at the time of reinstatement or the salary rate that was originally withheld, whichever is greater.

2. Employees with a pay basis code of HRY who have not been paid since 18-Lag and are eligible for a payment. Submit the payment when a PR-75 is next submitted paying the employee for time worked.

PABACK LSP - Reporting requirements are as follows:

Group 3  
Class B

Block Requirements: 01 through 06  
07 Transaction Code - enter PABACK LSP  
23 Gross (Add)  
24 Normal (Deduct) - if applicable  
49 Misc Block A - enter number of days due  
up to 3.00 for both full  
and part-time employees.  
50 Misc Block B - enter the correct amount  
of payment. Include this  
amount in Block 23.

### Future Transactions

#### Transfers between Negotiating Units

The 1991-95 contracts for State employees provided for the end of the Salary Withholding Program in some units and its continuation in others. Employees who transfer into the Security Units from a position in a unit which continued the Salary Withholding Program will be paid for all days withheld under the Salary Withholding Program. If someone transfers in between the January and June payments, you may pay the employee up to 3 days upon appointment. You will also need to submit a PR-75 for the June payment since OSC will not make that payment automatically.

Employees who have received payment(s) for days withheld under the Salary Withholding Program who transfer into a negotiating unit that is still under the Salary Withholding Program, must go through the Salary Withholding Program again. (Refer to P-Bulletins 679 and 691 for transaction codes and block requirements.)

#### Separations From Service

Employees in NU 01 or 61 who separate from service after receiving the January, 1995 payment and before the June payment are entitled to payment for any remaining days due at the time of separation. That payment is reported with transaction code SALARY LSP.

#### Master File

For agencies with automated systems, the total days withheld under the Salary Withholding Program were entered in positions 749-751 of the master file. For agencies that have access to the Payroll On-Line Inquiry System, the number of days is displayed on the Salary Information screen in the VAC BB Days field. The number of days will be reduced as each payment is made. (e.g. This field will be reduced when the special payroll is run by the 3 days paid in that payroll.) The field will also be reduced for any PR-75s submitted to pay employees returning from leave or who are paid an hourly rate as long as Transaction Code PABACK LSP is used and the number of days to be paid is in a Miscellaneous Block.

#### Need Help?

Attached to this bulletin are questions and responses to help you. If you still have questions, contact Flint Warren (518) 474-2766 on eligibility or Gale Samuel (518) 474-1330 on block requirements.

Attachment

## ATTACHMENT

- Question: An employee is on leave at the time of the payment. When will the employee receive the payment?
- Response: At the time of reinstatement to the payroll.
- Question: An employee in a CSEA position in OSC transfers to a NU 01 or 61 position at Attica Correction Facility. Who will repay the employee for days withheld?
- Response: The receiving agency - Attica Correction Facility (where the employee is being appointed). If the same employee was transferred back into OSC into a CSEA position, OSC would be responsible to reimplement the Salary Withholding for this employee.
- Question: A CSEA employee transfers into a position in the Security unit in April, 1995. Is the employee entitled to the payment?
- Response: The employee is due the payment for up to 3 days upon appointment into the eligible negotiating unit. Any remaining days will be paid in June.
- Question: An employee in a CSEA position is appointed to a position in the Security negotiating unit in January, 1996. What salary is used to repay the employee for days withheld under the Salary Withholding Program?
- Response: The salary the employee is receiving upon appointment, or the actual amount that was withheld, whichever is greater.
- Question: An employee transfers from a position in the Security Unit to a PEF position in September, 1995. Does that employee go through the Salary Withholding Program again?
- Response: Yes. The employee must go through the Salary Withholding Program again.
- Question: An employee who originally had 4 days of salary withheld and was paid back 4 days is appointed into a position in a CSEA negotiating unit. How many days does the employee have withheld under the Salary Withholding Program in the new position?
- Response: The employee is to be treated as a new employee and have 5 days of salary withheld (or if the employee is part-time the days withheld would reflect that percentage).
- Question: An eligible employee who was on leave when the first payment occurs (and has not received any payment) is reinstated to an eligible position at a higher salary. At what salary should the payment be made?
- Response: The higher salary the employee is reinstated at, or the actual amount that was withheld, whichever is greater.
- Question: An eligible employee who was on leave when the payments occurred is reinstated to the payroll to a position in a NU which continued the Salary Deferral Program. Is the employee entitled to a payment?
- Response: No. Since the employee is subject to Deferral in the new position no payment will be made and the employee will not have to go through the Salary Deferral process again.