

PAYROLL BULLETIN
Office of the State Comptroller
Bureau of State Payroll Services



Payroll Bulletin No. DH-110

Subject: October 2020 District Council 37 (DC 37) Rent Regulation Services Unit Longevity Lump Sum (LLS) Payment

Date Issued: September 11, 2020

Purpose:

The purpose of this bulletin is to inform the Division of Housing and Community Renewal of OSC's automatic processing of the October 2020 DC 37 Rent Regulation Services Unit (RRSU) LLS payment and provide instructions for payments not processed automatically.

Affected Employees:

Employees in the DC 37 Rent Regulation Services Unit – BU67 in the Division of Housing and Community Renewal with an increment code of 0510, 0610, 0710, 0810, 0910, 1010, 1110, 1210, 1310, 1410, 1510 or 1000 who meet the eligibility criteria are affected.

Background:

Chapter 76 of the Laws of 2018, which implemented the 2016-2021 Agreement between the State of New York and DC 37, provides for payment of the 2020-2021 Longevity Payment effective October 2020 as a one-time, lump sum payment in the amount of \$1,500, \$3,000 **or \$4,500** (new amount implemented April 2020).

Effective Dates:

Payment is effective 10/01/2020 and will be processed in a separate paycheck dated 10/28/2020 (Administration Pay Period 14L). Due to the issues surrounding COVID-19, OSC will process this payment via Direct Deposit. For employees that do not have Direct Deposit, this payment will be processed in a separate paycheck.

Note: The distribution of the LLS Direct Deposit will be the same as an employee's regular paycheck.

Eligibility Criteria:

Employees in graded positions (Grade 001-032) and NS positions (Grade 600) which are equated to a grade (Grade 001-032) are eligible for the October 2020 DC 37 RRSU LLS payment provided the employee:

- Is Active, on a Leave With Pay or on an Unpaid Military Stipend Leave in a BU67 position on 09/30/2020; **and**

- Has a Pay Basis Code of ANN or BIW (only if the employee is on a Paid Military Stipend Leave) on 09/30/2020; **and**
- Has five (5) or more years or ten (10) or more years, or fifteen (15) or more years of continuous service* at a base annual salary equal to or greater than the Job Rate of the employee's grade (based on the 04/01/2019 Salary Schedule currently in effect) as of 09/30/2020; **and**
- Did not receive an "Unsatisfactory" evaluation on their last rating date. Employees who were not rated or not reported as "Unsatisfactory" in PayServ during the period will receive the payment.

*Continuous service, as used in determining eligibility for the LLS payment, is paid service (including part-time annual salaried service, Paid Military Leave, Paid COVID Leave and Sick Leave at Half Pay) or time on Workers' Compensation Leave or Unpaid Military Leave.

Note: If an employee first meets the five year continuous service at Job Rate criteria in October 2020, the employee becomes established and remains on the October LLS payment cycle even if the employee does not receive the October 2020 LLS payment due to an "Unsatisfactory" rating. In addition, if the employee has any subsequent time off the payroll, the increment code must be evaluated and if an update is required, the new increment code must continue to reflect payment eligibility on the October cycle.

The following employees may become eligible for the October 2020 DC 37 RRSU LLS payment upon processing of the April 2020 or October 2020 DC 37 RRSU Performance Advance which results in Job Rate:

Upward Reallocation: An employee occupying a position on 09/30/2020 that was previously upward reallocated, whose salary at the time of the reallocation was equal to or greater than the Job Rate of the lower graded position, and whose salary upon application of the April 2020 or October 2020 DC 37 RRSU Performance Advance is equal to the Job Rate of the reallocated position (based on the 04/01/2019 Salary Schedule) is entitled to the job rate credit for service in the lower grade.

- The increment code of an employee who received the April 2020 DC 37 RRSU Performance Advance that resulted in a salary equal to the Job Rate of the reallocated position was updated from 0001 to 2020.
- The increment code of an employee receiving the October 2020 DC 37 RRSU Performance Advance that results in a salary equal to the Job Rate of the reallocated position will be automatically updated from 1001 to 8810.
- The agency must evaluate the employee's Payroll Status beginning from the time of reallocation through the date of the performance advance to determine if the increment code must be updated.
 - If the Payroll Status remained Active, Leave With Pay or Leave of Absence due to a Workers' Compensation Leave or Military Leave during this period, the employee is entitled to have the increment code of the lower grade reinstated.
 - If the Payroll Status was Leave of Absence not related to a Workers' Compensation Leave or Military Leave any time during this period, the

- increment code of the lower grade must be evaluated to determine the appropriate increment code adjustment.
 - If the increment code must be updated, the agency must submit a Data Chg on the Job Action Requests page using the same effective date as the performance advance, the Reason code CIC (Chg IncCd/or AnnDt/or FIS Sal) and an increment code reflecting the appropriate job rate credit.
- If the employee's combined job rate credit equals five (5) or more years, ten (10) or more years, or fifteen (15) or more years, the employee is eligible for the October 2020 DC 37 RRSU LLS payment. This payment will not be processed automatically; the agency must submit a transaction to make the LLS payment.

Lateral Position Change from a Non-DC 37 RRSU Position Where the Employee's Salary was Equal to or Greater Than Job Rate to an DC 37 RRSU Position with a Higher Job Rate: An employee with a salary equal to or greater than the Job Rate of their salary grade, who had a lateral position change to an DC 37 RRSU position with a higher Job Rate, whose salary upon application of the April 2020 or October 2020 DC 37 RRSU Performance Advance is equal to the Job Rate in the DC 37 RRSU position is entitled to job rate credit for service in the non-DC 37 RRSU position.

- The increment code of an employee who received the April 2020 DC 37 RRSU Performance Advance that resulted in a salary equal to the Job Rate was updated from 0001 to 2020.
- The increment code of an employee receiving the October 2020 DC 37 RRSU Performance Advance that results in a salary equal to the Job Rate will be automatically updated from 1001 to 8810.
- The agency must evaluate the employee's Payroll Status beginning from the time of lateral position change through the date of the performance advance to determine if the increment code must be updated.
 - If the Payroll Status remained Active, Leave with Pay or Leave of Absence due to a Workers' Compensation Leave or Military Leave during this period, the employee is entitled to have the increment code of the prior position.
 - If the Payroll Status was Leave of Absence not related to a Workers' Compensation Leave or Military Leave any time during this period, the increment code of the prior position must be evaluated to determine the appropriate increment code adjustment.
 - If the increment code must be updated, the agency must submit a Data Chg on the Job Action Requests page using the same effective date as the performance advance, the Reason code CIC (Chg IncCd/or AnnDt/or FIS Sal) and an increment code reflecting the appropriate job rate credit.
- If the employee's combined job rate credit equals five (5) or more years, ten (10) or more years, or fifteen (15) or more years, the employee is eligible for the October 2020 DC 37 RRSU LLS payment. This payment will not be processed automatically; the agency must submit a transaction to make the LLS payment.

The following employees will become eligible for the October 2020 DC 37 RRSU LLS payment during 2020-2021:

Leave of Absence/Preferred List on 09/30/2020: An employee who otherwise qualifies for the October 2020 DC 37 RRSU LLS payment but is on an approved leave of Absence (including Workers' Compensation Leave or Unpaid Military Leave) or is on a preferred list on 09/30/2020 becomes eligible if they return to the payroll or are appointed to an eligible position between 10/01/2020 and 09/30/2021. There is no minimum service requirement following the employee's return to active payroll status.

Demotions after 09/30/2020: An employee who is not eligible for the October 2020 DC 37 RRSU LLS payment on 09/30/2020 becomes eligible if the employee returns to a lower graded position between 10/01/2020 and 09/30/2021, provided the employee:

- Otherwise would have been eligible if the employee had been in the lower graded position on 09/30/2020 and remains in the lower graded position for at least six (6) full pay periods; **and**
- The promotion was temporary and the employee has been reinstated to their previous position or has been appointed to another lower graded qualifying position; **or**
- The promotion was permanent, but the demotion occurred:
 - in lieu of layoff; **or**
 - voluntarily during the probationary period; **or**
 - as a result of failure of the probationary period.

Note: An employee demoted as a result of a disciplinary action or who takes a voluntary demotion from a permanent position after the completion of the probationary period in the higher grade is **not eligible** for an LLS payment in the lower grade.

For instructions on submitting transactions to make the October 2020 DC 37 RRSU LLS payment, see *Agency Action – Payments Not Processed Automatically*.

Control-D Report Available Prior to Processing:

Prior to the automatic processing of the October 2020 DC 37 RRSU LLS payment, the following Control-D report will be available for agency use:

NPAY756 – Longevity Lump Sum (LLS) Eligibility Listing

This report is a preliminary listing of employees who appear eligible for the October 2020 LLS payment based on information available as of the date the report is produced. Please note the projected LLS payment amount for employees on COVID Leave may not be correct. The report was created on 09/03/2020 and is currently available.

Agencies should review the listing carefully paying particular attention to the following:

- Employees who appear on the listing but are ineligible due to an “Unsatisfactory” evaluation on their last rating date.
- The ‘LAST LLS Date’ and ‘PMT AMT’ fields, if applicable. If the employee received an LLS payment after October 2020, ensure it represents an October 2020 payment and not a prior April payment. If the payment represents an April LLS payment, the agency must review the employee’s increment code and if necessary, contact OSC using the Payroll Earnings mailbox to request assistance in determining the appropriate action.

The following corrections to the preliminary listing should be submitted on the [Correction Sheet](#). The form may be duplicated if additional copies are needed.

- Add employees who do not appear on the listing, such as:
 - Eligible employees in NS positions where the equated grade does not appear on the Position Data page. Agencies must submit documentation supporting the salary equation with the [Correction Sheet](#).
 - Eligible employees who are in a composite position (identified by Increment Code 2222) even though the agency must submit a transaction to make the payment.
- Delete employees who should not appear on the listing, such as:
 - Employees with an “Unsatisfactory” evaluation on their last rating date. In addition, in order to prevent the payment, the agency must submit a Data Chg on the Job Action Requests page using the employee’s last rating date as the effective date, the Reason code USP (Unsat Perf) and an increment code of 7777 in the Incr. Code field.
- Identify employees appearing on the listing who have incorrect information appearing in PayServ affecting their eligibility for the LLS payment. In addition, the agency must submit the appropriate transaction to correct the information.

Do **not** add or delete employees whose eligibility will change due to transactions that will be processed prior to or in Administration Pay Period 13L or Institution Pay Period 14L. In addition, do not submit Correction Sheets relating to the LLS calculations for employees on COVID Leave.

[Correction Sheets](#) should be submitted as soon as possible but must be received **no later than 10/01/2020**. Please email the completed Correction Sheets to the Payroll Earnings mailbox or fax to (518) 402-4949. If using fax, please send an email stating that the Correction Sheet has been fax to the Payroll Earnings mailbox with the Department ID and ‘LLS Correction Sheet’ in the Subject line.

OSC Actions: Automatic Processing

OSC will process the October 2020 DC 37 RRSU LLS payment for those employees who meet the eligibility criteria by inserting a row on the employee’s Additional Pay page as shown below. The payment amount is \$1,500 for employees with five (5) or more years of continuous service (identified by Increment Code 1110, 1210, 1310, 1410, 1510) or \$3,000 for employees with ten (10) or more years of continuous service (identified by Increment Code 0610, 0710, 0810, 0910, 1010), or \$4,500 for employees with fifteen (15) or more years of continuous service (identified by Increment Code 0510 and 1000), or a prorated amount.

- Employees who are on a Voluntary Reduction in Work Schedule (VRWS) on 09/30/2020 receive the full LLS payment amount based on the employee's increment code. Agencies must verify that the Full/Part field on the Job Data/Job Information page is 'Voluntary'.
- Employees who are on a Leave with Pay with an Action/Reason code of Paid Leave of Absence/SKL (Sick Lv), Paid Leave of Absence/19P (FEPSLA PD LV PARTIAL), or Paid Leave of Absence/FMC (EFMLA PD LV COVID 19) on 09/30/2020 receive an amount based on the employee's increment code and percentage. The full LLS payment amount based on the employee's increment code is multiplied by the employee's Empl Work Percent on the Job Data/Job Information page prior to the leave.
- All other employees (including employees on a Leave With Pay, COVID Leave Full Pay, Paid Military Stipend Leave and Unpaid Military Stipend Leave) receive an amount based on the employee's increment code and percentage in effect on 09/30/2020. The full LLS payment amount based on the employee's increment code is multiplied by the employee's Empl Work Percent on the Job Data/Job Information page in effect on 09/30/2020.

Note: Increment Code 1000 is used to indicate job rate credit of a minimum of 15 years (October 2004 or earlier including pre-PayServ) for employees established on the October LLS payment cycle in a prior position at the time of appointment to a lower graded position to allow payment to continue on that payment cycle. This increment code is used for employees in bargaining units designated CSEA or DC 37 RRSU (Rent Regulations Services Unit) only.

In October 2020, we are unable to use increment 2010 to represent job rate as of October 2020. This would appear to be the year April 2010 increment code. Increment code 8810 has been created for those employees whose salary is job rate upon the processing of the October 2020 performance advance or whose increment code is adjusted to reflect the October 2020 cycle upon a return from leave, rehire or other reinstatement. Refer to Bulletin 1844 – New Increment Code Representing Job Rate Status for the October 2020 Cycle.

The Additional Pay page will be populated for eligible employees with the following information:

Earnings Code:	LLS
Effective Date	10/01/2020
OT Eff Date:	10/01/2020
Annual Addl Earnings:	\$1500 or prorated amount (Increment Codes 1110, 1210, 1310, 1410, 1510) \$3000 or prorated amount (Increment Codes 0610, 0710, 0810, 0910, 1010) \$4500 or prorated amount

	(Increment Codes 0510 and 1000)
End Date:	09/30/2021

Agency Actions: Payments Not Processed Automatically

The agency must submit transactions to make the October 2020 DC 37 RRSU LLS payment to the following employees:

- **Increment Code 2222 on 09/30/2020:** The agency must submit transactions for eligible employees who are in a composite position on 09/30/2020. Transactions should be submitted beginning in Administration Pay Period 14L; the effective date of the LLS payment should be 10/01/2020. The LLS payment amount should be calculated as explained in *OSC Actions – Automatic Processing* and based on the increment code of the employee's qualifying position (noted in General Comments) and the percentage attributed to such position on 09/30/2020. Information regarding the composite position must be included on the General Comments page.
- **Upward Reallocation:** The agency must submit transactions for eligible employees whose position on 09/30/2020 was previously upward reallocated and whose salary upon application of the April 2020 or October 2020 RRSU Performance Advance is equal to the Job Rate of the reallocated position (based on the 04/01/2019 Salary Schedule) as explained above. Transactions should be submitted in Administration Pay Period 15L; the effective date of the LLS payment should be 10/01/2020. The LLS payment amount should be calculated as explained in *OSC Actions – Automatic Processing* and based on the employee's adjusted increment code indicating job rate credit.
- **Lateral Position Change:** The agency must submit transactions for eligible employees with a salary equal to or greater than the Job Rate in a non-DC 37 RRSU position, who had a lateral position change to a DC 37 RRSU position with a higher Job Rate and whose salary upon application of the April 2020 or October 2020 DC 37 RRSU Performance Advance is equal to the Job Rate in the DC 37 RRSU position (based on the 04/01/2019 Salary Schedule) as explained above. Transactions should be submitted beginning in Administration Pay Period 15L; the effective date of the LLS payment should be 10/01/2020. The LLS payment amount should be calculated as explained in *OSC Action – Automatic Processing* and based on the employee's adjusted increment code indicating job rate credit.
- **Leave of Absence on 09/30/2020** The agency must submit transactions for employees who are otherwise eligible on 09/30/2020 to receive the payment but whose Payroll Status is Leave of Absence (except those on Unpaid Military Stipend Leave) and who return from such leave between 10/01/2020 and 09/30/2021 as explained above. Transactions should be submitted in the pay period the return from leave is processed; the effective date of the LLS payment should be the same as the Return from Leave effective date.

The LLS payment amount should be calculated as explained in *OSC Action – Automatic Processing*. Note: The employee's increment code may need to be adjusted as a result of the leave of absence on 09/30/2019 and could impact the employee's October 2020 DC 37 RRSU LLS eligibility.

- **Preferred List on 09/30/2020:** The agency must submit transactions for employees who are otherwise eligible on 09/30/2020 to receive the payment but who are on a preferred list and who are appointed to an eligible position between 10/01/2020 and 09/30/2021 as explained above. Transactions should be submitted in the pay period the appointment is processed; the effective date of the LLS payment should be the same as the appointment effective date. The LLS payment amount should be calculated as explained in *OSC Action – Automatic Processing* and based on the percentage associated with the eligible position. . Note: The employee's increment code may need to be adjusted as a result of the leave of absence on 09/30/2020 and could impact the employee's October 2020 DC 37 RRSU LLS eligibility.
- **Demotions after 09/30/2020:** The agency must submit transactions for employees who are ineligible for the payment on 09/30/2020 and become eligible on or before 09/30/2021 due to a demotion as explained above. Transactions should be submitted after the employee completes six (6) full pay periods in the lower grade. The effective date of the LLS payment should be the same as the effective date of the demotion. The LLS payment should be calculated as explained in *OSC Actions – Automatic Processing* and based on information on the date of the demotion. Information regarding the reason the demotion occurred must be included on the General Comments page.

Submitting Payment

To make the October 2020 DC 37 RRSU LLS payment to eligible employees who were not processed automatically, the agency must submit the following information on the Additional Pay page using Earnings Code LLS:

Earnings Code:	LLS
Effective Date:	As defined above
OT Eff Date:	Same as Effective Date
Annual Addl Earnings:	\$1500 or prorated amount (Increment Codes 1110, 1210, 1310, 1410, 1510) \$3000 or prorated amount (Increment Codes 0610, 0710, 0810, 0910, 1010) \$4500 or prorated amount (Increment Codes 0510 and 1000)
End Date:	09/30/2021 OR the last date the employee is in an eligible

	position (see <i>Overtime Calculation Information</i>)
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Increment Code Correction

If the employee did not receive an automatic October 2020 DC 37 RRSU LLS payment due to an incorrect increment code, in addition to submitting the LLS payment, the agency must submit a Data Chg on the Job Action Requests page using the Reason code CIC (Chg IncCd/or AnnDt/or FIS Sal) and the appropriate increment code in the Incr. Code field.

In addition, if an employee received an “Unsatisfactory” evaluation on their last rating date and the increment code was changed to 7777, the prior increment code must be reinstated after processing of the October 2020 DC 37 RRSU LLS payment is complete. Beginning in Administration Pay Period 15L, the agency must submit a Data Chg on the Job Action Requests page effective 10/01/2020, using the Reason code CIC (Chg IncCd/or AnnDt/or FIS Sal) and the employee's prior increment code in the Incr. Code field.

Control-D Reports Available After Processing:

After the automatic processing of the October 2020 DC 37 RRSU LLS payment is completed, the following Control-D report will be available for agency use.

NPAY770 – One Time Payment Report

This report identifies all employees who received the October 2020 LLS payment effective 10/01/2020.

Overtime Calculation Information:

The LLS payment is included in the calculation of overtime compensation (refer to the Online Payroll Manual accessed from the PayServ Bulletin Board – Payroll Manuals > Earnings Manual > Time Entry Payments > Overtime Compensation).

The October 2020 DC 37 LLS payment will be included in the calculation of overtime earned from the OT Eff Date through the End Date on the employee's Additional Pay page for Earnings Code LLS.

Overtime Paid in Pay Period 14L Administration

If the October 2020 DC 37 RRSU LLS payment is different than the prior year, in order for Overtime to calculate correctly, agencies must submit overtime payments through the Time Entry page using the following dates:

Pay Period	2019-2020 LLS OT Effective Dates	2020-2021 LLS OT Effective Dates
Administration 14L	N/A	10/1/2020–10/14/2020

If an employee is appointed to an ineligible position (including a position which results in a salary below the Job Rate of the grade of the new position) effective after receiving the October 2020 DC 37 RRSU LLS payment, the payment cannot be included in the compensation calculation of any overtime earned after the date of appointment. Therefore, agencies must insert a row on the Additional Pay page at the Effective Date level of Earnings Code LLS and enter the following information.

Effective Date:	Last date in eligible position (date prior to appointment)
OT Eff Date:	Same as original OT Eff Date
Annual Addl Earnings:	Same as original amount (populates automatically)
End Date:	Same as Effective Date
Goal Balance:	Same as Annual Addl Earnings (to prevent making another payment)

Retirement and Deduction Information:

The LLS payment is included as salary for retirement purposes. Deductions will be taken from the LLS payment for normal retirement contributions, garnishments and federal levies.

Tax Information:

The LLS payment is supplemental taxable income, will be added to the employee's taxable gross wages for tax withholding purposes, and is subject to employment taxes and income taxes.

Federal, State and New York City income tax withholding will be calculated using the Aggregate method. Yonkers income tax withholding will be calculated using the Flat Rate method. Yonkers Flat Rate Withholding is 1.61135% for Yonkers residents and 0.50% for Yonkers non-residents.

Payroll Register and Employee's Paycheck/Advice:

The Earnings Code **LLS** and the amount paid will be displayed on the Payroll Register. The Earnings Description **Longevity LSP** and the amount paid will appear on the employee's paycheck stub and direct deposit advice (if applicable).

This payment will be made in a separate check or direct deposit regardless of when it is paid. The payment will be issued with the employee's regular paycheck or direct deposit advice based on information for that check date. Agencies should verify the employee's mailing address is up-to-date.

Note: If the employee has direct deposit, the direct deposit distribution will be the same as the employee's regular paycheck. For example, if an employee has \$200 deposited into a loan account and the remainder going into a balance account, the same distribution will be applied.

Undeliverable Checks:

When a valid payroll check is undeliverable due to the agency's inability to locate the employee, the agency should follow the Agency Actions identified in [Payroll Bulletin No. 1786 Non-negotiated and/or Undeliverable New York State Payroll Checks](#).

Checks issued to eligible employees who are now deceased should be returned with a completed Next of Kin Affidavit ([Form AC 934-P](#)), original Death Certificate, and a Report of Check Exchange ([Form AC 1476-P](#)). If a Next of Kin Affidavit has been previously submitted for a deceased employee's payroll check, OSC will accept a photocopy of this form along with a new Report of Check Exchange.

Questions:

Questions regarding eligibility and payment information may be directed to the Payroll Earnings mailbox.

Questions regarding deductions and retirement may be directed to the Payroll Deduction mailbox.

Questions regarding retirement may be directed to the Payroll Retirement mailbox.

Questions regarding withholding taxes may be directed to the Tax and Compliance mailbox.