

NEW YORK STATE
OFFICE OF THE STATE COMPTROLLER

DIVISION OF AUDITS AND ACCOUNTS

BULLETIN NO. P-108

July 21, 1975

ATTENTION: Payroll and Personnel Officers - All Department and Agencies

SUBJECT: Payroll Deductions for Disciplinary Fines

Payroll deductions for disciplinary fines imposed under the provisions of Sections 75 and 76 of the Civil Service Law currently are initiated and controlled by the Department of Audit and Control, subject to official written notification from the payroll agency. Effective with implementation of Audit and Control's new payroll system, to be conducted on a gradual basis from August through November of this year, it will become the agencies' responsibility to initiate and control deductions for disciplinary fines.

Deductions for disciplinary fines are controlled by Payroll Deduction form AC 1040; form PR 75 is not used for this purpose. Detailed instructions for completion of form AC 1040 for fines are contained in Part IV, Chapter F, Section 5 of the Agency Payroll Manual. It should be noted that the new payroll system allows disciplinary fines to be deducted in equal installments over multiple payroll periods, with the deduction being cancelled automatically when the full amount has been collected.

In addition to submitting form AC 1040 to start the deduction for disciplinary fines, it also will be an agency responsibility to verify that the deductions actually were taken and to control to the total amount of the fine. If an employee with an unpaid fine amount transfers to a new agency, it will be necessary to notify that agency of the original fine amount and the amount outstanding so that a new deduction may be started. A copy of the official notice of disciplinary fine also should be provided.

Agency responsibility for controlling disciplinary fines generally relates to deductions which are begun after the agency is converted to the new payroll system. Fines which are in effect at the time of conversion will continue to be the responsibility of the Department of Audit and Control until the full amount has been collected or until the end of the fiscal year, whichever ever occurs first.

Control of such fine deductions still in progress on April 1, 1976 will be turned over to the agencies by means of a written notification including the employee's name and line item number, the original fine amount and the outstanding balance.

Should a refund be required, submit a letter to the Department of Audit and Control, Bureau of Payroll Audit, Deduction Section, stating the employee's name and line item number, the original fine amount, the total amount collected to date, the amount to be refunded and the reason for refund. Also attach a copy of the official notice of disciplinary fine.

This bulletin does not apply to strike fines mandated under Section 210 of the Civil Service Law. Strike fines, also referred to in Part IV, Chapter F, Section 5, of the Agency Payroll Manual are a unique occurrence. Deductions for strike fines, should they be necessary, will be specifically directed by the Department of Audit and Control and the Office of Employee Relations.