

NEW YORK STATE
OFFICE OF THE STATE COMPTROLLER

DIVISION OF AUDITS AND ACCOUNTS

BULLETIN NO. P-248

February 3, 1981

To : All State Departments and Agencies

Subject: Changes in Salary Determination for Certain State Employees

The following changes in salary determination affecting certain groups of State employees have been made effective on the dates indicated.

1979 and 1980 PERFORMANCE ADVANCES FOR EMPLOYEES IN THE PROFESSIONAL,
SCIENTIFIC AND TECHNICAL SERVICES NEGOTIATING UNIT (NU 05)

An amendment to the agreement between the State and the Public Employees Federation regarding payment of performance advances for 1979 and 1980 provides for two changes to the original instructions.

1. Performance advances effective July 1, 1979 are to be paid based upon a satisfactory rating for the 1978 calendar year; the requirement that the employee must also have received a satisfactory rating for 1979 has been eliminated. Therefore, any employee who was rated satisfactory for 1978 who did not receive the 1979 performance advances as a result of an Unsatisfactory rating for 1979 is entitled to an adjustment in salary.

2. Employees eligible for performance advances for 1979 and/or 1980 who retired, died or were laid off prior to June 24, 1980 are entitled to receive a retroactive payment.

Each agency is responsible for identifying employees entitled to adjustments under these provisions and PR-75's must be submitted to make the payments.

ADJUSTMENT OF SALARIES OF EMPLOYEES IN THE ADMINISTRATIVE (02), OPERATIONAL (03),
INSTITUTIONAL (04), SECURITY (01) AND SECURITY SUPERVISORS (61) NEGOTATING UNITS
AND MANAGEMENT/CONFIDENTIAL EMPLOYEES (06, 46, 47, 66) WHO ARE APPOINTED OR
PROMOTED TO A HIGHER GRADE POSITION

Due to inequities in salary which occur when employees are appointed or promoted to higher graded positions prior to the time they would be eligible to receive a performance advance in the lower grade, the Budget Director's Rules and Regulations have been amended to provide for adjustment of salaries of employees who are promoted.

Effective on July 1, 1979, all employees who are appointed or promoted to a higher grade before receiving their next performance advance in the lower grade, and who have not received an advancement in the higher grade, are entitled to a reconstructed promotion salary reflecting the performance advance in the lower grade they would have received. The new salary is effective on the date the performance advance in the lower grade would have been received. Employees appointed to Trainee positions are not covered by this Bulletin.

(This procedure has already been implemented for employees in the professional, scientific, and technical unit (05), since it was included in the original Rules and Regulations as described in Payroll Bulletin P-235, issued August 25, 1980.)

This provision of the Rules and Regulations is applied as follows for the various bargaining units.

a. Security and security supervisors units (01 and 61)

An employee who is appointed or promoted between positions in these units who will not have sufficient service to qualify for a performance advance in the higher grade on April 1 is entitled to a reconstructed promotion salary effective on April 1.

For example, a promotion from grade 109 to grade 112

grade 109 4/1/79 salary	\$10,748	
July 1979 Perf Adv	+607	
	<u>11,355</u>	
Promote to grade 112 1/10/80 (6%)	+682	
	<u>12,037</u>	1/10/80 grade 112 salary

Reconstruction for performance advance in grade 109 on April 1, 1980

grade 109	\$11,355	
4/1/80 perf adv of		
grade 109 (partial)	+580	
	<u>11,935</u>	
Promote to grade 112 (6%)	+717	
	<u>12,652</u>	new 4/1/80 grade 112 salary (payable from Period 1)

This employee will be eligible for the first performance advance in grade 112 on 4/1/81.

b. Administrative, Operational and Institutional Units (02, 03 and 04)

An employee who is appointed or promoted between positions in these units, who has not received a performance advance in the higher grade, is entitled to a reconstructed promotion salary effective on the date the employee would have completed a year of service in the lower grade from the date of appointment or from the date the last performance advance was received, whichever is later. Six-month (expedited) performance advances can not be given under this rule. Also, if an employee receives a six-month performance advance in the higher grade prior to the time he/she would complete the year in the lower grade, the employee is not entitled to salary reconstruction.

For example, a promotion from grade 003 to grade 005

grade 003 4/1/79 salary	\$7,195
July 1979 Perf Adv	+450
	<u>7,645</u>
Promote to grade 005 1/3/80 (4.5%)	+345
	<u>7,990</u> 1/3/80 grade 005 salary

Reconstruction for performance advance in grade 003 on April 1, 1980

grade 003	\$7,645
4/1/80 performance advance of grade 003	+450
	<u>8,095</u>
Promote to grade 005 (4.5%)	+365
	<u>8,460</u> new 4/1/80 grade 005 salary (payable from Period 1)

This employee will be eligible to receive an annual (final) rating in grade 005 in January, 1981.

c. Management/confidential employees (06, 46, 47, 66)

An employee who is appointed or promoted between positions in these units who has not received a performance advance in the higher grade is entitled to a reconstructed promotion salary effective on the date that the employee would have received a performance advance in the lower grade. For an employee whose advance in the lower grade is other than a fixed dollar amount, the agency in which the employee served in the lower grade must determine the amount of the performance advance.

For example, a promotion from grade 623 to grade 661

grade 623 4/1/79 salary	\$22,171
July 1979 Perf Adv	+1,200
	<u>23,371</u>
Promote to grade 661 2/14/80 (3%)	+702
	<u>24,073</u> 2/14/80 grade 661 salary

Reconstruction for performance advance in grade 623 on April 1, 1980

grade 623	\$23,371
4/1/80 perf adv in grade 623	+1,200
	<u>24,571</u>
Promote to grade 661 (3%)	+738
	<u>25,309</u> new 4/1/80 grade 661 salary (payable from Period 1)

This employee would have been eligible to be rated for a performance advance in grade 661 in August, 1980.

d. Employees promoted between bargaining units

An employee who is appointed or promoted from a position in one bargaining unit to a higher position in another bargaining unit who has not received a performance advance in the higher grade is entitled to receive a reconstructed promotion salary based upon the rules for advancement in the lower grade position.

For example, a promotion from grade 012 (CSEA) to grade 013 (PS&T)

grade 012 (CSEA) appointed 5/10/79 \$11,695

Promote to grade 013 (PS&T)
4/24/80 (hiring rate) 12,395 4/24/80 grade 013 salary

Reconstruction

grade 012 \$11,695
5/10/80 performance advance
for grade 012 (CSEA) +675
12,370

Promote to grade 013 (PS&T) (3%) +372
12,742 new grade 013 salary
(payable from 5/22/80, the
date performance advance
in former CSEA position
would have been paid)

This employee will be eligible for consideration for a performance advance in grade 013 under the rules to be established for employees in the PS&T unit.

Each agency is responsible for identifying employees who have been promoted since July 1, 1979 and who are eligible for an adjustment in salary under these procedures. PR-75's must be submitted to report the adjustments and pay any retroactive adjustment due.

In reporting these transactions, be sure to recompute the employee's salary to reflect all changes in salary (under general salary increases and subsequent Perf Advances) since the effective date of the reconstructed promotion salary. Show each salary in the Remarks block of the PR-75. The transaction code and the transaction effective date to be entered on the PR-75 should reflect the latest change in salary. In most cases, this will be either COR FY SAL (if the latest change was a general salary increase) or COR SAL (if the latest salary change is after the general salary increase).

ADJUSTMENT OF SALARY UPON MOVEMENT BETWEEN NEGOTIATING UNITS

Section 19 of Chapter 474 of the Laws of 1980 provides that when an employee moves from one negotiating unit to another or to or from a management/confidential position during the period from April 1, 1980 to March 31, 1982 the employee's salary will be recomputed effective on the date of appointment to the new position, to provide the employee with the general salary increases to which he/she would have been entitled had he/she been in the new unit from April 1, 1980. This recomputation does not affect any performance advances that an employee had received in the previous position(s).

The employee will also be entitled to receive any subsequent lump sum payment to which he or she is entitled as a result of service in a negotiating unit for which a lump sum payment is authorized. These provisions apply to all employees in any unit regardless of title or pay basis code.

For example (1) a promotion from grade 022 (PS&T) to grade 661 on 10/23/80

grade 022 (PS&T) 4/1/80 salary (Job Rate)	\$23,620
10/1/80 7% PS&T Salary Increase (rounded to next higher five dollar amount)	<u>+1,654</u> 25,275

Reconstruction upon promotion

grade 022 salary prior to 10/1/80 salary increase promote to 661 (4½%)	\$23,620 <u>+1,063</u> 24,683
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M/C 3½% salary increase for July 1980	<u>+864</u> 25,547	10/23/80 grade 661 salary
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M/C 3.38% salary increase for January 1981	<u>+864</u> 26,411	1/1/81 grade 661 salary
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This employee will be eligible to receive a lump sum payment for the period 10/23/80 to 12/31/80.

(2) a promotion from grade 014 (PS&T) to grade 018 (PS&T) on 9/27/79 and a lateral transfer to 618 on 10/9/80

grade 014 (PS&T) 4/1/79 salary promote to 018 (PS&T) 9/27/79 (7½%)	\$15,329 <u>+1,150</u> 16,479	
July, 1980 grade 018 Perf Adv	<u>+952</u> 17,431	
October, 1980 7% salary increase (rounded to next higher five dollars)	<u>+1,221</u> 18,655	10/1/80 PS&T salary

Recomputation upon lateral transfer on 10/9/80

grade 018 salary prior to 10/1/80 salary increase add M/C 3½% salary increase for July, 1980	\$17,431 <u>+611</u> 18,042	10/9/80 grade 618 salary
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M/C 3.38% salary increase for January 1981	<u>+610</u> 18,652	1/1/81 grade 618 salary
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This employee's PS&T performance advance in grade 018 on July 1, 1980 does not change. The employee will be eligible for a lump sum payment for the period between 10/9/80 and 12/31/80. The employee is not eligible to be rated for a performance advance in grade 618 on January 1, 1981 since he/she received a full performance advance equivalent to the Management/Confidential Schedule A amount on July 1, 1980.

The Department of Audit and Control has been applying this rule to all transactions submitted for employees who have moved between bargaining units.

Where an employee moves between negotiating units or management/confidential positions when the raises granted to date are equal, it is not necessary to recalculate the employee's salary. For example, effective on January 1, 1981, employees in PS&T and management/confidential employees have all received a total of 7% for the fiscal year 1980-81. It is not necessary to do a recalculation for 1980-81 for movement between these positions after that date. After April 1, 1981, when employees in all units have received a total of 7% for fiscal year 1980-81, it will only be necessary to recalculate for raises effective in 1981-82.

Should you require assistance in determining correct salary entitlement contact the Salary Determination Unit on 474-1248 or 474-3564.