

PAYROLL USERS GROUP NEWS

July/August 2022

Issue No. 21

Issue Date: August 30, 2022

WELCOME

From Wil Tomlin
Director of State Payroll Services

Welcome to the July/August edition of the PUG Newsletter

I hope that you're having a good summer. State Payroll Services has remained very busy keeping up with State initiatives to combat staffing shortages. This has run the gambit from increased data requests, vendor changes, new and/or modifications to compensation differentials and the creation of new payments. Additionally, we have finalized the payment dates for processing the bargaining units that have recently settled. Please refer to the PayServ Bulletin Board for dates. The associated Payroll Bulletins will be issued as soon as possible.

Additionally, OSC has begun preparing materials and presentations for this year's Fall Conference scheduled for the last week of October and first week of November. It will be held virtually again this year and we are looking forward to presenting our information to you. More news on that will be coming as we get closer. For now, enjoy the rest of the summer and good luck to those of you impacted by the start of the new school year!

Thank you for all your efforts!
Wil

IN THIS ISSUE:

- What's New
- Section Updates
- Payroll Bulletins
- Cancellations
- Contacts



WHAT'S NEW

DIRECT DEPOSIT STUBS

OSC will continue to mail Direct Deposit stubs directly to all employees in an effort to reduce handling and employee interactions. Please encourage your employees to opt out of receiving paper advice statements and instead access their statements via NYSPO.

If agencies have any questions regarding paper pay checks, these should be directed to the Division of Treasury.

EXTENDED PAYSERV HOURS

Please refer to the PayServ Bulletin Board for updates to PayServ access.

PAYROLL SERVICES DIRECTORY

OSC publishes a Payroll Services Directory on the PayServ Bulletin Board that explains the functions of each unit within the Bureau of State Payroll Services and provides contact information for each unit. Agencies should consult this Directory to determine where questions should be directed before reaching out to OSC for assistance. Thank you for your cooperation.

UPCOMING DEADLINES

2022-2023 Agency Submission Schedule

Note: OSC State Payroll Services has accelerated the Confirm schedule on Wednesdays each week. This means Certification issues that warrant direct deposit disables will need to be fixed no later than 10:00 am instead of the typical 1:00pm on Wednesdays.

Payroll Calendars

The [April 2022 – April 2023 Payroll Calendars](#) are available on the OSC website.

GENERAL INFORMATION

In order to protect employee's personal information, Social Security numbers must **NEVER** be included in emails. If a Social Security number is included in a screen shot, agencies must redact/blackout the number before sending.

BULLETIN BOARD MESSAGES

08/30/2022 - Retroactive Raise Processing: The Bureau of State Payroll Services has scheduled processing of the retroactive salary increases listed below. Payroll Bulletins will be released as soon as possible with additional processing information. As a result of the large amount of programming due to the complexity and/or volume, testing, and manual work effort, these bargaining units cannot be processed simultaneously.

<u>Bargaining Unit</u>	<u>Salary Increase</u>	<u>Check Dates</u>
CSEA - 02, 03, 04, 47	2021 and 2022	10/06/2022 (Inst), 10/12/2022 (Admin)
SCF CSEA- 97	2021 and 2022	10/12/2022 (Admin)
Council 82 - 61, 91	2016 - 2022	11/09/2022 (Admin), 11/17/2022 (Inst)

Removal Date: 11/18/2022

DIRECT DEPOSIT FRAUD ALERT: State Payroll Services has been made aware of recent increases of fraudulent direct deposit forms submitted to agency payroll offices by fax or fraudulent e-mail accounts. Upon receipt of a direct deposit request, agencies should verify all required information including the employee's name, work phone number and NYS Employee ID is present on the direct deposit form. Agencies should continue to contact the employee to verify they submitted the request before entering the transaction in PayServ. Agencies should not use the provided email address or phone number from the submitted form to verify this information as it may be fraudulent. These measures will help ensure the employee's earnings are not deposited into a fraudulent account. For steps to avoid Direct Deposit fraud see Payroll Bulletin 1842, questions regarding direct deposit practices may be directed to the DDRReturnsAndReversals@osc.ny.gov.

Removal Date: None

08/18/2022 - 2021 and 2022 Workers' Compensation Clean Ups - OSC will be processing Workers' Comp Clean Ups to correct taxes for employees with late changes to their 2021 and 2022 Workers' Comp leaves. Agencies are asked to enter any outstanding 2021 and 2022 Workers' Compensation leaves or Correct History requests by COB Friday, 09/02/2022. Questions can be directed to WorkersComp@osc.ny.gov.

Removal Date: 10/06/2022

08/12/2022 - Health Care and Mental Hygiene Worker Bonus Program - The New York State Health Care and Mental Hygiene Worker Bonus Program information provided on the NYS Department of Health website pertains solely to individuals employed in the private sector. Specifics regarding the implementation of this program for individuals employed by New York State are still being developed by the New York State Division of the Budget. Additional information will be provided when available.

Removal Date: 09/30/2022

08/09/2022 - Early Cutoff - The following pay period will be processed on an accelerated schedule due to the Labor Day Holiday:

Administration 11Lag/12 Current

The **Automated Interface Cutoff** is scheduled for **Monday, August 29, 2022**.

The **On-Line Transactions Cutoff** is scheduled for **Tuesday, August 30, 2022**.

The **Time Entry Cutoff** is scheduled for **Tuesday, August 30, 2022**.

Please refer to Payroll Bulletin No. 2000 *Schedule for Agency Payroll Submission and Availability of Reports and Files*, issued February 11, 2022 (updated March 24, 2022) for more information on this and future accelerated schedules.

Removal Date: 09/06/2022

08/03/2022 - Corrected W-2s - OSC has issued Corrected W-2s (Batches 2147-2151). These W-2Cs are for 2020-2021 and relate to SS/Med Refunds, IRS Notices, and Non-Cash. Agencies must immediately begin to review Control-D report NTAX722 (Agency W-2c report), identify employees due a FICA refund and obtain a completed and signed Form AC3206 (Prior Year Social Security and Medicare Tax Refund Certification) from each employee identified. **Agencies are reminded that if they do not see an NTAX722 report for their agency, then, for the identified batches, there were no corrected W-2s that impact dollar amounts issued for their employees.** Agencies must record receipt of the completed and signed AC3206 in PayServ no later than September 16, 2022. *Please do not submit Form AC3206 to OSC.*

Removal Date: 09/23/2022

07/27/2022 - Management/Confidential Salary Increases - The NYS Division of the Budget has issued Budget Bulletin D-1146 providing guidelines for payment of the FY 2021-2022 and FY 2022-2023 2% salary increases to eligible Management/Confidential (M/C) employees authorized pursuant to Part B of Chapter 361 of the Laws of 2022. These increases will be processed for employees in Bargaining Units 06 - Management Confidential, 18 - Division of State Police, 46 - Division of Military and Naval Affairs, 66 - Public Employment Relations Board, 78 - Tug Hill Commission, 79 - Legislative Commissions, 96 - SUNY Construction Fund, and 98 - Temporary State Commissions (pending the IOLA Board of Trustees Resolution) in the Administration check date 08/31/2022 and the Institution check date 09/08/2022. The Bureau of State Payroll Services will issue a Payroll Bulletin with additional processing information.

Removal Date: 09/09/2022

07/14/2022 - Agency Action Required: The Division of the Budget has provided the Office of the State Comptroller, Bureau of State Payroll Services with approval for several new or increased Geographic Pay Differentials. While these transactions have been approved by Civil Service and appear on the Special Salary Treatment Search Engine, agencies

must enter the corresponding transactions for eligible employees in the NYS Payroll System in order to effectuate the payment.

In addition, the Division of the Budget has also approved a \$35,000 pay increase in base annual salary for certain titles allocated to salary grade M-8 or 38 effective 05/26/2022 (Administration) or 06/02/2022 (Institution). For eligibility criteria and questions regarding DOB provided information, please contact your DOB examiner. Agencies must enter transactions for these eligible employees on the Job Action Request page using Action/Reason of PAY/Sal Incr in the NYS Payroll System in order to implement the increase. **Removal Date: TBD**

07/11/2022 - Corrected W-2s - OSC has issued Corrected W-2s (Batches 2127-2146). These W-2C's are for 2018-2021 and relate to NRA, SS/Med Refunds, IRS Notices, Deficiencies, State and Local Adjustments, Non-Cash, General/Misc, and Workers' Compensation. Agencies must immediately begin to review Control-D report NTAX722 (Agency W-2c report), identify employees due a FICA refund and obtain a completed and signed Form AC3206 (Prior Year Social Security and Medicare Tax Refund Certification) from each employee identified. **Agencies are reminded that if they do not see a NTAX722 report for their agency, then, for the identified batches, there were no corrected W-2s that impact dollar amounts issued for their employees.** Agencies must record receipt of the completed and signed AC3206 in PayServ no later than August 24, 2022. *Please do not submit Form AC3206 to OSC.*

Removal Date: 08/31/2022

07/06/2022 - Geographic Pay Differentials - The Division of the Budget has provided the Office of the State Comptroller, Bureau of State Payroll Services with approval for several new or increased Geographic Pay Differentials. While these transactions have been approved by Civil Service and appear on the Special Salary Treatment Search Engine, agencies must enter the corresponding transactions for eligible employees in the NYS Payroll System to effectuate the payment.

Removal Date: TBD

EARNINGS

- Please join us in welcoming Alisia Franke, Matthew Neeley and Sarah Camuglia. Alisia, Matt and Sarah are all Payroll Specialist 1s who joined the Earnings Audit team in June 2022. Welcome all!
- **Lost Time Recovery:**
 - When all lost time entered in a pay period cannot be recovered in full because the employee does not have enough positive earns to recover the full sum of the negative lost time, OSC must adjust the amount of lost time taken. When this situation occurs, the adjustment to the Lost Time will appear on the Agency Correction Sheet Control-D Report (NPAY776).
 - Agencies must review the NPAY776 to identify these situations.
 - For employees still in state service, the remaining lost time must be taken in subsequent pay period(s) via Time Entry when the employee has positive earnings to cover some or all of the remaining negative lost time.
- **Contacting Your Earnings Auditor:**
 - While staff are telecommuting, office telephones have been transferred to the auditor's personal phone. Consequently, if the auditor is unavailable there is no information provided regarding a backup. Therefore, if agency payroll staff cannot reach their auditor via phone, they should either send an

email to the auditor which will provide the backup information or send an email to the Payroll Earnings mailbox so that it can be forwarded appropriately. Thanks for your understanding.

○ **Tracking COVID-19 Overtime Codes:**

- OSC has created query *Q92_COVID_EARNINGS_P1* in PS Query to help agencies track overtime related to the COVID-19 health crisis.

○ **Manually Ending Additional Pay Earnings:**

- When an employee is no longer eligible to receive an Additional Pay earnings, the agency must insert a row on the Additional Pay page at the Effective Date level for the affected Additional Pay earnings code. The Effective Date and End Date on the inserted row must be the last day the employee is eligible to receive the Additional Pay earnings.
 - For example, if an employee currently receiving Earnings Code LOC becomes 60%/part-time on 3/29/2021 and as a result is no longer eligible to receive these earnings, a row must be inserted on the Additional Pay page at the Effective Date level of Earnings Code LOC with an Effective Date and End Date of 3/28/2021 in order to correctly end the Additional Pay earnings.

Note: When end dating an Additional Pay record as the result of a change to the employee's job record, the row inserted on the Additional Pay page must be entered in the same pay period as the transaction on the Job Data page but prior to entering the Job Data transaction.

○ **Assigning Pay Groups:**

- In Payserv 9.2 there was a change to the process that assigns pay groups to employee records.

Note: Pay groups are used by OSC to calculate paychecks and are not updated by the agency. Whenever possible, OSC attempts to keep an employee in the same pay group. In order to accomplish this, sometimes it is necessary for OSC to insert a DTA/CPG row on Employees' Job Data records to override pay groups automatically assigned by Payserv. A program has been developed to insert these DTA/CPG rows. When submitting Job Transactions, agencies must take into account any DTA/CPG rows appearing in the employees' Job Data record and update applicable information, such as salaries or percent changes on these rows if necessary.

○ **Transactions Entered after Cutoff:**

- The Bureau of State Payroll Services has noticed a substantial number of Additional Pay, Job Request and Time Entry transactions being entered after the established agency submission deadlines each pay period.
 - As a reminder, a bulletin is issued annually containing the Schedule for Agency Payroll Submission which outlines each pay period's submission deadlines. The Fiscal Year 2022-2023 Submission Schedule is located in [State Agencies Bulletin No. 2000 | Office of the New York State Comptroller](#).
 - Any updates to the submission schedule will be posted accordingly to the PayServ Bulletin Board.
- It is imperative any urgent late transactions to be entered after the established deadlines receive OSC auditor approval prior to submission.
 - Late transactions entered without approval from an OSC Auditor risk a possible overpayment or underpayment if the auditor is unaware and unable to review the transaction accordingly.
 - Late transactions without prior approval are subject to deletion without notification to the agency.

○ **Implementation Plan Required Before Processing New Payments:**

- When a new payment is approved, including, but not limited to, a 130.4 Impracticable to Recruit, Title Structure Reallocation, new or changing salary differential amount, or new overtime rate, OSC and the agency must discuss and agree upon an implementation plan before an agency can process any updates to the PayServ records of affected employees.

- Processing schedules, available resources, applicable programming development, updates to position information, and outstanding questions regarding the payment are some things to consider when developing an implementation plan. Once the implementation plan is in place, OSC will communicate next steps to the agencies including payment dates.

○ **Public Service Loan Forgiveness (PSLF) and Temporary Expanded PSLF (TEPSLF):**

Employees interested in participating in either the PSLF or TEPSLF must complete and submit to the U.S. Department of Education an application form per the program instructions. This form includes a section for Employer Information and requires an Employer Certification. The Employer Information Section can be completed by either the employee or the employer and includes a field for the Federal Employer Identification Number (FEIN). Following are the FEIN's used by the Office of the State Comptroller.

13-3893536 City University of New York

14-6013200 All remaining agencies paid through the NYS Payroll System

The Employer Certification must be completed by the employee's actual agency of record and not the Office of the State Comptroller, Bureau of State Payroll Services. Therefore, in an effort to assist employees with expediting this certification, agencies should consider posting the following information for their employees.

Public Service Loan Forgiveness (PSLF) and Temporary Expanded PSLF (TEPSLF)

Employees interested in participating in either the PSLF or TEPSLF must complete and submit to the U.S. Department of Education an application form per the program instructions. Section 3 includes a field for your agency's Federal Employer Identification Number (FEIN). This can be found in Box 13 b – Employer identification number (EIN) on your W-2 Wage and Tax Statement. Section 4 must be completed by the requestor's actual agency of record. If employed by [*your agency name*], please send your application to:

Your Agency Name and Address

○ **Payments Made Pursuant to Settlement Agreements, Arbitration Awards or Court Orders**

- If an employee is owed back or front pay due to a settlement agreement, arbitration award or court order, OSC must review and approve the payment prior to the agency entering transactions into PayServ. OSC will question any transaction submitted without approval that appears to provide an employee back pay or front pay relating to one of these documents and may delete the transaction or ask the agency to return the employee to their prior status. OSC will also advise the agency to review Payroll Bulletin 1217 - New Requirements and Procedures for Processing Salary Payments Pursuant to Court Orders, Awards and Settlement Agreements which provides the full procedure for submitting these payments. Once the required documentation is received in the Payroll Salary Awards mailbox, OSC will work with the agency during the review and payment process.
- If the employee has returned to work after a settlement or award has been signed, the agency may restore the employee to the payroll for the current pay period or the date the employee truly returned to work and began performing services for the agency, whichever is sooner, while the back pay is under review. If the return-to-work date is retroactive, the agency must enter a comment explaining the reason for the retroactive transaction.

○ **Control -D Report NPAY776:**

- Agencies must review the Control-D Correction Sheet Report (NPAY776), each pay period, to review any changes made by OSC to an employee's record, comments, or instructions for transactions that the agency will need to enter in a future pay period.

○ **Action /Reason Codes:**

- Agencies should verify they are using the correct Action/Reason codes when entering transactions, especially when submitting a request for an increased Hiring Rate.

DEDUCTIONS

- Please join us in congratulating Amanda Miesowicz on her promotions to Payroll Analyst 1 Trainee in the Direct Deposit section. Welcome Amy Ritrovato, a Payroll Analyst 1 Trainee in the AC230 section.
- **Direct Deposit / AC230 Team / General Deductions:**
 - The process for the outreach and escheatment of 2021 uncashed payroll checks will begin in September of 2022. A payroll bulletin will soon be released with more information.
 - As a reminder, agencies must be diligent in their efforts to submit AC230s timely to maintain the efficiency of AC230 processing and ensure accuracy of W-2 reporting. Please submit any pending AC230s to the payrollreversalandexchange@osc.ny.gov mailbox as soon as possible.
- **Retirement and Savings Plans:**
 - New deduction for members of the New York State Retirement System (NYSTRS), code 516, has been created in PayServ. Prior school year arrears deductions withheld from employee paychecks will be reported to NYSTRS on a bi-weekly basis through the use of this new deduction code. See Payroll bulletin 2043 for more information.
- **Garnishments:**
 - On April 4, 2022, the U.S. Department of Education announced an extension of the pause on student loan repayment, interest, and collections through August 31, 2022. The team continues to monitor the situation for any future announcements should they be made.

TAX & COMPLIANCE

- **Audit and Compliance Team:**
 - We have begun outreach to agencies regarding employees who have had their federal tax data page updated from the 2020 or later W-4 (new) form to the 2019 and earlier W-4 (old) form. Only the new W-4 form should be utilized to make changes to employee's tax withholding. Employee's that choose to update their taxes with a new W-4 may not change back to an old W-4.
- **Workers Compensation Team:**
 - The Workers' Compensation team will be completing WC Tax Clean Up programs for 2021 and 2022 in September. Please ensure that all WC leaves are up to date and accurate in PayServ prior to September 2, 2022.

NYSPO

- **New Functionality Coming Soon:**

Multifactor Authentication (MFA) will be implemented soon in NYSPO. NYSPO users will be required to set up one or more additional authentication factors, such as SMS, voice call, or verification applications. Each time a user logs in to ny.gov, they will need to authenticate using a second factor in order to access NYSPO. By implementing MFA, OSC will be able to add functionality to NYSPO that users have requested. Currently we are analyzing processes for address changes and direct deposit account management in NYSPO. Stay tuned for a bulletin and other communication and instructions related to MFA this fall.

RECENTLY ISSUED PAYROLL BULLETINS

State Agencies

2040	2021-2022 Uniform Maintenance Allowance for Employees in the Fire Protection Specialist Title Series Represented by the Public Employees Federation (PEF)
2041	April 2021 and 2022 Management/Confidential (M/C) Retroactive Salary Increases
2042	SFS Chartfield Strings in PayServ with 9/15/2022 & 9/30/2022 lapse dates
2043	New Prior Year Arrears Deduction Code for Members of the New York State Teachers Retirement System (NYSTRS)
2044	September 2022 Public Employees Federation (PEF) Performance Advances and Increment Code Updates for Comp Rate Codes 21P and CAL
2045	2022 Work-Related Clothing Allowance for ASU Employees, in the Title of Racing Inspector, Represented by the Civil Service Employees Association (CSEA)
2046	June 2022 Lifeguard Salary Increase for State University Professional Services Negotiating Unit (PSNU) Employees in Lifeguard Titles Represented by the United University Professions (UUP)

State Agencies (Reissued/Updated)

1949.2	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at the Office of Children and Family Services (OCFS)
1986.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at the Office of Mental Health (OMH)
1987.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) Working at the Office of Mental Health (OMH)
1988.1	Pilot Program Establishing Temporary Overtime Rates for Employees in Certain Titles Represented by Council 82 AFSCME AFL-CIO (C82) Working at the Office of Mental Health (OMH)
1989.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at the Office for People with Developmental Disabilities
1990.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) Working at the Office for People with Developmental Disabilities
1991.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by Council 82 AFSCME AFL-CIO (C82) Working at the Office for People with Developmental Disabilities (OPWDD)
1995.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at a Department of Health (DOH) Facility
1996.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) Working at a Department of Health (DOH) Facility

1997.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by Council 82 AFSCME AFL-CIO (C82) Working at a Department of Health (DOH) Facility
1999.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at the Department of Corrections and Community Supervision
2021.1	Pilot Program Establishing a Temporary Overtime Rate for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at Addiction Treatment Centers (Department ID 53500)
1952.1	Uniform Maintenance Allowance for Employees in Nursing Titles Represented by the Public Employees Federation (PEF)

CUNY

CU-745	City of New York Health Benefit Rate Changes
------------------------	--

SUNY

SU-329	Partial Deductions for SUNY 403(b) plans
SU-330	2022 Part-Time Academic Faculty Minimum Increases for PSNU Employees Represented by the United University Professions (UUP)

SUNY (Reissued/Updated)

SU-314.1	Pilot Program Establishing Temporary Overtime Rates for Employees in Certain Titles Represented by the Public Employees Federation (PEF) or the Civil Service Employees Association (CSEA) Working at a State University of New York (SUNY) University Hospital
SU-321.1	Pilot Program Establishing Temporary Overtime Rates for Employees in Certain Titles Represented by the United University Professions (UUP) Working at a State University of New York (SUNY) University Hospital
SU-322.1	Pilot Program Establishing Temporary Overtime Rates for Employees in Certain Titles Represented by the NYS Correctional Officers and Police Benevolent Association, Inc. (NYSCOPBA) Working at a State University of New York (SUNY) University Hospital
SU-323.1	Pilot Program Establishing Temporary Overtime Rates for Employees in Certain Titles Represented by the Police Benevolent Association of NYS, Inc. (PBANYS) Working at a State University of New York (SUNY) University Hospital

Housing

DH-120	April 2021 and April 2022 District Council 37 (DC 37) Retroactive 2% Salary Increases
------------------------	---

Courts

UCS-309	District Council 37 (DC37), Local 1070 Dues Increase
-------------------------	--

Other

[Other-65](#)

April 2021 and 2022 SUNY Construction Fund (SCF) Management and Confidential (M/C) Retroactive Salary Increases

If you would like to be added to the bulletin distribution list, please email: payroll@osc.ny.gov.

CONTACT US

If you are unable to connect to PayServ, please email the OSC Network Team at:

OSC_NetworkServices@osc.ny.gov

General Inquiries:

Payroll@osc.ny.gov

Deduction/Garnishments:

PayrollDeduction@osc.ny.gov

Earnings:

PayrollEarnings@osc.ny.gov

Tax and Compliance:

TaxandCompliance@osc.ny.gov

System Questions:

PayrollSystemQuestions@osc.ny.gov

Position Management:

PositionManagement@osc.ny.gov

Query Help:

queryhelp@osc.ny.gov

For additional assistance, please consult the Payroll Services Directory on the PayServ Bulletin Board for contact information by section.

MAINTAIN CONTACT INFORMATION

Now more than ever accurate contact information is crucial. To ensure you receive up to date information, please review and update your agency's contact information in InterTrac/MACROS.

[Modify InterTrac/MACROS](#)

NEXT ISSUE

Please send your questions and suggestions of what you would like to see in our next issue to Jennifer Corbett at:

MJCorbett@osc.ny.gov.