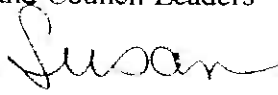




memo:

TO: Executive Board Members and Council Leaders

FROM: Susan M. Kent, President 

DATE: March 29, 2013

Enclosed in this mailing is important information for you and your members regarding the recently passed 2013-14 state budget, longevity awards, performance advances and information on an interim decision on PEF's 2010 Open Petition.

Since taking office last August, this administration has been working hard on building relationships and working on solutions that are in our members' best interest. We believe we are taking a different, proactive and solution-oriented approach to fight for the services our members provide, while ensuring their continuity of employment. For example, we worked behind the scenes with Comptroller DiNapoli to find a solution to the Governor's pension smoothing proposal that brings relief to municipalities, counties and school districts with no negative effect on the pension fund.

As a result of ongoing negotiations between PEF's Contract Administration Department and the GOER, we were able to secure a partial decision regarding PEF's 2010 Open Petition, moving 250 M/C positions into the PS& T Unit, effective immediately. In addition, the state is also proceeding to switch an additional 49 M/C positions into the PS& T unit. These positions were not originally challenged in the Open Petition.

This is how this administration will continue to work through this legislative session and beyond - building relationships and being part of the solution - always working for our members' and our communities' best interests.

Best wishes to you and your families for Happy Passover and Easter holidays.



memo:

TO: Executive Board members and Council leaders

FROM: Tom Cetrino, Steve Connolly, Pat Lavin, Kristie Sammons, and Jeff Waggoner

DATE: March 29, 2013

RE: *Final Enacted Budget Actions on PEF's Budget Priorities*

The Legislature passed all SFY 2013-14 budget bills on Friday March 29, 2013. All the bills have been introduced and will age for at least three days before their passage. The following is a summary of the actions the Legislature took on PEF's budget priorities. Over the next week Executive Board members will receive a detailed analysis of their agencies' SFY 2013-14 enacted State Operations budget.

SUNY HOSPITALS

Executive Budget proposal

The Executive Budget would have authorized actions that could have resulted in the privatization of SUNY Downstate and SUNY Upstate hospitals and threatened the viability of the SUNY Stony Brook Health Science Center. Article VII language (S2606/A3006 Part E section 104) would have authorized the Commissioner of Health to establish a pilot program under which the Public Health and Health Planning Council would approve one business corporation in Kings County and another elsewhere in the state, allowing increased capital investment in healthcare facilities. These business corporations would have had access to Dormitory Authority debt financing.

In addition, the Executive Budget would have reduced the state subsidy to the State University Hospitals Income Reimbursable account by \$28 million for the ongoing subsidy of SUNY hospitals and to pay costs attributable to the SUNY hospitals' state agency status.

PEF Position: We opposed the private hospital proposal, the cut in state support and asked for complete restoration and adequate funding to maintain SUNY health sciences centers as public institutions.

Final Action: The Legislature **MODIFIED (S2606D/A3006D Part Q) the Executive's proposals as follows:**

- Restores the \$27.79 million cut to the state subsidy for all SUNY hospitals which has to be evenly split between the three SUNY hospitals funds. There is no other new money for SUNY downstate.

- Requires SUNY to develop a sustainability plan for SUNY Downstate by June 1 that shall include the elimination and/or reduction of acute, ambulatory and support services that are not necessary or financially sustainable and any additional measures necessary to achieve such restructuring and achieve financial stability. Labor and community representatives have to be consulted on the development of the plan. The plan must be approved by DOH and DOB and implemented by June 15.
- Allows SUNY Downstate to enter into contracts, without going through the competitive bid or request for proposal process (or other state finance law requirements), for restructuring consultant services; revenue collection and billing services; electronic and medical health records; eligibility and verification services; and for up to 20% of clinical services pursuant to the sustainability plan. Such contracts shall not be of such scope or nature as to alter the character of Downstate Hospital as a public hospital.
- Allows SUNY to put money up to keep Downstate running and allow SUNY to be reimbursed with federal IGT (Medicaid) funds. There is not new state money for Downstate or the other SUNY hospitals other than a restoration of the Governor \$28.7 million cut.
- Allows ALL SUNY hospital contracts for participation in managed care networks and other joint and cooperative arrangements to allow for joint ventures, network arrangements, and joint operating agreements with for-profit corporations and for-profit limited liability companies, provided that contracts with for-profit entities be approved by the Commissioner of Health and Director of the Division of the Budget.

OFFICE OF MENTAL HEALTH ISSUES

Executive Budget proposal

The Executive Budget proposed (S2606/A3006 parts H and J) to repeal the current 12-month notice law for OMH facility closures or ward closures/reductions, and replace it with a 75-day notice for facility closures and 45-day notice for ward reductions, and make that notice standard permanent. The proposed legislation would have also given the authority to the Commissioner of OMH to close or reduce services at unspecified OMH Psychiatric Centers; including the closure of wards or the conversion of beds to transitional placement programs. The Executive Budget also proposed to create a single appointing authority in OMH. This will allow OMH to establish "Regional Centers of Excellence" saving \$25 million in this fiscal year and resulting in the loss of 384 employees. The Executive Budget also proposed to create a single appointing authority in OMH.

PEF Position: We opposed the reduction in the 12 month notice law, the unilateral authority of the OMH Commissioner to close OMH facilities and supported the restoration of funds to keep current OMH facilities operating at their current levels.

Final Action: The Legislature **REJECTED (S2606/A3006 Part H) the Executive proposals** to give the Commissioner of OMH the unilateral authority to close psychiatric centers or close or reduce wards and to reduce the 12-month notice law which is retained for future psychiatric center

closures or ward reductions or closures. The Legislature added \$25 million to the OMH State Operations budget to keep OMH facilities open.

The Legislature **MODIFIED (S2606/A3006 Part J) the Executive proposal** to create a single OMH appointing authority by adding language that requires the Commissioner to exercise this authority in accordance with Civil Service Law and collective bargaining agreement and prohibits him/her from altering layoff units.

EXPANSION OF THE OCFS CLOSE TO HOME INITIATIVE

Executive Budget proposal

The Executive Budget (S2607/A3007 part H) proposed a major withdrawal by the state from its responsibilities for the custody and rehabilitation of juvenile offenders by expanding the "Close To Home" initiative. Under the label of juvenile justice reform, the state would have turned over to local social services districts the responsibility for the care of young offenders who were placed by the courts in non-secure OCFS facilities.

The proposal also prohibited Family Court Judges from placing young offenders in non-secure OCFS facilities after May 1, 2013. As a result of these changes, all OCFS non-secure youth facilities would have been closed, including Red Hook in Dutchess County (25 PEF positions, we estimate 10 to 15 are currently filled), Lansing in Tompkins County (25 PEF positions), Middletown in Orange County (14 PEF positions), and Brentwood in Suffolk County (13 PEF positions). Effective March 31, 2014, OCFS would have no longer been authorized to operate non-secure facilities. Prior to 2012, nine-month notice was required for the closure of OCFS facilities and the proposal would have required only 60 days notice to close these non-secure facilities.

PEF Position: We opposed the expansion of the Close to Home initiative, the closure of all non-secure facilities, and the reduction in the current closure notice law.

Final Action: The Legislature **REJECTED (S2607D/A3007D) the Executive's proposal** to expand the Close to Home Initiative, to close the Lansing, Middletown, and Brentwood non-secure facilities, and reduce the current nine month notice law for OFS closures. The Legislature added \$825,000 to the OCFS Youth Facilities program to ensure adequate funding for the Lansing, Middletown, and Brentwood non-secure facilities.

OFFICE OF PEOPLE WITH DEVELOPMENTAL DISABILITIES ISSUES

Executive Budget proposal

The Executive Budget (S2605/A3005 Part R) proposed language to exempt NY State employees serving in direct care, clinical care, case management, and service coordination to individuals in state operated programs from both the two-year and lifetime bar, when such employees transitioned to a job outside of NY State service and served the same individual. Our concern was that proposal was the initial covert stage for privatization.

PEF Position: We opposed the new ethics law language for OPWDD employees.

Final Action: The Legislature **REJECTED** the Executive’s proposal to exempt NY State employees serving in direct care, clinical care, case management, and service coordination to individuals in state operated programs from both the two-year and lifetime bar, when such employees transition to a job outside of NY State service and serve the same individual.

The Office for People with Developmental Disabilities (OPWDD) is moving ahead with a plan to privatize most of the direct services historically provided by the state to people with disabilities through a Medicaid waiver that OPWDD has submitted to the federal government. The Division of Budget, in response to the loss of \$1.1 billion in Medicaid reimbursements for OPWDD, is developing a \$250 million developmental disabilities reform savings package, which may include, but not be limited to, full deinstitutionalization of State developmental centers, employment opportunities for persons with developmental disabilities, and person-centered evaluations. The impact of this proposal and the Medicaid waiver on our OPWDD members is unknown.

EXPANSION OF DESIGN-BUILD and DESIGN-BUILD FINANCE PROJECTS
Executive Budget proposal

The Executive Budget would have authorized all state agencies, authorities, and entities except SUNY and CUNY to use design-build contracts and design-build finance contracts for their capital projects. (S2605/A3005 Part S). This would have been an unwarranted, significant expansion of the limited design-build authority the Legislature gave the Executive to deal with the aftermath of Hurricane Irene.

PEF Position: We opposed expansion of design build contracts to all state agencies and opposed the creation of design-build-finance contracts in any state agency.

Final Action: The Legislature **REJECTED** the Executive’s proposal (S2605D/A3005D Part S) to expand design-build contracts to all State agencies and allow design-build-finance contracts for all State agencies. They also rejected the Senate proposal (S2608D/A3008D Part PP) which would have authorized design-build-finance projects in the Department of Transportation (DOT).

DOCCS CLOSURES
Executive Budget proposal

The Executive Budget proposed to close the Bayview and Beacon minimum security facilities for women, and allow the closures to take place with 60 days’ notice, rather than with a one-year notice and a community planning process that is usually required before closing a DOCCS facility. The closure of Beacon and Bayview would mean female prisoners from New York City couldn’t serve time in a minimum-security setting near their homes and a work release program for female prisoners would not exist in New York City.

PEF Position: We opposed the closures, modifying the 12-month notice law, and supported the continuation of a female work release program.

Final Action: The Legislature **ACCEPTED** the Governor’s proposal to close the Bayview and Beacon minimum security facilities with 60 days’ notice but **added \$1.1 million** to the DOCCS

State Operations Budget for 50 female work release beds at the Edgecombe correctional facility in New York City.

ELIMINATION OF THE REIMBURSEMENT OF THE INCOME RELATED MEDICARE ADJUSTMENT AMOUNT

Executive Budget proposal

The Executive Budget proposed (S2605/A3005 Part H) to eliminate the reimbursement of the Income Related Medicare Adjustment Amount for retirees with incomes of over \$85,000, if single, and \$170,000, if married. According to DOB, this would have impacted approximately 5,340 retirees and that the lost monthly reimbursement would have ranged from \$42 for single retirees with incomes of between \$85,000 and \$107,000 to \$231 for retirees with incomes greater than \$428,000.

PEF Position: We opposed eliminating the reimbursement for retirees with incomes between \$85,000 (singles) and \$170,000 (couples)

Final Action: The Legislature **REJECTED** the Executive proposal.

SHIFT OF OGS DESIGN AND CONSTRUCTION WORK TO THE DORMITORY AUTHORITY

Executive Budget proposal

The Executive Budget (S2608/A3008 Part I) would have extended for two-years last year's authorization of the Dormitory Authority of the State of New York (DASNY) to enter into a design and construction management agreement with the Office of General Services (OGS), Department of Environmental Conservation (DEC), and the Office of Parks, Recreation and Historic Preservation (OPRHP).

PEF Position: PEF opposed the extension of the Dormitory authority to do state agency design and construction work and asked for a study of their costs

Final Action: The Legislature **MODIFIED** the Executive's proposal (S2608D/A3008D Part I) by extending for **one-year** the Dormitory Authority's (DA) current ability to enter into a design and construction management agreement with the Office of General Services (OGS), Department of Environmental Conservation (DEC), and the Office of Parks, Recreation and Historic Preservation (OPRHP). The language also requires the DA to file a report by July 1, 2013 on the location, status and cost of each design and construction management agreement since they have received this authority and an annual report by March 1, 2014 for each year they continue to have such authority.

SATURDAY HOURS FOR DMV OFFICES

Executive Budget proposal

The Executive Budget proposed to allow the Department of Motor Vehicles to designate certain branch offices to be open to serve the public and transact business on Saturday. (S2608/A3008

Part D). According to the Executive Budget, this proposal would have “a neutral budget impact by offering employees the opportunity to work the same number of hours each week, with a portion of them on Saturday”

PEF Position: We urged the Legislature to amend S2608/A3008 Part D to ensure the proposed language does not waive or impair any rights or benefits provided by existing collective bargaining agreements or to limit any obligation to bargain over the issue with appropriate collective bargaining representatives.

Final Action: The Legislature **MODIFIED (Part D of S2608D/A3008D) the Executive’s proposal** by adding language to ensure the Saturday hours are subject to current collective bargaining agreements.

SOCIAL WORKER AND OTHER LICENSURE EXEMPTIONS

Executive Budget proposal

The Executive Budget included a provision (S2606/A3006 Part E section 98) that would have made permanent the current 11 year “temporary” exemption for certain social work and mental health professional licensure requirements of persons employed by a program or service operated, regulated, funded, licensed, or approved by OMH, OPWDD, OASAS, DOH, OCFS, Office for the Aging (OFA), DOCCS, and/or local governmental units or social services districts. The seven mental health professions are (1) psychology (2) clinical social work (3) master social work (4) creative arts therapy (5) marriage and family therapy (6) mental health counseling (7) psychoanalysis.

PEF Position: We supported a two-year extension of the current exemption

Final Action **The Legislature deleted Part E sections 98 through 100 of S2606D/A3006D and instead added a part AA to S2607-D/A3007-D which MODIFIED the Executive proposal to permanently extend a licensure exemption for social workers, mental health practitioners and psychologists working in certain exempt settings which are described below and which will add programs regulated or operated by the Office of Temporary & Disability Assistance. Part AA includes a temporary, three-year exemption with reporting requirements to ensure compliance with licensure laws by July 1, 2016.** The final provisions include the following Executive proposals:

- A psychology, social work, or mental health practitioner license is not required to perform assessments such as basic information collection for general eligibility for a program or service and determining the functional status of an individual for the purpose of determining need for services unrelated to a behavioral health diagnosis or treatment plan.
- A psychology, social work, or mental health practitioner license is also not required for persons to participate as a member of a multi-disciplinary team to implement a behavioral health services or treatment plan; provided however, that such team shall include one or more licensed professionals and those who are not so authorized may not engage in the following restricted practices: the diagnosis of mental, emotional, behavioral, addictive and developmental disorders and disabilities; patient assessment and evaluating; the

provision of psychotherapeutic treatment; the provision of treatment other than psychotherapeutic treatment; and/or the development and implementation of assessment-based treatment plans.

THE DEPARTMENT OF CIVIL SERVICE/GOER MERGER

Executive Budget proposal

The Executive Budget once again proposed to merge the Department of Civil Service (DCS) and the Governor's Office of Employee Relations (GOER) into a new combined agency. The Legislature rejected this proposal last year, and apparently, the Executive intended to implement this merger through Executive powers without legislative authority. This is extremely unusual and an anomaly in the budget process.

PEF Position: We urged the Legislature to insert language into the statutory authorizations for GOER and DCS that would prohibit their merger without legislative authority.

Final Action: The Legislature expressed its opposition to the merger of these two agencies in their one-house budget resolutions. The Legislature expressed its opposition to the merger of these two agencies in their one-house budget resolutions and the Senate added language to prevent this merger; however this language was not included in the enacted budget.

This would still allow the Executive to merge the senior management of the two agencies and allow them to work together on workforce management issues. However, both agencies would remain separate and distinct under the law and would still have their own distinct responsibilities.

PROPOSAL TO STABILIZE LOCALITIES' PENSION CONTRIBUTION RATES

Executive Budget proposal

The Executive Budget (S2605/A3005 Part G) would have provided the New York State Comptroller and the New York State Teachers' Retirement System Board statutory authority to make a long-term stable pension contribution option available to local governments and school districts participating in the New York State and Local Employees' Retirement System (ERS), the New York State and Local Police and Fire Retirement System (PFRS), and the Teachers' Retirements' System (TRS).

PEF Position: We were concerned that Executive's proposal could weaken the viability of the state's pension funds as the State Retirement Fund is recovering from the economic downturn and is not fully funded at 86%. We advocated that the Comptroller should develop his own proposal to stabilize localities' pension contribution rates that was more attractive to localities than the amortization plan he had already implemented.

Final Action: The Legislature **REJECTED** the Executive's proposal and adopted the Comptroller's proposal (S2607D/A3007D) Part BB for ERS PFRS, and TRS. The Alternate Contribution Stabilization Program which would be available to cities, counties, towns, villages, school districts, BOCES and certain county public hospitals. Eligible participating employers would have the opportunity to make a one-time election in SFY 2013-2014 to enter into a graded contribution

rate system that enables them to pay a portion of their annual contribution over time, leading to smoother, more predictable pension costs. For example, for ERS, the contribution rate would be 12% for 2013-15, with a 12 year repayment and the contribution rate would never go below 9.5%.

CONSOLIDATION OF STATE LABORATORIES

Executive Budget proposal

The Executive Budget proposed a coordination and consolidation of laboratory functions under an undisclosed four-year master plan. In order to accomplish this consolidation, broad new interchange language was contained in the State Operations appropriations for the Department of Health (DOH), the Department of Agriculture and Markets (A&M), and the Department of Environmental Conservation (DEC) to allow for such laboratory consolidation and co-location

PEF Position: We opposed the use of appropriation language to implement the consolidation plan and advocated that the plan should be included in Article VII legislation so it can be evaluated by stakeholders.

Final Action: The Legislature REJECTED the Executive's appropriation language allowing transfer authority for laboratories between the Departments of Health, Environmental Conservation, and Agriculture and Markets.

Final Observation

The Legislature's rejection of the Executive proposals during the budget process does not mean that the Executive will stop pursuing them during the remainder of the legislative session. We expect the governor to continue to pursue the expansion of design build contracts and the creation of design-build-finance contracts. We will continue to update you on these and other budget and legislative issues as the legislative session continues.



Contract Administration

TO: Executive Board Members
Council Leaders

FROM: Renee Delgado, Associate Counsel – Contract Administration
Elizabeth Hough, Director of Contract Administration

DATE: March 28, 2013

RE: 2010 Open Petition - Interim Decision

We are pleased to inform you that on March 27, 2013, the NYS Public Employment Relations Board (“PERB”) issued a partial decision regarding PEF’s 2010 Open Petition. The decision moved 250 M/C positions into the PS&T Unit, effective immediately. The decision was a result of ongoing negotiations between PEF’s Contract Administration Department and the Governor’s Office of Employee Relations (“GOER”).

The decision resolved all claims for titles challenged in the 2010 Open Petition for the following agencies: Criminal Justice Services, DOCCS, Education, En Con, Higher Education Services, Homeland Security, Housing and Community Renewal, Insurance Fund, Labor, Lottery, Mental Health, Office of Aging, OITS, OPWDD, State, Tax and Workers Compensation. We will provide leadership in these agencies with specific information regarding titles and the names of the employees who moved into the PS&T Unit in a separate correspondence.

The 2010 Petition remains open for the following agencies: Children and Family Services, Commission on Quality of Care, Office of State Comptroller, Financial Services, Health, Law, Motor Vehicles, OASAS, OGS, Parks and Recreation, OTDA and Transportation. We are continuing to work with GOER to resolve our claims in these agencies.

If you have specific questions, please do not hesitate to contact Renee Delgado or Elizabeth Hough in the Contract Administration Department at 1(800)342-4306 ext 223.



Contract Update

(Number 13-02)

March 11, 2013

TO: Executive Board
Council Leaders

FROM: Contract Administration

RE: April 2013 Performance (Longevity) Awards

The Office of the State Comptroller has released Payroll Bulletin 1234 providing for payment of the April 2013 Performance (Longevity) Awards. Details regarding eligibility for these payments are contained in the Payroll Bulletin which is attached.

The Performance Awards will be issued in *separate checks* which will be dated as follows:

Institution Payroll (check dated April 18, 2013);
Administration Payroll (check dated April 24, 2013).

Questions should be directed to your PEF Field Representative.

cc: PEF Field Offices



Payroll Bulletin

Office of the State Comptroller
Bureau of State Payroll Services

Date: March 1, 2013

Bulletin Number: 1234

- Subject** April 2013 Public Employees Federation (PEF) Longevity Lump Sum (LLS) Payment
- Purpose** To inform agencies of OSC's automatic processing of the April 2013 LLS payment and provide instructions for payments not processed automatically.
- Affected Employees** Employees in the Professional, Scientific and Technical Services Unit - BU05 with an increment code of 1976-2008, 0010, 0110, 0210, 0310, 0410, 0510, 0610 or 0710 who meet the eligibility criteria.
- Effective Date(s)** Payment will be processed in a **separate check** dated 04/18/13 (Institution) or 04/24/13 (Administration). There is no direct deposit for this payment.
- Background** Chapter 37 of the Laws of 2012, which implemented the 2011-2015 Agreement between the State of New York and PEF, provides for payment of the 2012-2013 Performance Award (Longevity Lump Sum Payment) in April 2013 as a one-time, lump sum payment in the amount of \$1,250 or \$2,500.
- Eligibility Criteria** Employees in graded positions (Grade 001-037) and NS positions (Grade 600) which are equated to a grade are eligible for the payment provided the employee:
- Is on the payroll 03/31/13 (Active, on a Leave With Pay or on an Unpaid Military Stipend Leave) in a BU05 position; and
 - Has a Pay Basis Code of ANN, CAL, 21P or BIW (only if the employee is on a Paid Military Stipend Leave); and
 - Has five (5) or more years or ten (10) or more years of continuous service * at a base annual salary equal to or greater than the Job Rate for the employee's grade as of 03/31/13; and
 - Did not receive an "Unsatisfactory" evaluation during the rating period 01/01/12 to 12/31/12. 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 and Sick Leave at Half Pay) or time on Workers' Compensation Leave or Unpaid Military Leave.
- The following employees are eligible for the April 2013 LLS payment upon processing of the Performance Advance resulting in Job Rate:**
- Upward Reallocation:** An employee occupying a position on 03/31/13 that was previously upward reallocated, whose salary was equal to or greater than the Job Rate of the lower grade and whose salary upon application of the October 2012 or April 2013 Performance Advance reaches the Job Rate of the reallocated grade is entitled to the job rate credit of the lower grade.

- The increment code of an employee who received the October 2012 Performance Advance was updated to 1210.
- The increment code of an employee receiving the April 2013 Performance Advance will be automatically updated from 0001 to 2013.
- These employees will not receive an automatic LLS payment; the agency must submit a transaction in Pay Period 2 (Institution and Administration) to make the payment. In addition, the agency must submit a Data Chg on the Job Action Request 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 job rate credit of the lower grade in the Incr. Code field.

The following employees will become eligible for the April 2013 LLS payment during 2013-2014:

- **Leave of Absence/Preferred List on 03/31/13:** An employee who otherwise qualifies but is on an approved Leave of Absence (including Workers' Compensation Leave or Unpaid Military Leave) or is on a preferred list on 03/31/13 and who returns to the payroll between 04/01/13 and 03/31/14 is eligible for the payment. There is no minimum service requirement following the employee's return to active payroll status. The agency should submit a transaction to make the LLS payment in the same pay period the employee returns to active payroll status.
- **Demotions after 03/31/13:** An employee who is not eligible for the payment on 03/31/13 becomes eligible if the employee returns to a lower graded position between 04/01/13 and 03/31/14, provided the employee otherwise would have been eligible if the employee had been in the lower graded position on 03/31/13, and remains in the lower graded position for at least six (6) 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.

The agency should submit a transaction to make the LLS payment after the employee completes six (6) full pay periods in the lower grade using the same effective date as the demotion.

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

For instructions on submitting transactions to make the April 2013 LLS payment, see the section entitled "Agency Actions – Payments Not Processed Automatically".

**Control-D Report
and Agency
Actions Prior to
Payment**

Prior to the automatic processing of the April 2013 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 LLS payment based on information available as of the date the report is produced. The report will be run on 03/04/13 and will be available on 03/06/13.

Agencies should review this listing carefully paying particular attention to employees who are ineligible due to an "Unsatisfactory" evaluation during the rating period 01/01/12 to 12/31/12 but who appear on the listing.

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.
 - Employees whose positions were downward reallocated and were eligible based on the prior grade (identified by Increment Code **0069**) 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 during the period stated above. In addition, the agency must submit a Data Chg on the Job Action Request page using 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 Pay Period 26 (Institution) or Pay Period 1 (Administration).

Correction Sheets should be submitted as soon as possible but must be received no **later than 03/28/13**. Please **fax** completed Correction Sheets to (518) 402-4949 and send an email to the Payroll Earnings mailbox stating that a Correction Sheet has been faxed; please include the Deptid and 'LLS Correction Sheet' in the Subject line.

**OSC Actions –
Automatic
Processing**

OSC will process the April 2013 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 \$1,250 for employees with five (5) or more years of continuous service (identified by Increment Code 2004-2008, 0310, 0410, 0510, 0610 or 0710) or \$2,500 for employees with ten (10) or more years of continuous service (identified by Increment Code 1976-2003, 0010, 0110 or 0210), or a prorated amount.

- Employees who are on a Voluntary Reduction in Work Schedule (VRWS) on 03/31/13 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) on 03/31/13 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, Paid Military Stipend Leave and Unpaid Military Stipend Leave) receive an amount based on the employee's increment code and percentage in effect on 03/31/13. 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 03/31/13.

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

Earnings Code: **LLS**

Effective Date: 04/01/13

OT Eff Date: 04/01/13

Annual Addl Earnings: \$1250 or prorated amount (Increment Codes 2004-2008, 0310, 0410, 0510, 0610, 0710)
\$2500 or prorated amount (Increment Codes 1976-2003, 0010, 0110, 0210)

End Date: 03/31/14

**Agency Actions -
Payments Not
Processed
Automatically**

Agencies must submit transactions to make the April 2013 LLS payment to the following employees.

- **Increment Code 0069 on 03/31/13:** Agencies must submit transactions for eligible employees whose position on 03/31/13 was previously downward reallocated. Transactions should be submitted in Pay Period 26 (Institution) or Pay Period 1 (Administration); the effective date of the LLS payment should be 04/01/13. The LLS payment amount should be calculated based on the employee's job rate credit in the grade prior to the reallocation and the employee's Empl Work Percent on the Job Data/Job Information page in effect on 03/31/13.
- **Increment Code 2222 on 03/31/13:** Agencies must submit transactions for eligible employees who are in a composite position on 03/31/13. Transactions should be submitted in Pay Period 26 (Institution) or Pay Period 1 (Administration); the effective date of the LLS payment should be 04/01/13. The LLS payment amount should be calculated based on the increment code of the employee's qualifying position (noted in General Comments) and the percentage attributed to such position on 03/31/13. Information regarding the composite position must be included on the General Comments page.
- **Upward Reallocation:** Agencies must submit transactions for employees whose position on 03/31/13 was previously upward reallocated and whose salary as a result of the October 2012 or April 2013 Performance Advance is equal to the Job Rate of the reallocated grade as explained above. Transactions should be submitted in Pay Period 2 (Institution and Administration); the effective date of the LLS payment should be 04/01/13. The LLS payment amount should be calculated based on the employee's increment code updated as a result of the performance advance and the Empl Work Percent on the Job Data/Job Information page in effect on 03/31/13.
- **Leave of Absence on 03/31/13:** Agencies must submit transactions for employees who are otherwise eligible on 03/31/13 but whose Payroll Status is Leave of Absence (except those on Unpaid Military Stipend Leave) and who return from such leave in 2013-2014 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 based on the employee's increment code and Empl Work Percent on the Job Data/Job Information page in effect on 03/31/13. Note: The employee's increment code may need to be adjusted as a result of the leave of absence and could impact the employee's April 2013 LLS eligibility.
- **Preferred List on 03/31/13:** Agencies must submit transactions for employees who are otherwise eligible on 03/31/13 but who are on a preferred list and who return to active payroll status in 2013-2014 as explained above. Transactions should be submitted in the pay period the employee returns to the payroll; the effective date of the LLS payment should be the same as the effective date of the return to active payroll status. The LLS payment amount should be calculated based on the employee's increment code and Empl Work Percent on the Job Data/Job

Information page in effect on 03/31/13.

Note: The employee's increment code may need to be adjusted as a result of time off the payroll and could impact the employee's April 2013 LLS eligibility.

- **Demotions after 03/31/13:** Agencies must submit transactions for employees who are ineligible on 03/31/13 but become eligible in 2013-2014 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 amount should be calculated based on the employee's increment code and Empl Work Percent on the Job Data/Job Information page in effect 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 April 2013 LLS payment to eligible employees who were not processed automatically, agencies 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:	\$1250 or prorated amount (Increment Codes 2004-2008, 0310, 0410, 0510, 0610, 0710) \$2500 or prorated amount (Increment Codes 1976-2003, 0010, 0110, 0210)
End Date:	03/31/14

Increment Code Correction If the employee did not receive an automatic 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 Request page using the Reason code CIC (Chg IncCd/or AnnDt/or FIS Sal) and the appropriate increment code in the Incr. Code field.

**Control-D Report
Available After
Processing**

After the automatic processing of the 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 LLS payment effective 04/01/13.

**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 Manual > Earnings Manual > Payments/Withholdings > Overtime Compensation). The April 2013 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.

If an employee is appointed to a position which results in a salary below the Job Rate of the grade of the new position and has received an April 2013 LLS payment, the LLS payment cannot be included in the compensation calculation of any overtime earned after the date of the 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 taxable income subject to all employment taxes and income taxes. If the employee has any additional tax amount on the Update Employee Tax Data page, the additional amount will be deducted from both the employee's regular paycheck and the separate paycheck.

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 or direct deposit advice.

This payment will be made in a separate check regardless of when it is paid. The separate check will be issued with the employee's regular paycheck or direct deposit advice based on information for that check date. There is no direct deposit for this payment.

Undeliverable Checks

If the agency has made an effort to deliver the check to the employee but the check has been returned and is undeliverable, the agency should forward the check to the NYS Department of Tax and Finance, Division of Treasury, per instructions in [Payroll Bulletin No. 908](#).

Checks issued to eligible employees who are now deceased should be returned with a completed Next of Kin Affidavit ([Form AC 934-P](#)) and a Report of Check Exchange ([Form AC 1476-P](#)).

For recipients of a previously deceased employee's payroll check where a Next of Kin Affidavit and Report of Check Exchange forms have been submitted, OSC will accept a photocopy of these forms to process the exchange of the check.

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



Payroll Bulletin

Office of the State Comptroller
Bureau of State Payroll Services

Date: March 1, 2013

Bulletin Number: 1237

Subject April 2013 Longevity Payment for Long-Term Seasonal Employees

Purpose To provide agency instructions for processing the April 2013 Longevity Payment for Long-Term Seasonal Employees.

Affected Employees Seasonal hourly employees of the Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation in the following bargaining units who meet the eligibility criteria.

CSEA

Administrative Services Unit	BU02
Operational Services Unit	BU03
Institutional Services Unit	BU04

PEF

Professional, Scientific & Technical Services Unit	BU05
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Effective Date(s) Payments may be submitted for Institution Extra Lag paychecks dated 05/02/13 or Administration Extra Lag paychecks dated 05/08/13.

Background

Pursuant to a side letter contained in the 2011-2016 Agreements between the State of New York and the Civil Service Employees Association (CSEA) and the 2011-2015 Agreement between the State of New York and the Public Employees Federation (PEF), a lump sum award of \$500 will be paid in the first pay period of the fiscal year to employees who have at least 1500 hours in pay status in seasonal positions during each of the previous five years.

Eligibility Criteria

Employees who meet the following criteria are eligible to receive the April 2013 Longevity Payment.

- Active on the appropriate payment effective date; and
- In a BU02, BU03, BU04 or BU05 seasonal hourly position; and
- In the Department of Environmental Conservation (Department ID 09180) or the Office of Parks, Recreation and Historic Preservation (Department ID 49xxx); and
- Has at least 1500 hours in pay status as a seasonal employee during each of the previous five years in either department.

Employees who otherwise qualify but are not Active on the appropriate payment effective date, become eligible for the payment if they return to the payroll in a seasonal hourly position within the fiscal year.

Agency Actions

To pay the April 2013 Longevity Payment to eligible employees, agencies must submit the following information on the Additional Pay page using Earnings Code **LPS**.

Earnings Code: **LPS**

Effective Date: 03/28/13 (Deptid 09180)
 04/04/13 (Deptid 49xxx)
 Or the date the employee returned to the payroll in an eligible seasonal position

OT Eff Date: Same as Effective Date

Annual Addl Earnings: \$500

End Date: Leave blank*

Goal Balance: Leave blank

*The End Date field can be left blank since PayServ does not automatically include the earnings in the overtime compensation calculation for hourly employees. Overtime that should include the April 2013 Longevity Payment must be adjusted using the instructions in the section entitled "Overtime Calculation and Retirement Information".

Overtime Calculation and Retirement Information

The Longevity Payment for Long-Term Seasonal Employees is included as salary for retirement purposes and must be included in the calculation of overtime compensation (refer to the Online Payroll Manual accessed from the PayServ Bulletin Board – Payroll Manual > Earnings Manual > Payments\Withholdings > Overtime Compensation). The April 2013 Longevity Payment must be included from the OT Eff Date on the employee's Additional Pay page for Earnings Code **LPS** through the end of the fiscal year, provided the employee remains in an eligible seasonal position. Since PayServ does not include these monies in the overtime compensation calculation for hourly employees, an overtime adjustment is required.

To pay the overtime adjustment to eligible employees, agencies must submit the following information on the Time Entry page or the Time Entry Interface (NPAY502) using Earnings Code **LAO**.

Earnings Begin Date: The first overtime date to include **LPS**

Earning End Date: The last overtime date to include **LPS**

Earn Code: **LAO**

Hours: The number of overtime hours to include **LPS**

The system will multiply the number of hours reported above by \$.38 to determine the overtime adjustment amount.

If an eligible seasonal employee is appointed to a non-seasonal position (e.g. Pay Basis Code ANN) and has received the April 2013 Longevity Payment, the payment cannot be included in the compensation calculation of any overtime earned after the appointment date. Therefore, agencies must insert a row on the Additional Pay page at the Effective Date level of Earnings Code LPS 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:	\$500 (populates automatically)
End Date:	Same as Effective Date
Goal Balance:	\$500 (to prevent making another payment)

***Payroll Register
and Employee
Paycheck/Advice***

The Earnings Codes **LPS** and **LAO** (if applicable) and the amount paid will be displayed on the Payroll Register. The Earnings Description **Longevity Payment Seasonal** and **Longevity Adjustment Overtime** (if applicable) and the amount paid will appear on the employee's paycheck stub or direct deposit advice.

Questions

Questions regarding this bulletin may be directed to the Payroll Earnings mailbox.



Contract Update

(Number 13-03)

March 28, 2013

TO: Executive Board
Council Leaders

FROM: Contract Administration Department

RE: April 2013 Performance Advances

The Office of the State Comptroller has released Payroll Bulletin 1246 providing for payment of the April 2013 Performance Advances (Increments). Details regarding eligibility for these payments are contained in the Payroll Bulletin, which is attached.

The effective dates for these base salary changes are as follows:

Administrative Payroll (effective 3/28/13 — in paycheck dated 4/24/13)
Institution Payroll (effective 4/4/13 — in paycheck dated 5/2/13).

Questions should be directed to your PEF Field Representative.

c: PEF Field Offices



Payroll Bulletin

Office of the State Comptroller
Bureau of State Payroll Services

Date: March 28, 2013

Bulletin Number: 1246

Subject April 2013 Public Employees Federation (PEF) Performance Advances

Purpose To inform agencies of OSC's automatic processing of the April 2013 Performance Advances and provide instructions for payments not processed automatically.

Affected Employees Employees in the Professional, Scientific and Technical Services Unit – BU05 who meet the eligibility criteria.

Effective Date (s) The April 2013 Performance Advances will be paid using the following effective dates and check dates:

Pay Cycle/Pay Period Type	Payment Effective Date	Check Date
Administration 1 Lag	03/28/13	04/24/13
Institution 1 Lag	04/04/13	05/02/13

Background Chapter 37 of the Laws of 2012, which implemented the 2011-2015 Agreement between the State of New York and PEF, provides for payment of performance advances on April 1 to eligible employees.

Eligibility Criteria **Performance Advance**

Employees in graded positions (Grade 001-037) and NS positions (Grade 600) which are equated to a grade and whose annual salary is below the Job Rate of the employee's current grade on the 04/01/10 Salary Schedule are eligible for a performance advance provided the employee:

- Is in a BU05 position on the payment effective date; **and**
- Has completed one (1) year of service in such grade by 04/01/13; **and**
- Has a Pay Basis Code of ANN on the payment effective date; **and**
- Was rated at least "Satisfactory" or its equivalent on their last rating date; **and**
- Did not receive a performance advance in October 2012.

Promotion Recalculation

Employees who would have been eligible to receive a performance advance in April 2013 but were promoted to a higher grade prior to April 2013 may be eligible for a revised promotion salary (promotion recalculation) provided the employee is not eligible for a performance advance in the higher grade in April 2013.

Ineligible for Performance Advance

Employees with an "Unsatisfactory" evaluation on their last rating date are ineligible to receive an April 2013 Performance Advance. The agency must submit a Data Chg on the Job Action Requests page using the Reason code **USP** (Unsat Perf) and an increment code of **0003** in the Incr. Code field to withhold the performance advance. The effective date should be the employee's last rating date. These transactions

should be submitted as soon as practicable following the employee's rating date.

In addition, employees who have not completed one (1) year of service in their grade are ineligible to receive an April 2013 Performance Advance and are also identified using Increment code **0003**.

In preparation for next year's performance advance processing, the increment code must be updated.

**Control-D
Report
Available Prior
to Processing**

The following Control-D report will be available for agency use on 03/29/13 (Administration) and 04/05/13 (Institution). This will give agencies time to correct employees' records, if necessary, prior to the automatic processing of the April 2013 Performance Advances. The report will be sorted by agency code, then by employee name in alphabetical order.

NHRP708 – Mass Increment Payment Exception Report

This report is a preliminary listing of employees who appear ineligible to receive an April 2013 Performance Advance, Promotion Recalculation or Increment Code Update based on information available as of the date the report is produced. Included on the report is one of the following messages which identifies the reason the employee's record will not be updated.

- NYS Position Has Both Equated Grade and NTE
- Position and Job do not match
- FIS Missing
- FIS At or Below Current
- FIS Below Hiring Rate
- Increment Code Missing
- Increment Code Invalid
- Inc Code not in Anniv Dt range
- Sal Below Hiring Rate
- Sal At or Above Job Rate

If an employee appears on this report but is due a performance advance, promotion recalculation or increment code update, the agency must take the following action:

- Submit the appropriate transaction(s) on the Job Action Requests page to correct the information on the Job Data row(s). If the row(s) is corrected prior to Pay Period 1, the automatic performance advance, promotion recalculation or increment code update will be processed.
- Submit a Position Change Request to the Position Management Unit if the position information is incorrect on the Position Data page in PayServ but is correct in NYSTEP. The position will be updated to reflect the change and the automatic performance advance, promotion recalculation or increment code update will be processed provided the agency's position request contains the same information as the position information in NYSTEP.

Agency Actions – Pay Period 1 The following procedures must be used by the agency when submitting transactions in Pay Period 1L.

For pay changes, position changes and transfers requested on the Job Action Requests or Transfer Requests page with an effective date **on or before** 03/28/13 (Administration) or 04/04/13 (Institution):

- The agency must **not** include the performance advance in the salary rate reported in the Pay Rate field.

- The agency must report the proper increment code for April 2013 in the Incr. Code field.

For pay changes, position changes and transfers requested on the Job Action Requests or Transfer Requests page with an effective date **after** 03/28/13 (Administration) or 04/04/13 (Institution):

- The agency must include, if applicable, the performance advance in the salary rate reported in the Pay Rate field.
- The agency must report the **projected** increment code based on the employee's next performance advance cycle in the Incr. Code field.

Time Entry

To report miscellaneous earnings that are automatically calculated by the system (e.g. overtime), agencies must separate earnings by pay period so the earnings will not overlap the effective date of the Pay Change transaction.

OSC Actions

OSC will process the April 2013 Performance Advances, Promotion Recalculations and Increment Code Updates for those employees who meet the eligibility criteria and have a Payroll Status of Active, Leave With Pay or Leave of Absence due to a Workers' Compensation Leave on the payment effective date with the following exceptions:

- Eligible employees in a composite position (identified by Increment Code **2222**).
- Eligible employees in a position which was previously downward reallocated (identified by Increment Code **0069**).
- Eligible employees with a Payroll Status of Leave With Pay and an Action/Reason code of Paid Leave of Absence/SKL (Sick Lv).

Performance Advance Processing

Performance advances will be processed for employees with Increment Code **0001** and an Anniversary Date between 10/02/xx and 04/01/xx. OSC will automatically insert a row on the employee's Job Data page effective 03/28/13 (Administration) or 04/04/13 (Institution) using the Action/Reason code of Pay Rate Change/PAV (Perf Adv) and will increase the employee's salary rate to reflect payment of the performance advance. The employee's salary rate will be capped at the Job Rate of the employee's current grade on the 04/01/10 Salary Schedule.

Promotion Recalculation Processing

Promotion recalculations will be processed for employees with Increment Code **0004** who are entitled to a revised promotion salary based on the FIS (Fixed Incremented Salary) Amount on the Job Data/Compensation page. The FIS Amount:

- Must be equal to or greater than the Hiring Rate; **and**
- Must be greater than the employee's current salary; **and**
- May exceed the Job Rate of the employee's current grade on the 04/01/10 Salary Schedule.

OSC will automatically insert a row on the employee's Job Data page effective 03/28/13 (Administration) or 04/04/13 (Institution) using the Action/Reason code of Pay Rate Change/PMR (Prom Recal) and will update the employee's salary rate to reflect the FIS Amount.

Increment Code Update Processing

OSC will automatically update the increment code on the inserted row for employees who receive a performance advance or promotion recalculation as follows:

Current Code	Updated Code
0001	0001 if the new salary is below Job Rate 2013 if the new salary is equal to Job Rate
0004	0001 if the new salary is below Job Rate and the Anniversary Date is 10/02/xx – 04/01/xx 1001 if the new salary is below Job Rate and the Anniversary Date is 04/02/xx – 10/01/xx 2013 if the new salary is equal to or greater than Job Rate

OSC will automatically insert a row on the employee's Job Data page effective 03/28/13 (Administration) or 04/04/13 (Institution) using the Action/Reason code of Data Change/CIC (Chg IncCd/or AnnDt/or FIS Sal) and update the following increment code:

Current Code	Updated Code
0003	0001 if the current salary is equal to or greater than Hiring Rate and below Job Rate and the Anniversary Date is 10/02/xx – 04/01/xx

Workers' Compensation

For employees who are receiving Workers' Compensation under the PEF Medical Evaluation Program, the supplement will be recalculated by OSC when processing payments for disability dates beginning on 03/28/13 (Administration) or 04/04/13 (Institution).

Transactions processed automatically will appear on the NHRP520 Daily Outbound Transaction file.

Control-D Reports Available After Processing

The following Control-D reports will be available for agency review after the automatic payments have been processed. All reports will be sorted by agency code, then by employee name in alphabetical order.

NHRP704 – Mass Increment Payment Report

This report identifies all employees who received the automatic April 2013 Performance Advance or Promotion Recalculation. The report includes the Action/Reason code used as well as the old compensation rate and new compensation rate.

NHRP708 – Mass Increment Payment Exception Report

This report identifies employees who did not receive an automatic April 2013 Performance Advance, Promotion Recalculation or Increment Code Update. Included on the report is one of the following messages which identifies the reason the employee's record was not updated:

- NYS Position Has Both Equated Grade and NTE

- Position and Job do not match
- FIS Missing
- FIS At or Below Current
- FIS Below Hiring Rate
- Increment Code Missing
- Increment Code Invalid
- Inc Code not in Anniv Dt range
- Sal Below Hiring Rate
- Sal At or Above Job Rate

Agency Actions Beginning in Pay Period 2L, agencies may submit the appropriate transaction for the – **Beginning Pay Period 2** following employees who are eligible on the payment effective date but will not be processed automatically. Refer to the appropriate instructions described below.

- Eligible employees who are in a composite position (identified by Increment Code **2222**) on the payment effective date.
- Eligible employees who are in a position which was previously downward reallocated (identified by Increment Code **0069**) on the payment effective date.
- Eligible employees with a Payroll Status of Leave With Pay and an Action/Reason code of Paid Leave of Absence/SKL (Sick Lv) on the payment effective date.
- Eligible employees who are on a Paid or Unpaid Military Stipend Leave on the payment effective date.
- Eligible employees who are Inactive or on a Leave of Absence not related to a Workers' Compensation Leave on the payment effective date.

Increment Code 2222

Agencies must submit a Pay Change on the Job Action Requests page using the Reason code **PAV** (Perf Adv) or **PMR** (Prom Recal) effective 03/28/13 (Administration) or 04/04/13 (Institution). Information regarding the composite position must be included on the General Comments page.

Increment Code 0069

Agencies must submit a Pay Change on the Job Action Requests page using the Reason code **PAV** (Perf Adv) effective 03/28/13 (Administration) or 04/04/13 (Institution). The performance advance amount is based on the previous grade and the new salary rate cannot exceed the Job Rate of that grade. Information regarding the payment must be included on the General Comments page.

Paid Sick Leave

Employees with a Payroll Status of Leave With Pay and an Action/Reason code of Paid Leave of Absence/SKL (Sick Lv) on the payment effective date who completed one (1) year of service in their grade prior to the effective date of the Paid Sick Leave are eligible to receive the performance advance or promotion recalculation in April 2013. Agencies must submit a Pay Change on the Job Action Requests page using the Reason code **PAV** (Perf Adv) or **PMR** (Prom Recal) effective 03/28/13 (Administration) or 04/04/13 (Institution).

Military Stipend Leave

Employees who are on a Paid or Unpaid Military Stipend Leave on the payment effective date may receive the performance advance or promotion recalculation when they return to the payroll.

If the effective date of the return from leave transaction is **prior to** Pay Period 1L, the

agency must enter a Return from Leave on the Job Data page and submit a Pay Change on the Job Action Requests page using the Reason code **PAV** (Perf Adv) or **PMR** (Prom Recal) effective 03/28/13 (Administration) or 04/04/13 (Institution).

If the effective date of the return from leave transaction is **after** Pay Period 1L, the agency must enter a Return from Leave on the Job Data page and submit a Pay Change on the Job Action Requests page using the Reason code **CSL** (Cor Sal) and the effective date of the Return from Leave with the next available sequence number.

Inactive or Leave of Absence (not related to Workers' Compensation Leave)

Employees who are Inactive or have a Payroll Status of Leave of Absence not related to a Workers' Compensation Leave on the payment effective date and who completed one (1) year of service in their grade prior to becoming inactive or being placed on Leave of Absence are eligible to receive the performance advance or promotion recalculation when they return to the payroll.

If the effective date of the return from leave transaction is **prior to** Pay Period 1L, the agency must enter a Return from Leave on the Job Data page and submit a Pay Change on the Job Action Requests page using the Reason code **PAV** (Perf Adv) or **PMR** (Prom Recal) or a Data Chg on the Job Action Requests page using the Reason code **CIC** (Chg IncCd/or AnnDt/or FIS Sal) effective 03/28/13 (Administration) or 04/04/13 (Institution).

If the effective date of the return from leave transaction is **after** Pay Period 1L, the agency must enter a Return from Leave on the Job Data page and submit a Pay Change on the Job Action Requests page using the Reason code **CSL** (Cor Sal) or a Data Chg on the Job Action Requests page using the Reason code **CIC** (Chg IncCd/or AnnDt/or FIS Sal) and the effective date of the Return from Leave with the next available sequence number.

Determining Adjusted Performance Advance Cycle

When processing a transaction that may affect performance advance eligibility, such as, but not limited to, a return from leave transaction, the agency must determine if the employee will remain on the performance advance cycle on record and if necessary, update the employee's increment code and anniversary date.

Questions

Questions regarding this bulletin may be directed to the Payroll Earnings mailbox.

the latest Health Benefits news from www.pef.org

2012 Empire Plan Claims due April 30

Empire Plan enrollees take note: Time is quickly running out for filing claims for covered medical services received in 2012.

April 30 is the last day to submit your 2012 claims to:

- Empire BlueCross BlueShield if you received inpatient or outpatient hospital services from a non-network hospital or hospital extension clinic;
- United HealthCare if you received services from a non-participating provider, or a provider that is not HCAP-approved, or physical therapy or chiropractic care from a provider that is not in the MPN Network;
- OptumHealth Behavioral Solutions if you received services from a non-network provider for mental health and/or substance abuse services; and
- Medco for prescriptions filled in 2012 at non-participating pharmacies or without using your Empire Plan Benefit Card.

If the Empire Plan is your secondary insurer, you must submit claims by April 30, or within 120 days after your primary health insurance plan processes your claim, whichever is later.

If you are covered under the Empire Plan as both an enrollee and as a dependent, you may submit secondary claims to the Empire Plan for expenses not reimbursed under your primary coverage, such as copayments (including prescription drug copayments), deductibles and coinsurance amounts.

Claims submitted after the deadline will be rejected. The carriers will only reconsider their denial of these claims if you provide documentation indicating it was not reasonably possible for you to meet the deadline (for example, due to illness).

Ask your agency Health Benefits Administrator for claim forms, or call the Empire Plan toll-free telephone number 1-877-7NYSHIP (1-877-769-7447). Or, just download the forms using the NYS Department of Civil Service website, www.cs.ny.gov. From the home page, click on "Benefit Programs" and follow the prompts to access NYSHIP Online. Then click on "Using Your Benefits".

Mail completed claim forms with supporting bills, receipts and, if applicable, a Medicare Summary Notice or statement from your primary insurer to:

- Empire Blue Cross Blue Shield
NYS Service Center (Code YLS)
P.O. Box 1407 – Church Street Station
New York, NY 10008-1407

- United HealthCare
P.O. Box 1600
Kingston, New York 12402-1600
- OptumHealth Behavioral Solutions
P.O. Box 5190
Kingston, New York 12402-5190
- The Empire Plan Prescription Drug Program
c/o Medco Health Solutions
P.O. Box 14711
Lexington, KY 40512

PLEASE POST

the latest Health Benefits news from www.pef.org

2012 Use it or Lose it Deadline Approaching

Members enrolled in the Flex Spending Account (FSA) for the 2012 plan year have until March 31, 2013 to send in reimbursement requests for eligible 2012 expenses incurred under the Health Care Spending Account and the Dependent Care Advantage Account.

The 4th quarter statement you recently received for your Flex Spending Account (FSA) included an incorrect deadline for any outstanding 2012 FSA claims. All 2012 FSA claims must be submitted by **March 31, 2013**. All 2012 claims submitted *after* March 31, 2013 will not be reimbursed.

There are no exceptions to this deadline.

All 2013 plan year expenses may only be reimbursed with 2013 funds. Only 2012 expenses will be reimbursed with 2012 funds.

FSA reimbursement requests may be mailed, faxed, or submitted online through www.myFBMC.com. For more information, log on to www.flexspend.ny.gov or call 1-800-358-7202.