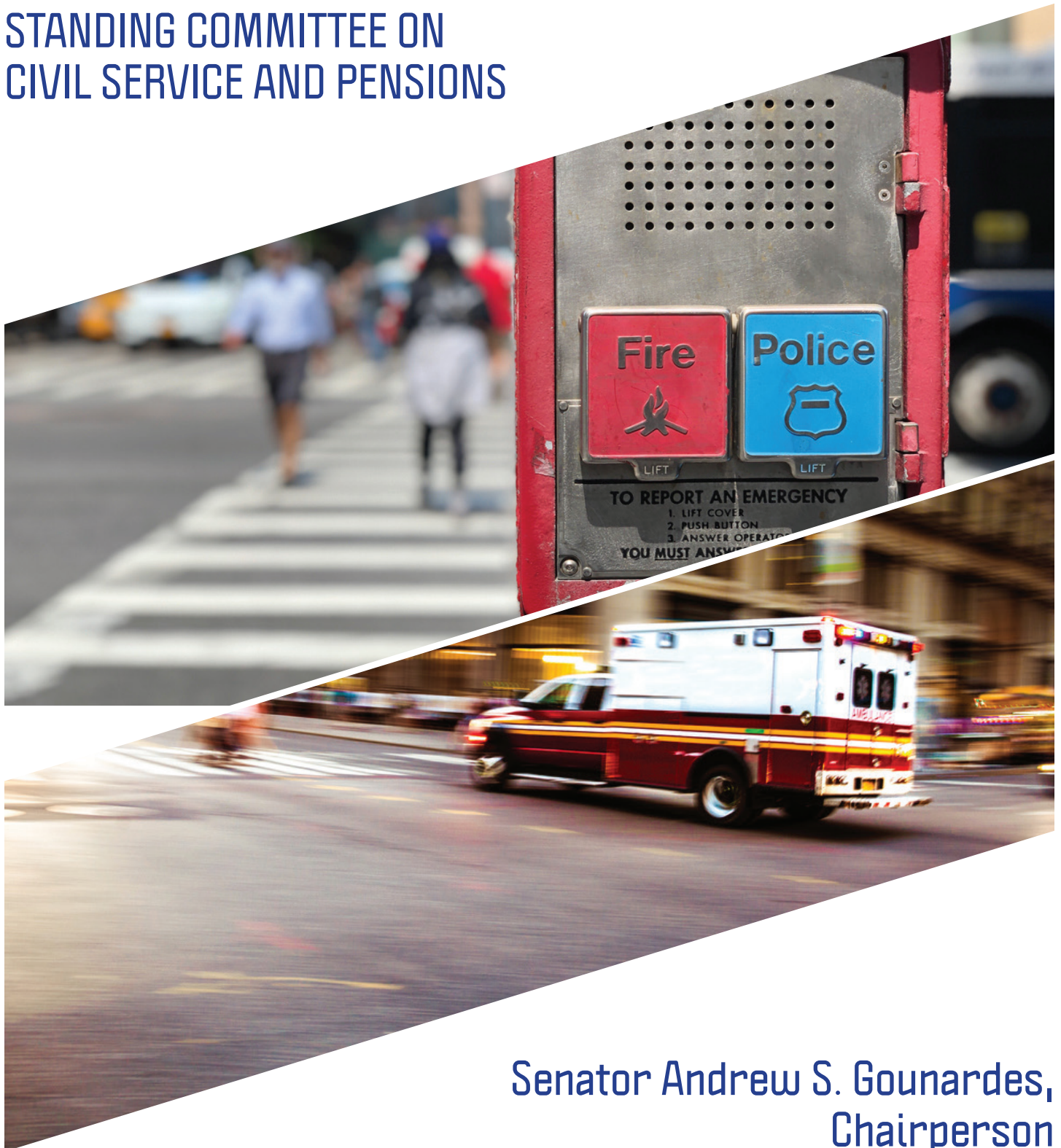


# 2019 LEGISLATIVE SESSION REPORT NEW YORK STATE SENATE



STANDING COMMITTEE ON  
CIVIL SERVICE AND PENSIONS



Senator Andrew S. Gounardes,  
Chairperson



**CHAIRMAN**

CIVIL SERVICE & PENSIONS

**COMMITTEES**

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CORPORATIONS, AUTHORITIES  
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**SENATOR  
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December 24th, 2019

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Leader Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Civil Service and Pensions for the 2019 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters regarding the public servants and retirement systems of our state.

During the 2019 session, the committee met seven times in session and reported 61 bills, pushing forward historic reforms to expand disability benefits for 9/11 first responders, enforce public employees' right to equal pay for equal work, establish fair working conditions for New York City emergency medical technicians, and boost minimum annual allowances for our state's longest-retired teachers. I also conducted an off-session civil service tour in which I visited public servants at their workplaces throughout the state. I learned what it's like to work the night shift as a New York City firefighter, teach fourth grade at a magnet public school in Syracuse, and ensure the safety of Suffolk County's courthouses alongside its uniformed court officers and clerks. I aimed to visit as many workplaces as possible so that, as the committee reviews legislation affecting our state's civil servants, we may know what it's like to walk a mile in their shoes.

I thank my colleagues who served on the committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations. I am proud of all we have accomplished in the 2019 legislative session, and look forward to a productive New Year.

Sincerely,

Senator Andrew S. Gounardes

**2019 LEGISLATIVE SESSION REPORT**

**NEW YORK STATE SENATE  
STANDING COMMITTEE ON CIVIL SERVICE AND PENSIONS**

**Senator Andrew S. Gounardes, Chairperson**

Committee Members

Sen. Joseph P. Addabbo, Jr.	Sen. Rich Funke
Sen. Robert Jackson	Sen. Daphne Jordan
Sen. Todd Kaminsky	Sen. Andrew Lanza
Sen. Diane J. Savino	

Committee Staff

Eric Katz, Deputy Counsel to the Majority Conference  
Jellisa Joseph, Associate Counsel to the Majority Conference  
Becky White, Director of Policy for Chair Andrew S. Gounardes

## **COMMITTEE JURISDICTION AND OVERVIEW**

The New York State Senate Standing Committee on Civil Service and Pensions has legislative oversight responsibilities for issues concerning the civil service system and retirement systems in our state.

During the 2019 legislative session, 185 bills were referred to the committee for its review. Of these bills, 61 were reported from the committee. Forty were passed by the Senate, and 22 passed in both houses. This work was conducted through a series of seven committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2019:

### **Chapter 252 Gaughran / Weprin**

An act to amend the retirement and social security law, in relation to disability retirement benefits for certain participants in World Trade Center rescue, recovery, or cleanup operations

- Grants an accidental disability benefit of 75% final average salary, regardless of plan coverage, to certain 9/11 first responders who contract a disease or disability related to exposure to elements at the World Trade Center site

### **S456B Benjamin / A1047B Simotas**

Relates to fair, non-biased compensation; provides for remedies and enforcement where an employee believes he or she is being discriminated against in terms of compensation in violation of section 115 of the civil service law; makes related provisions.

- Allows public employees to enforce their right to equal pay for equal work by commencing a private action

Status: On Governor's desk

### **Chapter 589 Breslin / McDonald**

An act to amend the retirement and social security law, in relation to increasing the retiree earnings cap

- Increases the salary limitation for retired public employees who take a second public job after retiring from \$30,000 to \$35,000 in 2020 and every year thereafter

### **S3152 Addabbo / A3460 Abinanti**

An act to amend the civil service law, in relation to leave for cancer screening

- Provides up to 8 hours excused leave for civil servants to get screened for any kind of cancer

Status: Reported from committee

### **S3378 Gounardes / No same as**

An act to amend the civil service law and the administrative code of the city of New York, in relation to the rights and working conditions of emergency medical technicians employed by the New York city fire department

- Provides dedicated rest and meal periods during EMT shifts and procedures for pay if such periods are interrupted in the event of an emergency

Status: Reported from committee

### **S3841 Gounardes / A5301 Abbate**

An act to amend the retirement and social security law, in relation to certain disabilities of university police officers appointed by the state university of New York

- Grants SUNY police officers the presumption that heart disease incurred on the job was a result of performance of duty

Status: Vetoed

**S3922 Gounardes / A6214 Abbate**

An act to amend the retirement and social security law, in relation to disability retirement for members of the department of environmental conservation, forest rangers, university police officers and the regional state park police

- Grants environmental conservation officers, forest rangers, university police and regional state park police 3/4 accidental disability when the disability was incurred in the performance of duty and prevents the officer from continuing to work

Status: Vetoed

**S4308A Gounardes / A7621A Abbate**

An act to amend the retirement and social security law, in relation to criminal justice faculty employed by a community college

- Allows retired police and firefighters to work in a public community college as a faculty member of the criminal justice program without loss, suspension or diminution of pension

Status: Vetoed

**S4521 Kaplan / A7849 Thiele**

An act to amend the retirement and social security law, in relation to annual earnings limitations for retired police officers employed as school resource officers

- Lifts the income limitations for retired police officers who are employed as school resource officers from \$30,000 to \$65,000 a year

Status: Passed Senate only

**S5291 Gounardes / A7248 Abbate**

An act to amend the civil service law, the public authorities law and the military law, in relation to suspension or demotion upon the abolition or reduction of positions for labor class and noncompetitive titles; and to repeal section 80-a of the civil service law relating thereto

- Gives recall rights to labor class employees and local government non-competitive employees

Status: Vetoed

**S5676A Mayer / A6092 Abbate**

An act to amend the education law, in relation to the minimum retirement allowance for members of the New York state teachers' retirement system who retired prior to July 1, 1980

- Increases the minimum supplemental benefit of the longest retired teachers from \$500 to \$550 per year of state service and extends benefit eligibility from all teachers who retired prior to July 1, 1970 to all teachers who retired prior to July 1, 1980

Status: Passed Senate only

**S5737 Kennedy / A5342 Abbate**

An act to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations

- Adds four upstate transit authorities (Niagara Frontier Transportation Authority, Rochester - Genesee Regional Transportation Authority, Capital District Transportation Authority, Central New York Regional Transportation Authority) to binding arbitration provisions which require any contract dispute between employer and employee to be referred to a public arbitration panel

Status: Vetoed

**S5905 Gounardes / A7874A Abbate**

An act to amend the administrative code of the city of New York, in relation to membership in the New York city teachers' retirement system

- Provides for automatic membership in the New York City Teachers Retirement System for paraprofessionals by eliminating the requirement that they file an application to join

Status: Vetoed

**S6130A Kaminsky / A8003 Abbate**

An act to amend the retirement and social security law, in relation to mandatory retirement age

- Increases the mandatory retirement age from 62 to 65 for certain members of the New York State Local Police and Fire Retirement Systems, allowing them to attain 25 years of service

Status: Vetoed



## TWO HOUSE BILLS

In 2019, 22 of the 185 bills referred to the Standing Committee on Civil Service and Pensions passed both houses of the Legislature. As of this writing, the Governor has signed six, vetoed 15, and has yet to act on one of these bills.

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S456B	Benjamin	An act to amend the civil service law, in relation to a fair, non-biased compensation structure	On Governor's desk
S1577	Kennedy	An act granting retroactive membership in the New York state and local employees' retirement system to Adam Markel	Vetoed
S3547	Gallivan	An act to authorize Dustin Waldron to receive certain service credit under section 384-d of the retirement and social security law	Chapter 400 of 2019
S3659	Gounardes	An act to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system	Vetoed
S3675	Gounardes	An act to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system	Vetoed
S3778	Helming	An act to authorize Jason Allen to receive certain service credit under section 384-d of the retirement and social security law	Chapter 367 of 2019
S3801	Skoufis	An act to amend the retirement and social security law, in relation to	Vetoed

		disability benefits for firefighters employed by the division of military and naval affairs	
S3813	Kaplan	An act to amend the retirement and social security law, in relation to providing accidental disability retirement benefits for chief fire marshals, assistant chief fire marshals, division supervising fire marshals, supervising fire marshals, fire marshals and fire marshal trainees in Nassau county	Vetoed
S3841	Gounardes	An act to amend the retirement and social security law, in relation to certain disabilities of university police officers appointed by the state university of New York	Vetoed
S3845	Helming	An act to authorize Brad Steve to receive certain service credit under section 384-d of the retirement and social security law	Chapter 469 of 2019
S3918	Gounardes	An act to amend the civil service law, in relation to employees classified as the Triborough bridge and tunnel authority superior officers benevolent association of an MTA-employer and the resolution of disputes in the course of collective negotiations	Vetoed
S3922	Gounardes	An act to amend the retirement and social security law, in relation to disability retirement for members of the department of environmental conservation, forest rangers, university police officers and the regional state park police	Vetoed

S3946	Gounardes	An act to amend the retirement and social security law, in relation to disability retirement benefits for sheriffs, deputy sheriffs, undersheriffs, and correction officers in Nassau county	Vetoed
S4308	Gounardes	An act to amend the retirement and social security law, in relation to criminal justice faculty employed by a community college	Vetoed
S4488	Gounardes	An act to amend the administrative code of the city of New York, in relation to the rate of interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, the crediting of special interest and additional interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems	Chapter 76 of 2019
S4719	Metzger	An act to authorize Curt McDermott to take the competitive civil service examination and be placed on the eligible list for appointment as a full-time police officer with the town of Shawangunk	Chapter 255 of 2019

S5133	Kaplan	An act to amend the retirement and social security law, in relation to providing performance of duty disability retirement benefits for ambulance medical technician supervisors, ambulance medical technician coordinators and ambulance medical technicians in Nassau county	Vetoed
S5291	Gounardes	An act to amend the civil service law, the public authorities law and the military law, in relation to suspension or demotion upon the abolition or reduction of positions for labor class and noncompetitive titles; and to repeal section 80-a of the civil service law relating thereto	Vetoed
S5737	Kennedy	An act to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations	Vetoed
S5831	Gounardes	An act to amend chapter 695 of the laws of 1994 amending the civil service law relating to injunctive relief in improper practice cases, in relation to extending the effectiveness of provisions contained therein	Chapter 64 of 2019
S5905A	Gounardes	An act to amend the administrative code of the city of New York, in relation to membership in the New York city teachers' retirement system	Vetoed
S6130A	Kaminsky	An act to amend the retirement and social security law, in relation to mandatory retirement age	Vetoed

## SUMMARY OF COMMITTEE ACTIVITY

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
S272	Benjamin	An act to amend the retirement and social security law, the education law, and the administrative code of the city of New York, in relation to requiring boards of trustees of public retirement systems to post board meeting minutes on their websites	Passed Senate Only
S456B	Benjamin	An act to amend the civil service law, in relation to a fair, non-biased compensation structure	On Governor's desk
S838A	Montgomery	An act to amend the civil service law, in relation to implementing a state policy of setting salaries on the basis of equivalent value of work	Reported from Committee
S1165	Funke	An act to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations	Reported from Committee
S1442	Sanders	An act to amend the civil service law, in relation to transfer of sick time	Reported from Committee
S1577	Kennedy	An act granting retroactive membership in the New York state and local employees' retirement system to Adam Markel	Vetoed
S1942	Little	An act to amend the civil service law, in relation to employment of retired members of the division of state police as part-time police officers in certain villages in the county of Franklin	Passed Senate only
S2050	Gounardes	An act to amend the civil service law, in relation to reimbursement for medicare charges	Reported from Committee

S2051	Gounardes	An act to amend the civil service law and the legislative law, in relation to certain benefits provided pursuant to collective bargaining agreements	Reported from Committee
S2094	Akshar	An act to amend the retirement and social security law, in relation to the calculation of past service credit for members in the title of deputy sheriff transferring between the New York state and local employees' retirement system to the New York state and local police and fire retirement system	Reported from Committee
S3099	Addabbo	An act to amend the civil service law, in relation to civil service credits for step children of firefighters, police officers, emergency medical technicians and paramedics killed in the line of duty	Passed Senate only
S3107A	Addabbo	An act establishing a temporary task force on variable supplements fund	Reported from Committee
S3151	Lanza	An act to require the commissioner of the department of civil service to prepare a report regarding the classification of mental health practitioners	Reported from Committee
S3152	Addabbo	An act to amend the civil service law, in relation to leave for cancer screening	Reported from Committee
S3547	Gallivan	An act to authorize Dustin Waldron to receive certain service credit under section 384-d of the retirement and social security law	Chapter 400 of 2019
S3649B	Gounardes	An act to amend the retirement and social security law, in relation to allowing retired public employees who participated in World Trade Center rescue, recovery or cleanup operations to seek subsequent employment with the state or a municipal	Reported from Committee

		corporation without diminution of retirement benefits	
S3659	Gounardes	An act to amend the retirement and social security law, in relation to eligibility for retirement benefits for certain members of the unified court system	Vetoed
S3675	Gounardes	An act to amend the retirement and social security law, in relation to accidental disability retirement for uniformed court officers and peace officers employed in the unified court system	Vetoed
S3778	Helming	An act to authorize Jason Allen to receive certain service credit under section 384-d of the retirement and social security law	Chapter 367 of 2019
S3801	Skoufis	An act to amend the retirement and social security law, in relation to disability benefits for firefighters employed by the division of military and naval affairs	Vetoed
S3813	Kaplan	An act to amend the retirement and social security law, in relation to providing accidental disability retirement benefits for chief fire marshals, assistant chief fire marshals, division supervising fire marshals, supervising fire marshals, fire marshals and fire marshal trainees in Nassau county	Vetoed
S3841	Gounardes	An act to amend the retirement and social security law, in relation to certain disabilities of university police officers appointed by the state university of New York	Vetoed
S3845	Helming	An act to authorize Brad Steve to receive certain service credit under section 384-d of the retirement and social security law	Chapter 469 of 2019

S3854	Lanza	An act to prohibit public employers from diminishing the health insurance benefits and contributions of certain retired public employees	Reported from committee
S3918	Gounardes	An act to amend the civil service law, in relation to employees classified as the Triborough bridge and tunnel authority superior officers benevolent association of an MTA-employer and the resolution of disputes in the course of collective negotiations	Vetoed
S3922	Gounardes	An act to amend the retirement and social security law, in relation to disability retirement for members of the department of environmental conservation, forest rangers, university police officers and the regional state park police	Vetoed
S3944A	Gounardes	An act to amend the retirement and social security law, in relation to providing a heart disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors	Passed Senate only
S3946	Gounardes	An act to amend the retirement and social security law, in relation to disability retirement benefits for sheriffs, deputy sheriffs, undersheriffs, and correction officers in Nassau county	Vetoed
S3964	Gounardes	An act to amend the retirement and social security law, in relation to accidental disability retirement for deputy sheriffs	Passed Senate only
S3968	Gounardes	An act to amend the retirement and social security law, the education law and the administrative code of the city of New York, in relation to supplemental military retirement allowances for members of public retirement systems of the state	Passed Senate only



S3977A	Gounardes	An act to amend the retirement and social security law, in relation to providing a lung disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors	Reported from Committee
S4079	Gounardes	An act to amend the civil service law, in relation to establishing a retiree parity payment for certain employees who served in a position or positions in the classified service of the state designated managerial or confidential	Passed Senate only
S4134	Skoufis	An act to amend the retirement and social security law, in relation to authorizing retired firefighters to be employed as instructors of fire sciences by a career and technical education center without diminution of his or her retirement benefits	Passed Senate only
S4153	Parker	An act to amend the civil service law, in relation to language assistance services by state agencies	Reported from Committee
S4308A	Gounardes	An act to amend the retirement and social security law, in relation to criminal justice faculty employed by a community college	Vetoed
S4468	Gounardes	An act authorizing Jonathan Grossman to apply for a recalculation of his retirement benefits	Reported from Committee
S4488	Gounardes	An act to amend the administrative code of the city of New York, in relation to the rate of interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New	Chapter 76 of 2019

		York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, the crediting of special interest and additional interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems	
S4489	Gounardes	An act to amend the education law, in relation to deductions of benefits of certain retired members	Passed Senate only
S4521	Gounardes	An act to amend the retirement and social security law, in relation to annual earnings limitations for retired police officers employed as school resource officers	Passed Senate only
S4647	Kaplan	An act to amend the civil service law, in relation to enacting the "New York state teleworking expansion act"	Reported from Committee
S4719	Metzger	An act to authorize Curt McDermott to take the competitive civil service examination and be placed on the eligible list for appointment as a full-time police officer with the town of Shawangunk	Chapter 255 of 2019
S4913	Gounardes	An act to provide for the payment of the annual contributions owed and to be owed on behalf of the New York city off-track betting corporation to the New York city employees' retirement system	Passed Senate only
S4916	Harckham	An act in relation to granting James G. Lynch retirement from the New York state and local employees' retirement system on June 10, 2016	Passed Senate only

S5038	Harckham	An act to amend the retirement and social security law, in relation to the military service credit	Passed Senate only
S5097	Gaughran	An act granting retroactive membership with Tier II status in the New York state teachers' retirement system to Lori Cohen	Passed Senate only
S5133	Kaplan	An act to amend the retirement and social security law, in relation to providing performance of duty disability retirement benefits for ambulance medical technician supervisors, ambulance medical technician coordinators and ambulance medical technicians in Nassau county	Vetoed
S5205A	Gounardes	An act to amend the civil service law, in relation to hearing procedures for certain public employees	Passed Senate only
S5206	Gounardes	An act to amend the civil service law and the general municipal law, in relation to the minimum qualifications to serve as a fire chief in any fire department, fire district or fire protection district that employs six or more paid firefighters	Reported from Committee
S5286	Skoufis	An act to amend the retirement and social security law, in relation to establishing a twenty-five year retirement plan for firefighters employed by the division of military and naval affairs	Passed Senate only
S5291	Gounardes	An act to amend the civil service law, the public authorities law and the military law, in relation to suspension or demotion upon the abolition or reduction of positions for labor class and noncompetitive titles; and to repeal section 80-a of the civil service law relating thereto	Vetoed

S5455	Gounardes	An act to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as fire protection inspectors and associate fire protection inspectors	Reported from Committee
S5492	Brooks	An act to amend the retirement and social security law, in relation to authorizing certain persons in an optional twenty year retirement plan for state university police officer service and regional state park police	Reported from Committee
S5556	Gounardes	An act to amend the retirement and social security law, in relation to establishing a twenty year retirement plan for members or officers of the regional state park police	Reported from Committee
S5613	Gounardes	An act to amend the retirement and social security law, in relation to automotive members of the New York city employees' retirement system	Reported from Committee
S5658	Gounardes	An act to amend the administrative code of the city of New York, in relation to promotions of lieutenants	Reported from Committee
S5676A	Mayer	An act to amend the education law, in relation to the minimum retirement allowance for members of the New York state teachers' retirement system who retired prior to July 1, 1980	Passed Senate only
S5737	Kennedy	An act to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations	Vetoed

S5763B	Skoufis	An act to amend the retirement and social security law, in relation to authorizing the beneficiaries of a member of the state and local employees' retirement system who die after filing a retirement application to choose pension benefits rather than a death benefit	Passed Senate only
S5831	Gounardes	An act to amend chapter 695 of the laws of 1994 amending the civil service law relating to injunctive relief in improper practice cases, in relation to extending the effectiveness of provisions contained therein	Chapter 64 of 2019
S5905A	Gounardes	An act to amend the administrative code of the city of New York, in relation to membership in the New York city teachers' retirement system	Vetoed
S6130A	Kaminsky	An act to amend the retirement and social security law, in relation to mandatory retirement age	Vetoed







2019 ANNUAL REPORT

**NEW YORK STATE SENATE**  
**STANDING COMMITTEE**

ON CIVIL SERVICE AND PENSIONS