



2021 ANNUAL
REPORT

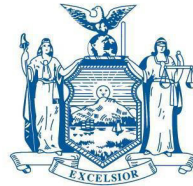
NEW YORK STATE SENATE STANDING COMMITTEE ON CIVIL SERVICE AND PENSIONS



**SENATOR
ANDREW GOUNARDES**
CHAIR

CHAIRMAN
CIVIL SERVICE & PENSIONS

COMMITTEES
CITIES I
CONSUMER PROTECTION
HIGHER EDUCATION
INSURANCE
JUDICIARY
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December 2021

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 2021 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 2021 session, the committee met seven times in session and reported 57 bills, pushing forward key reforms to close loopholes in our state's World Trade Center Presumption Law, provide laborers with adequate leave to receive the COVID-19 vaccine as well as shield them from retaliation due to COVID-related absences, and protect retiree healthcare from proposed cuts in the 2021 Executive Budget. 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 field a 911 call in Suffolk County, mentor and guide a person on parole in New York City, and nurse patients at Helen Hayes, one of the first freestanding public sector rehabilitation hospitals in the country. I also heard from many essential workers who were forced to report to work during the most hazardous months of the pandemic, such as municipal postal workers disseminating information or Office of Mental Health nurses in a psychiatric ward. The stories I heard during the civil service tour cemented what I have always known as Chairman of this committee: despite chronic underinvestment in our public sector workforce, state and local employees have risen to the occasion time and time again, and we must do all that we can as policymakers to support them.

I thank my colleagues who served on the committee for their efforts, 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 2021 legislative session, and look forward to a productive New Year.

Sincerely,

Andrew S. Gounardes
Member of Senate

2021 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. Fred Akshar
Sen. Robert Jackson	Sen. Alexis Weik
Sen. John W. Mannion	
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 of issues concerning the civil service and retirement systems in our state.

During the 2021 legislative session, 227 bills were referred to the committee for its review. Of these bills, 57 were reported from the committee. Forty were passed by the Senate, and 19 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 2021:

Ch. 401 Sepulveda / Cruz

An act to amend the civil service law, in relation to the promotion and administration of scheduled exams

- Directs the Department of Civil Service to partner with SUNY Educational Opportunity Centers (EOCs) for the hosting of civil service exams

Ch. 77 Gounardes / Fall

An act to amend the civil service law and the labor law, in relation to leave time for COVID-19 vaccination; and providing for the repeal of such provisions upon expiration thereof

- Grants all employees across the state four hours of excused leave per injection to receive the coronavirus vaccine

Ch. 624 Sepulveda / Reyes

An act to direct the president of the state civil service commission to conduct a study on the current civil service examination process to identify and provide recommendations to improve current methodologies used regarding the examination process to ensure diversity in recruitment and hiring in the public sector

- Directs the Civil Service Commission to conduct a study on how to improve diversity in the recruitment and hiring of candidates who take civil service exams

Ch. 424 Savino / Abbate

An act to amend the civil service law, in relation to prohibiting public employers from retaliating against employees for absences related to COVID-19

- Prohibits public employers from retaliating against employees who use sick leave or compensatory time to quarantine or seek medical treatment for COVID-19

S4233A Gounardes / A6461A Abbate

An act to amend the retirement and social security law and the general municipal law, in relation to disability retirement benefits for the presumption of Parkinson's Disease for paid firefighters

- Establishes a presumption that firefighters who become disabled or die due to Parkinson's Disease incurred such disease as a result of performance of duty

Status: Awaiting action from Governor

S4859 Skoufis / A6062 Abbate

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

- Creates benefit parity between groups of firefighters who perform similar functions but belong to different pension systems

Status: Awaiting action from Governor

Ch. 424 Gounardes / Abbate

An act to amend the retirement and social security law, in relation to including certain employees who were employed in public service but became members of a retirement system at a later date for eligibility for those who participated in the World Trade Center rescue, recovery or cleanup operations

- Closes a loophole in the World Trade Center Presumption Law which denied benefits to first responders who participated in rescue, recovery, and cleanup operations but had not joined a pension system at the time of such participation

S6276A Mannion / A7223A Epstein

An act to amend the civil service law, in relation to requiring the president of the civil service commission to conduct a study on the employment of persons and veterans with disabilities by the state

- Directs the Civil Service Commission to conduct a study on the public employment of persons and veterans with disabilities and how to better conduct outreach to these populations

Status: Awaiting action from Governor

Ch. 541 Mayer / 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 retirement allowance for the longest-retired teachers to \$19,250 a year

TWO HOUSE BILLS

In 2021, 29 of the 227 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 19, vetoed one, and has yet to act on nine.

Bill	Sponsor	Summary	Action
S2057	Sepulveda	An act to amend the civil service law, in relation to the promotion and administration of scheduled exams	Chapter 401 of 2021
S2588A	Gounardes	An act to amend the civil service law and the labor law, in relation to leave time for COVID-19 vaccination; and providing for the repeal of such provisions upon expiration thereof	Chapter 77 of 2021
S2934	Kaminsky	An act to amend the retirement and social security law, in relation to the retirement of members who serve as police medics, police medic supervisors and members who perform police medic related services in the Nassau County police department	Chapter 245 of 2021
S3070	Sepulveda	An act to direct the president of the state civil service commission to conduct a study on the current civil service examination process to identify and provide recommendations to improve current methodologies used regarding the examination process to ensure diversity in recruitment and hiring in the public sector	Chapter 624 of 2021
S3101	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	Chapter 524 of 2021

S3537	Kennedy	An act to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations	Awaiting action from Governor
S3594	Gallivan	An act granting retroactive membership in the New York state and local employees' retirement system to Shawn Coveny	Awaiting action from Governor
S4117	Akshar	An act to authorize the village of Endicott to offer an optional twenty-year retirement plan to a certain police officer employed by such village	Chapter 530 of 2021
S4201A	Savino	An act to amend the civil service law, in relation to prohibiting public employers from retaliating against employees for absences related to COVID-19	Chapter 214 of 2021
S4233A	Gounardes	An act to amend the retirement and social security law and the general municipal law, in relation to disability retirement benefits for the presumption of Parkinson's Disease for paid firefighters	Awaiting action from Governor
S4308	Gounardes	An act to amend the education law, in relation to deductions of benefits of certain retired members	Chapter 669 of 2021
S4343	Hinchey	An act to authorize the county of Ulster to offer an optional twenty-year retirement plan to certain deputy sheriffs employed by such county	Chapter 531 of 2021
S4404	Jordan	An act to authorize the county of Columbia to offer an optional twenty-year retirement plan to Theodore Blank, a deputy sheriff employed by such county	Awaiting action from Governor
S4408	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	Chapter 533 of 2021
S4523	Gounardes	An act to amend the retirement and social security law, in relation to establishing a twenty-year retirement	Awaiting action from Governor

		plan for members or officers of law enforcement	
S4779	Hinchey	An act to authorize the village of Athens, in the county of Greene, to offer an optional twenty-year retirement plan to police officer Edward Tercasio, Jr.	Chapter 537 of 2021
S4859	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	Awaiting action from Governor
S4897	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	Awaiting action from Governor
S4899	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
S4961B	Gounardes	An act to amend the retirement and social security law, in relation to including certain employees who were employed in public service but became members of a retirement system at a later date for eligibility for those who participated in the World Trade Center rescue, recovery or cleanup operations	Chapter 424 of 2021
S5691	Griffo	An act granting retroactive tier IV membership in the New York state and local employees' retirement system to David Goodman	Chapter 538 of 2021
S6015	Gounardes	An act to amend the civil service law, in relation to the appointment and promotion of supervisors of the fire alarm dispatcher service	Awaiting action from Governor

S6065	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 137 of 2021
S6276A	Mannion	An act to amend the civil service law, in relation to requiring the president of the civil service commission to conduct a study on the employment of persons and veterans with disabilities by the state	Awaiting action from Governor
S6483	Gounardes	An act to amend the general municipal law and the retirement and social security law, in relation to increasing certain special accidental death benefits	Chapter 327 of 2021
S6512	Gounardes	An act to amend the retirement and social security law, in relation to the maximum amount certain members of the New York state teachers' retirement system may borrow against retirement contributions and to making technical corrections thereto	Chapter 370 of 2021
S6513	Mannion	An act to amend the education law, in relation to authorizing the New York state teachers' retirement system to accept alternate methods of postal mail for submittal of forms and applications	Chapter 329 of 2021
S6569	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	Chapter 541 of 2021
S6618	Gounardes	An act to amend the retirement and social security law, in relation to the death benefit provided in the third year following retirement for certain members of the New York state teachers' retirement system	Chapter 376 of 2021

SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S159	Kaplan	An act to amend the civil service law, in relation to enacting the "New York state teleworking expansion act"	Reported from committee
S1607	Martucci	An act to authorize Susan Gillinder, the widow of Robert C. Ritchie, to file a new service retirement application and option election form with the New York state and local employees' retirement system on behalf of such deceased member	Passed Senate only
S1754	Borrello	An act to amend the education law, in relation to allowing NYSTRS retirees to change their retirement plan beneficiary to a spouse at any time prior to or after retirement	Reported from committee
S2057	Sepulveda	An act to amend the civil service law, in relation to the promotion and administration of scheduled exams	Chapter 401 of 2021
S2588A	Gounardes	An act to amend the civil service law and the labor law, in relation to leave time for COVID-19 vaccination; and providing for the repeal of such provisions upon expiration thereof	Chapter 77 of 2021
S2681	Addabbo	An act establishing a temporary task force on variable supplements fund	Reported from committee
S2866	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	Reported from committee
S2934	Kaminsky	An act to amend the retirement and social security law, in relation to the retirement of	Chapter 245 of 2021

		members who serve as police medics, police medic supervisors and members who perform police medic related services in the Nassau County police department	
S3070	Sepulveda	An act to direct the president of the state civil service commission to conduct a study on the current civil service examination process to identify and provide recommendations to improve current methodologies used regarding the examination process to ensure diversity in recruitment and hiring in the public sector	Chapter 624 of 2021
S3099	Kaplan	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	Reported from committee
S3101	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	Chapter 524 of 2021
S3312	Kaplan	An act to amend the retirement and social security law, in relation to providing a heart disease presumption for certain fire marshals in Nassau County	Passed Senate only
S3537	Kennedy	An act to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations	Awaiting action from Governor
S3594	Gallivan	An act granting retroactive membership in the New York state and local employees' retirement system to Shawn Coveny	Awaiting action from Governor
S4073	Hinchey	An act to authorize Stephen Ferraro and Stephen Porcello to take the competitive civil service examination and be placed on the eligible list for appointment as full-time police officers for the village of St. Johnsville, county of Montgomery	Reported from committee
S4117	Akshar	An act to authorize the village of Endicott to offer an optional twenty-year retirement plan to a certain police officer employed by such village	Chapter 530 of 2021

S4148	Gounardes	An act to amend the civil service law, in relation to reimbursement for Medicare charges	Reported from committee
S4149	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
S4201A	Savino	An act to amend the civil service law, in relation to prohibiting public employers from retaliating against employees for absences related to COVID-19	Chapter 214 of 2021
S4233A	Gounardes	An act to amend the retirement and social security law and the general municipal law, in relation to disability retirement benefits for the presumption of Parkinson's Disease for paid firefighters	Awaiting action from Governor
S4308	Gounardes	An act to amend the education law, in relation to deductions of benefits of certain retired members	Chapter 669 of 2021
S4343	Hinchey	An act to authorize the county of Ulster to offer an optional twenty-year retirement plan to certain deputy sheriffs employed by such county	Chapter 531 of 2021
S4404	Jordan	An act to authorize the county of Columbia to offer an optional twenty-year retirement plan to Theodore Blank, a deputy sheriff employed by such county	Awaiting action from Governor
S4408	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	Chapter 533 of 2021
S4411	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
S4438	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 benefits	Passed Senate only

S4523	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 law enforcement	Awaiting action from Governor
S4686	Helming	An act granting retroactive membership in the New York state and local employees retirement system to Justin Whitmore	Reported from committee
S4720	Stec	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
S4779	Hinchey	An act to authorize the village of Athens, in the county of Greene, to offer an optional twenty-year retirement plan to police officer Edward Tercasio, Jr.	Chapter 537 of 2021
S4859	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	Awaiting action from Governor
S4869	Gaughran	An act granting retroactive membership with Tier II status in the New York state teachers' retirement system to Lori Cohen	Passed Senate only
S4897	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	Awaiting action from Governor
S4899	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
S4961B	Gounardes	An act to amend the retirement and social security law, in relation to including certain employees who were employed in public service but became members of a retirement	Chapter 424 of 2021

		system at a later date for eligibility for those who participated in the World Trade Center rescue, recovery or cleanup operations	
S5096A	Sanders	An act to amend the civil service law, in relation to transfer of sick time	Reported from committee
S5110A	Brooks	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	Reported from committee
S5133	Borrello	An act to authorize the New York state teachers' retirement system to accept an application for disability retirement benefits from Karen Sosinski	Reported from committee
S5178	Gounardes	An act to amend the civil service law, in relation to compensation, benefits and other terms and conditions of employment of members of the agency police services unit; to amend the state finance law, in relation to the employee benefit fund for certain members of the agency police services unit; to implement an agreement or interest arbitration award between the state and the employee organization representing the members of the agency police services unit; making an appropriation for the purpose of effectuating certain provisions thereof; and to repeal certain provisions of the civil service law relating thereto	Reported from committee
S5526	Addabbo	An act authorizing Jonathan Grossman to apply for a recalculation of his retirement benefits	Reported from committee
S5577	Mayer	An act to amend the retirement and social security law, in relation to the calculation of past service credit for police officers employed by the division of law enforcement in the department of environmental protection in the city of New York transferring between the New York city employees' retirement system to the New York state and local police and fire retirement system	Passed Senate only
S5630	Gounardes	An act to amend the retirement and social security law, in relation to eligibility for	Reported from committee

		retirement benefits for certain members of the unified court system	
S5691	Griffo	An act granting retroactive tier IV membership in the New York state and local employees' retirement system to David Goodman	Chapter 538 of 2021
S6015	Gounardes	An act to amend the civil service law, in relation to the appointment and promotion of supervisors of the fire alarm dispatcher service	Awaiting action from Governor
S6022A	Hoylman	An act to amend the retirement and social security law, in relation to discharged LGBT veterans	Reported from committee
S6058	Stec	An act to deem an application filed with the New York state and local police and fire retirement system by the widow of Stephen L. Raymond as timely filed	Passed Senate only
S6065	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 137 of 2021
S6166	Brooks	An act granting retroactive tier V membership in the New York state and local employees' retirement system to Daniel Miller	Reported from committee
S6276A	Mannion	An act to amend the civil service law, in relation to requiring the president of the civil service commission to conduct a study on the employment of persons and veterans with disabilities by the state	Awaiting action from Governor
S6302	Weik	An act authorizing Michael J. Cappiello to purchase service credit for service with the Long Island Railroad Company police department	Passed Senate only
S6483	Gounardes	An act to amend the general municipal law and the retirement and social security law, in relation to increasing certain special accidental death benefits	Chapter 327 of 2021
S6512	Gounardes	An act to amend the retirement and social security law, in relation to the maximum amount certain members of the New York state teachers' retirement system may borrow against retirement contributions and to making	Chapter 370 of 2021

		technical corrections thereto	
S6513	Mannion	An act to amend the education law, in relation to authorizing the New York state teachers' retirement system to accept alternate methods of postal mail for submittal of forms and applications	Chapter 329 of 2021
S6537	Reichlin - Melnick	An act to amend the education law, the retirement and social security law, the administrative code of the city of New York, and chapter 666 of the laws of 1990, amending the administrative code of the city of New York and the education law relating to the availability of additional pension benefits, in relation to the transfer of reserves between public retirement systems of the state for certain members	Passed Senate only
S6569	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	Chapter 541 of 2021
S6618	Gounardes	An act to amend the retirement and social security law, in relation to the death benefit provided in the third year following retirement for certain members of the New York state teachers' retirement system	Chapter 376 of 2021
S6619A	Gounardes	An act to amend the retirement and social security law, in relation to the ordinary death benefit	Passed Senate only



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**NEW YORK STATE SENATE
STANDING COMMITTEE**

CIVIL SERVICE AND PENSIONS