



# New York State Senate Standing Committee on **Civil Service and Pensions** **Senator Robert Jackson**

Chair



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Senator Andrea Stewart-Cousins  
President Pro Tempore  
NYS Senate Majority Leader



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THE SENATE  
STATE OF NEW YORK

**ROBERT JACKSON**  
SENATOR, 31<sup>ST</sup> DISTRICT

**CHAIRPERSON**  
Civil Service and Pensions

**COMMITTEE MEMBER**

Cities &  
Education  
Higher Education  
Housing, Construction and  
Community Development  
Labor  
New York City Education

**MEMBER**

New York State Black, Puerto Rican,  
Hispanic & Asian Legislative Caucus

December 16, 2022

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

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Civil Service and Pensions for the 2022 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my Committee's jurisdiction.

During the 2022 session, this committee met five times in session and reported 39 bills and one nomination for the Civil Service Commission. The Committee did not hold any hearings this past year.

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. I also thank you for the continued support from the Majority Conference in the committee's operations.

In Unity,

A handwritten signature in blue ink that reads "Robert Jackson". The signature is stylized with a long, sweeping underline.

Robert Jackson  
Senator, 31st District



**2022 LEGISLATIVE SESSION REPORT**  
**NEW YORK STATE SENATE**  
**STANDING COMMITTEE ON CIVIL SERVICE AND PENSIONS**

**Senator Robert Jackson, Chairperson**

Committee Members

<u>Majority</u>	<u>Minority</u>
Senator Joseph P. Addabbo, Jr. Senator Andrew Gounardes Senator John W. Mannion Senator Diane J. Savino	Senator Fred Akshar, Ranking Member Senator Alexis Weik

Committee Staff

Matthew D. Levy, Counsel & Legislative Director  
Erin Rose Collins, Policy Director  
Amanda Godkin, Assistant Deputy Counsel  
Elizabeth Robins, Committee Counsel  
Christopher Friend, Committee Analyst



## **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 and retirement systems in our state.

During the 2022 Legislative Session, 256 bills were referred to the Committee for its review. Of these bills, 39 were reported from the Committee. Twenty-One were passed by both houses and seven were passed by the Senate only. The Governor has signed 8 bills into law and vetoed 4 bills. Eight bills are awaiting action by the Governor and 1 bill was delivered to the Governor. This work was conducted through a series of four committee meetings. Additionally, one meeting was held on the nomination of Timothy Hagues to be a member, designated as chair, of the Civil Service Commission. 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 2022:

Bill	Sponsor	Summary	Action
S6619B	Gounardes	Delays reductions in the ordinary death benefit payable to members of the New York State and Local Retirement and the New York State and Local Police and Fire Retirement System to ensure that no reduction before a member becomes retirement eligible for an unreduced retirement from age 61 to 62 for members in Tiers 1-5 and 63 for members in Tier 6.	On the Governor's Desk
S6980B	Gounardes	Authorizes police/fire members of the New York city fire department pension fund to obtain credit for certain prior service as an EMT member.	On the Governor's Desk
S6988B	Gounardes	Establishes 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.	On the Governor's Desk
S7662A	Hoylman	Requires employment opportunities to be posted on the department of civil service website.	Chapter 402 of 2022
S8210	Jackson	Relates to granting salary protection for provisional and temporary employees.	Chapter 666 of 2022
S8282	Jackson	Relates to injunctive relief in improper practice cases; makes provisions of the civil service law relating to injunctive relief in improper practice cases permanent.	Chapter 713 of 2022
S8399	Jackson	Provides that uniformed court officers and peace officers employed in the unified court system shall be entitled to accidental disability retirement if they sustain injuries as the result of a physical assault by an assailant suffered while in service.	Veto 131 of 2022
S8401	Gounardes	Provides that certain members of the police and fire retirement system shall have final average salary be calculated as the regular compensation earned during the twelve months of actual service immediately preceding the date of such member's retirement.	On the Governor's Desk



<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S8477	Jackson	Relates to establishing a twenty-year retirement plan for members or officers of law enforcement; includes every non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, and university police officers in such twenty-year plan.	Veto 133 of 2022
S8481	Jackson	Requires that firefighters shall not be subjected to the penalty of dismissal from service or any other discipline if the hearing, upon such charge, has been conducted by someone other than an independent hearing officer.	Chapter 674 of 2022
S8529	Gounardes	Extends provisions relating to leave time for COVID-19 vaccination until December 31, 2023.	Chapter 234 of 2022
S8532	Jackson	Increases the limits on certain types of investments by public pension funds.	On the Governor's Desk

## TWO HOUSE BILLS

In 2022, 21 of the 256 bills referred to the Standing Committee on Civil Service and Pensions passed both houses of the Legislature. Of these bills, the Governor has signed 8 and vetoed 4. In addition, there are 8 bills that have passed the Legislature and 1 bill delivered to the Governor that are awaiting action by the Governor.

Bill	Sponsor	Summary	Action
S907A	Sanders	Permits state employees to be excused from work without loss of compensation for up to four hours to donate blood; permits supervisor to require proof of such donation.	Chapter 530 of 2022
S1889C	Skoufis	Relates to providing accidental disability retirement benefits for fire protection specialists.	On the Governor's Desk
S5557A	Mayer	Relates 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.	On the Governor's Desk
S6058A	Stec	Deems 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.	On the Governor's Desk
S6619B	Gounardes	Delays reductions in the ordinary death benefit payable to members of the New York State and Local Retirement and the New York State and Local Police and Fire Retirement System to ensure that no reduction before a member becomes retirement eligible for an unreduced retirement from age 61 to 62 for members in Tiers 1-5 and 63 for members in Tier 6.	On the Governor's Desk
S6980B	Gounardes	Authorizes police/fire members of the New York city fire department pension fund to obtain credit for certain prior service as an EMT member.	On the Governor's Desk
S6988B	Gounardes	Establishes 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.	On the Governor's Desk

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S7490	Martucci	Authorizes John Raftery of the town of Shawangunk to take the competitive civil service examination for the position of police officer and be placed on the eligible list for employment as a full-time police officer for the town of Shawangunk police department.	Chapter 534 of 2022
S7662A	Hoylman	Requires employment opportunities to be posted on the department of civil service website.	Chapter 402 of 2022
S8192	Breslin	Ensures that public retirees are not having their skilled nursing care benefits reduced under the state health benefit plan at the time they enroll for Medicare.	On the Governor's Desk
S8210	Jackson	Relates to granting salary protection for provisional and temporary employees.	Chapter 666 of 2022
S8282	Jackson	Relates to injunctive relief in improper practice cases; makes provisions of the civil service law relating to injunctive relief in improper practice cases permanent.	Chapter 713 of 2022
S8399	Jackson	Provides that uniformed court officers and peace officers employed in the unified court system shall be entitled to accidental disability retirement if they sustain injuries as the result of a physical assault by an assailant suffered while in service.	Veto 131 of 2022
S8401	Gounardes	Provides that certain members of the police and fire retirement system shall have final average salary be calculated as the regular compensation earned during the twelve months of actual service immediately preceding the date of such member's retirement.	On the Governor's Desk
S8477	Jackson	Relates to establishing a twenty-year retirement plan for members or officers of law enforcement; includes every non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, and university police officers in such twenty-year plan.	Veto 133 of 2022

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S8481	Jackson	Requires that firefighters shall not be subjected to the penalty of dismissal from service or any other discipline if the hearing, upon such charge, has been conducted by someone other than an independent hearing officer.	Chapter 674 of 2022
S8529	Gounardes	Extends provisions relating to leave time for COVID-19 vaccination until December 31, 2023.	Chapter 234 of 2022
S8532	Jackson	Increases the limits on certain types of investments by public pension funds.	On the Governor's Desk
S8644	Savino	Provides for the automatic enrollment of employees of the city of New York eligible to join the New York city board of education retirement system.	Veto 45 of 2022
S8685	Jackson	Relates to the appointment and promotion of supervisors of the fire alarm dispatcher service; requires that a promotion be based on merit and fitness as determined by competitive examination, due weight being given to seniority.	Veto 103 of 2022
S8974	Griffo	Authorizes Jeffrey Chase of the village of New York Mills to take the competitive civil service examination for the position of police officer and be placed on the eligible list for employment as a full-time police officer for the village of New York Mills police department.	Chapter 541 of 2022

## SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S907A	Sanders	Permits state employees to be excused from work without loss of compensation for up to four hours to donate blood; permits supervisor to require proof of such donation.	Chapter 530 of 2022
S1754	Borrello	Allows for NYSTRS retirees to change their retirement plan beneficiary to a spouse at any time either prior to or after retirement.	Reported and Committed to Finance
S1889C	Skoufis	Relates to providing accidental disability retirement benefits for fire protection specialists.	On the Governor's Desk
S2866	Gounardes	Provides a pension benefit parity payment to certain retirees from a state management/confidential position.	Reported and Committed to Finance
S3991C	Reichlin-Melnick	Permits a retired member to change his or her option election or designate a new beneficiary where the beneficiary has been convicted of a family offense.	Passed the Senate Only
S4073	Hinchey	Authorizes 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.	Committed to Rules
S4438	Skoufis	Authorizes retired firefighters to be employed as fire science instructors by career and technical education centers without a reduction of their retirement benefits.	Passed the Senate Only
S4720	Stec	Authorizes the villages of Malone, Saranac Lake and Tupper Lake, in the county of Franklin, to employ retired former members of the division of state police as part-time village police officers.	Passed the Senate Only
S4869A	Gaughran	Grants retroactive membership with Tier II status in the New York state teachers' retirement system to Lori Cohen.	Passed the Senate Only

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
S5184	Sanders	Prohibits the diminution of health insurance benefits of public employee retirees and their dependents or reducing the employer's contributions for such insurance; defines employers to include the state, municipalities, school districts, and public authorities and commissions.	Reported and Committed to Finance
S5406A	Reichlin-Melnick	Authorizes Harvey Eilbaum to file a request to nominate an additional beneficiary with the New York state and local employees' retirement system.	Passed the Senate Only
S5557A	Mayer	Relates 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.	On the Governor's Desk
S6058A	Stec	Deems 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.	On the Governor's Desk
S6082A	Gounardes	Relates to primary social security retirement benefits for certain members; provides that in the computation of the normal service retirement benefit of members of the New York city fire department pension fund, there shall be no reduction for the primary social security retirement benefit.	Reported and Committed to Finance
S6561	Reichlin-Melnick	Prevents an agency, department, division, commission, bureau or any other entity under the authority of the executive department from contracting, subcontracting or hiring any third party during a hiring freeze.	Reported and Committed to Finance
S6619B	Gounardes	Delays reductions in the ordinary death benefit payable to members of the New York State and Local Retirement and the New York State and Local Police and Fire Retirement System to ensure that no reduction before a member becomes retirement eligible for an unreduced retirement from age 61 to 62 for members in Tiers 1-5 and 63 for members in Tier 6.	On the Governor's Desk

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
S6980B	Gounardes	Authorizes police/fire members of the New York city fire department pension fund to obtain credit for certain prior service as an EMT member.	On the Governor's Desk
S6988B	Gounardes	Establishes 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.	On the Governor's Desk
S7490	Martucci	Authorizes John Raftery of the town of Shawangunk to take the competitive civil service examination for the position of police officer and be placed on the eligible list for employment as a full-time police officer for the town of Shawangunk police department.	Chapter 534 of 2022
S7662A	Hoylman	Requires employment opportunities to be posted on the department of civil service website.	Chapter 402 of 2022
S8182	Savino	Defines "irreparable injury, loss or damage" for purposes of injunctive relief.	Committed to Rules
S8192	Breslin	Ensures that public retirees are not having their skilled nursing care benefits reduced under the state health benefit plan at the time they enroll for Medicare.	On the Governor's Desk
S8210	Jackson	Relates to granting salary protection for provisional and temporary employees.	Chapter 666 of 2022
S8282	Jackson	Relates to injunctive relief in improper practice cases; makes provisions of the civil service law relating to injunctive relief in improper practice cases permanent.	Chapter 713 of 2022
S8399	Jackson	Provides that uniformed court officers and peace officers employed in the unified court system shall be entitled to accidental disability retirement if they sustain injuries as the result of a physical assault by an assailant suffered while in service.	Veto 131 of 2022

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
S8400A	Gounardes	Allows a beneficiary of a member whose death occurs on or after July 1, 2022, and who would have been entitled to a service credit at the time of such member's death to elect to receive a lump sum payment equal to the pension reserve that would have been established had the member retired on the date of such member's death.	Reported and Committed to Finance
S8401	Gounardes	Provides that certain members of the police and fire retirement system shall have final average salary be calculated as the regular compensation earned during the twelve months of actual service immediately preceding the date of such member's retirement.	On the Governor's Desk
S8477	Jackson	Relates to establishing a twenty-year retirement plan for members or officers of law enforcement; includes every non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, and university police officers in such twenty-year plan.	Veto 133 of 2022
S8481	Jackson	Requires that firefighters shall not be subjected to the penalty of dismissal from service or any other discipline if the hearing, upon such charge, has been conducted by someone other than an independent hearing officer.	Chapter 674 of 2022
S8529	Gounardes	Extends provisions relating to leave time for COVID-19 vaccination until December 31, 2023.	Chapter 234 of 2022
S8532	Jackson	Increases the limits on certain types of investments by public pension funds.	On the Governor's Desk
S8594	Parker	Authorizes the widow of Peter Sistrom to file a retirement option election on behalf of her deceased husband.	Passed the Senate Only



<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
S8644	Savino	Provides for the automatic enrollment of employees of the city of New York eligible to join the New York city board of education retirement system.	Veto 45 of 2022
S8685	Jackson	Relates to the appointment and promotion of supervisors of the fire alarm dispatcher service; requires that a promotion be based on merit and fitness as determined by competitive examination, due weight being given to seniority.	Veto 103 of 2022
S8686	Jackson	Relates to the retirement of Nassau County 911 operators; provides an optional twenty-five year retirement plan for county police communications operator, police communications operator supervisor, assistant bureau director (police 911 communications) and bureau director (police 911 communications) in the county of Nassau.	Reported and Committed to Finance
S8911	Jackson	Relates to increasing the mandatory retirement age of New York state regional park police from 62 to 65 years old.	Committed to Rules
S8912	Jackson	Relates to authorizing geographic pay differentials for certain police officers; authorizes a pay differential for regional state park police, forest ranger, environmental conservation officer, and university police officer titles when wage rates of police officers in a given location are substantially higher than the wage rates paid by the state.	Reported and Committed to Finance
S8974	Griffo	Authorizes Jeffrey Chase of the village of New York Mills to take the competitive civil service examination for the position of police officer and be placed on the eligible list for employment as a full-time police officer for the village of New York Mills police department.	Chapter 541 of 2022
S9051	Jackson	Permits investment of retirement funds in mortgages guaranteed by New York state homes and community renewal.	Passed the Senate Only

### 2022 NOMINATION REPORTED

<b>Nominee</b>	<b>Position</b>	<b>Board/ Authority</b>	<b>Nominated By</b>	<b>Date Confirmed</b>	<b>New/ Reappointment</b>
Timothy Hogues	Member (To Be Designated Chair)	Civil Service Commission	Governor	May 23, 2022	New





Annual Report 2022

**New York State Senate Standing  
Committee on Civil Service and Pensions**