



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF THE BUDGET
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BUDGET BULLETIN	B-1202	September 19, 2012
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TO: ALL DEPARTMENT AND AGENCY HEADS

FROM: Robert L. Megna *Robert L. Megna*

SUBJECT: SFY 2011-12 & 2012-13 NYSCOPBA Arb. Eligible Deficit Reduction Plan

On July 23, 2012, employees represented by the New York State Correctional Officers & Police Benevolent Association, Inc. (NYSCOPBA) in the Arbitration Eligible (Arb. eligible) bargaining unit (BU 01) ratified a collective bargaining agreement with the State for SFY 2009-10 through SFY 2015-16.

As agreed to in the collective bargaining agreement between the State and NYSCOPBA for Arb. eligible members, and in accordance with Chapter 491 of the Laws of 2011, employees in the NYSCOPBA Arb. eligible bargaining unit, regardless of funding source, are subject to the NYSCOPBA Arb. eligible Deficit Reduction Plan (DRP).

Affected full-time employees will be provided with nine or four days of Deficit Reduction Leave (DRL) depending on the date the employee first joined the bargaining unit. The full amount of DRL became available for employee use on July 23, 2012. For employees who wish to use such DRL, they must do so before September 30, 2014. For less than full-time employees, and for employees who join State service as members of NYSCOPBA Arb. eligible unit after March 26, 2012 (and prior to the end of the 2012-13 SFY), prorated DRL will be provided. State agencies are instructed to ensure that each employee who requests use of DRL is permitted to use such DRL, subject to supervisory approval.

The ratified collective bargaining agreement provides for retroactive general salary increases as far back as 2009. The NYSCOPBA Arb. eligible DRP provides for reductions to such employee retroactive salary payments and/or bi-weekly reductions from certain paychecks which are paid to employees in SFY 2012-13, depending on when impacted employees first become members of the bargaining unit.

For most employees, a portion of DRP reductions will be based on SFY 2011-12 compensation and a portion will be based on SFY 2012-13 compensation (although all reductions will occur in SFY 2012-13). The portion of each affected employee's DRP reductions which are attributable to SFY 2012-13 compensation will be repaid to each affected employee in equal bi-weekly installments over 39 consecutive payroll periods beginning with the final paycheck of SFY 2015-16.

The flexible design of the DRP will facilitate agency management in scheduling coverage of all needed shifts without the use of additional overtime. Agency management must ensure that overtime is not worked or utilized that would not have otherwise been worked or utilized in the absence of the DRP. The DRP provides an important contribution to Financial Plan balance; DRP savings must not be offset by additional and unanticipated overtime expenses. The Division of the Budget will closely monitor bi-weekly agency overtime reports to track changes in overtime use compared to prior corresponding bi-weekly periods.

Questions regarding this bulletin should be directed to your Budget Examiner. Additional information will be available from the Office of the State Comptroller (Payroll Bulletin) and from the Department of Civil Service (Attendance and Leave Manual Policy Bulletin).