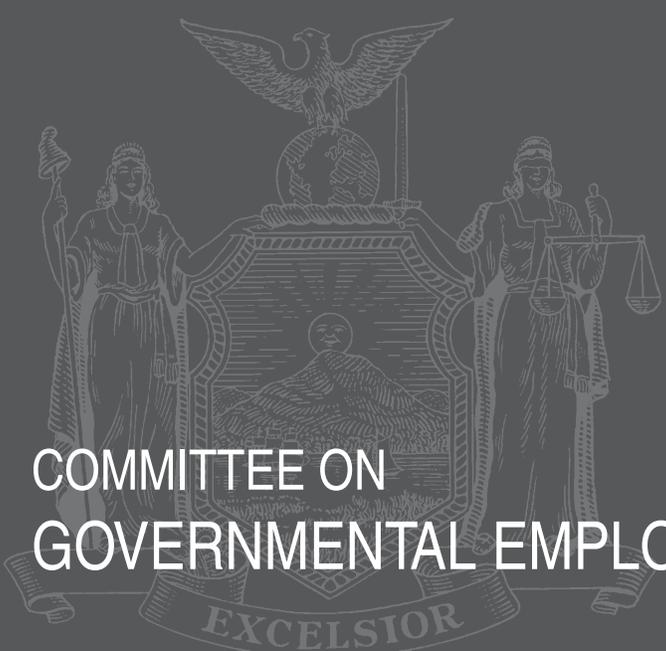


NEW YORK STATE ASSEMBLY

ANNUAL REPORT

2020



COMMITTEE ON
GOVERNMENTAL EMPLOYEES

CARL E. HEASTIE
SPEAKER

PETER J. ABBATE, JR.
CHAIR



PETER J. ABBATE, JR.
Assemblyman 49TH District
Kings County

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIRMAN
Committee on
Governmental Employees

CHAIRMAN
Subcommittee on
Safety in the Work Place

COMMITTEES
Aging
Banks
Consumer Affairs & Protection
Labor

December 15, 2020

Honorable Carl Heastie
Speaker, New York State Assembly
932 Legislative Office Building
Albany, New York 12248

Dear Speaker Heastie,

I am pleased to submit the 2020 Annual Report for the Assembly's Standing Committee on Governmental Employees.

Prior to the temporary suspension of the 2020 Legislative Session due to the outbreak of the Coronavirus pandemic (COVID-19), the Committee succeeded in advancing budget initiatives to protect public employees' right to bargain (PPGG, Part W), ensuring pay equity for employees at State and Local Public Authorities (PPGG, Part QQ), extending the 9/11 Workers' Protection Taskforce for another five years, as well as extending the Widow's 3% Cost of Living Adjustment for another fiscal year.

Moreover, throughout the course of the COVID-19 pandemic, many employees such as emergency medical personnel, firefighters, police officers, sanitation workers, transit workers and several others continued to show up to work and provide essential services to our communities. Unfortunately, many of these individuals have risked their health and well-being for their service. As such, the Committee worked tirelessly in conjunction with various stakeholders to advance Chapter 89 of the Laws of 2020 to provide accidental death benefits to the beneficiaries of all public employees who worked on or after March 1, 2020, contracted COVID-19, and died of COVID-19 on or before December 31, 2020.

This is a small sampling of the legislation the Committee has reported this year, highlighting its commitment to the working men and women in our state. This annual report provides greater

details on the Committee's accomplishments and reports on the various legislative proposals considered by the Committee this year.

I would like to thank the Committee members and staff for all their hard work and dedication to our state's public employees. Additionally, I would like to thank the public employee organizations, unions and the many government officials who helped make this year a successful one. I look forward to continuing to serve as the Committee chair.

I also thank you for your guidance and support, which was vital to the accomplishments of the committee during the 2020 Legislative Session.

Sincerely,

A handwritten signature in black ink that reads "Peter J. Abbate, Jr." in a cursive script.

Peter J. Abbate, Jr.
Member of Assembly

Annual Report
of the
Assembly Standing Committee on
Governmental Employees
Peter J. Abbate, Jr., Chairman
Members of the Committee

Majority

Jeffrion L. Aubry
William Colton
Michael J. Cusick
Michael G. DenDekker
Judy A. Griffin
Stacey Pheffer Amato
Sean M. Ryan
Angelo Santabarbara
Kenneth Zebrowski

Minority

Nicole Malliotakis - Ranker
Joseph P. DeStefano
Mark Johns
Anthony H. Palumbo

Committee Staff

Dallas Trombley, Assistant Secretary for Program and Policy
Christopher Greenidge, Associate Counsel
Taina B. Wagnac, Analyst
Christine Eppelmann, Committee Clerk
Megan Byrne, Program & Counsel Secretary

Table of Contents

COMMITTEE SUMMARY.....	5
FAIR WAGES AND PAY EQUITY.....	6
CIVIL SERVICE PROTECTIONS.....	6
BENEFITS FOR UNIFORMED PERSONNEL.....	7
PENSION & CIVIL SERVICE LEGLISATION.....	7
APPENDIX A – 2020 Summary Sheet.....	9
APPENDIX B – Bills Passed By the Assembly.....	10

COMMITTEE SUMMARY

The New York State Assembly Standing Committee on Governmental Employees oversees legislation and issues concerning the civil service law and the public pension and retirement systems.

Throughout the 2020 Legislative Session, the Committee strived to protect the rights and provide basic workplace protections to all employees and officers across the State of New York. In order to complete our mission, we have worked earnestly to pass legislation that relates to the fair and equal compensation of public employees, disciplinary and hearing proceedings, civil service examinations and appointments, disability and retirement benefits for uniformed employees, the right to organize collective bargaining units, and the ratification of collective bargaining agreements. This Committee has also reviewed legislation altering pension and disability benefits and eligibility for such benefits for certain members of the public pension and retirement systems. Through our work, the Committee seeks to enhance the governing structure of pension systems as well as maintain their sustainability.

Additionally, the Committee on Governmental Employees is responsible for the mandate of legislative initiatives protecting the individuals our communities rely on the most: our public safety personnel. Our police, fire, sanitation, emergency medical technician, and corrections workers risk their lives to protect our citizens and maintain the much-needed services New Yorkers rely on every day. In recognition of their dedicated service our Committee has advanced legislation that aims to enhance the effectiveness and efficiency of the law enforcement, public safety and security organizations located within New York State.

During the 2020 Legislative Session, a total of 288 legislative proposals were referred to the Committee on Governmental Employees. The Committee reported 15 bills. Of those proposals, 10 passed both Houses. Of those, 10 were chaptered and 0 were vetoed.

I. FAIR WAGES AND PAY EQUITY

The New York State Department of Labor's *Closing the Gender Wage Gap* 2018 report revealed that, despite significant progress in New York to advance fair pay and economic opportunities, women continue to be disproportionately employed in lower salary brackets in the public sector state workforce. In particular, women of color were less likely to receive or have access to opportunities for promotion or advancement. Recognizing that work still remains, the Assembly has continued to advance legislation to ensure equality in wages for all New Yorkers.

A.8971 (Rosenthal L)/ S.6942 (Montgomery) – Chapter 46

This law implements technical amendments to Chapter 741 of the Laws of 2019 to ensure that employees with status in one or more protected classes shall not be paid a wage less than employees with status within the same or different protected class or classes in the same title and same establishment.

A.8973 (Simotas)/ S.6935 (Benjamin) – Chapter 41

This law implements technical amendments to Chapter 743 of the Laws of 2019 to clarify that it shall not be an employer violation to provide differing compensation to employees pursuant to a collective bargaining agreement.

II. CIVIL SERVICE PROTECTIONS

Public sector employees provide the most critical services to our state. In acknowledging the importance and vital role of a robust public sector workforce, the Committee has worked diligently to introduce and advance the following legislative proposals:

A.8970 (Pheffer Amato)/ S.6950 (Gounardes) – Chapter 60

This law implements technical amendments to Chapter 251 of the Laws of 2019 to authorize any individual who has filed a World Trade Center notice of participation under the Workers' Compensation law to be eligible to submit a written request for line of duty sick leave benefits. The law also grants the Civil Service Commission with the authority to review reimbursement claims submitted by public authorities and municipal corporations for payments of line of duty sick leave benefits.

III. BENEFITS FOR UNIFORMED PERSONNEL

The State of New York is home to some of the most dedicated servicemen and servicewomen in the country and, as such, it is crucial that we offer them the same level of support and safety in return. During this legislative session year, the Committee has advanced legislation seeking to provide and extend eligibility for disability benefits to certain uniformed members and provide financial stability to injured members and their families. Below are such noteworthy pieces of legislation:

A.8972 (Ortiz)/ S.7170 (Brooks) – Chapter 72

This law implements technical amendments to Chapter 570 of the Laws of 2019 to permit individuals to deduct up to seven years of military service from their age for appointment or promotion into any position including but not limited to cities with a population of one million or more.

IV. PENSION & CIVIL SERVICE LEGISLATION FOR INDIVIDUALS

The following legislation pertains to certain New York State Civil Service employees and members of New York State Retirement Systems concerning eligibility into certain retirement plans and tiers, competitive civil service examinations, and fields of employment.

A.8300-A (Zebrowski)/ S.6459-A (Carlucci) – Chapter 290

This law authorizes the town of Clarkstown to reopen the provisions of an Optional 20-year retirement plan established for certain firefighters and police officers to permit Edward Fairclough, Kyle McKiernan, Corry Doyle, and Sean Weaver, members of the New York state and local police and fire retirement system who are employed as police officers in the town of Clarkstown, to apply and elect participation into such plan.

A.8483-A (Tague)/ S.8216-A (Seward) – Chapter 302

This law directs the Village of Cobleskill, a participating employer of the New York state police and fire retirement system, to reopen the provisions of an Optional 20-year retirement plan established for certain firefighters and police officers to allow Christopher R. Sniffen and Cody N. Whittaker, who are in Tier VI of PFRS and employed as police officers in such village, to elect participation and receive full credit in the optional retirement plan.

A.10316 (Lifton)/ S.8217 (Seward) – Chapter 264

This law authorizes the City of Cortland to reopen the provisions of an Optional 20-year retirement plan established for certain firefighters and police officers to permit Travis Marshall, a

firefighter employed in such city and is a member in the New York state and local police and fire retirement system to apply and elect participation into such plan.

A.10536 (Eichenstein)/ S.8714 (Felder) – Chapter 379

This law authorizes the beneficiary of Noach Dear, a Tier III member of the New York state employees' retirement system employed as a Judge at the NYS Unified Court System who died on April 19, 2020 due to COVID-19 related complications, to file a service retirement application with a date of retirement of April 18, 2020 and an option election form with a joint allowance full option on behalf of her deceased husband.

A.10796 (Griffin)/ S.8742 (Kaminsky) – Chapter 266

This law directs the village of Malverne to reopen the provisions of an Optional 20-year retirement plan established for certain firefighters and police officers to permit Thomas Smith, a member of PFRS who is employed as a police officer in such village, to apply and elect participation in such plan.

A.10804 (Bichotte)/ S.8753 (Persaud) – Chapter 380

This law authorizes the beneficiary of Johnny Lee Baynes, a Tier IV member of the New York state and local employees' retirement system (NYSERS) who was employed as a Judge at the NYS Unified Court System, and died on March 26, 2020 due to COVID-19 related complications, to file a service retirement application with a date of retirement of March 25, 2020 and an option election form with a joint allowance full option on behalf of her deceased husband. Such allowance shall be reduced by any amounts paid as a result of Mr. Baynes' death.

APPENDIX A

2020 SUMMARY SHEET

SUMMARY OF ACTION ON ALL BILLS
REFERRED TO THE COMMITTEE ON
GOVERNMENTAL EMPLOYEES

TOTAL NUMBER OF COMMITTEE MEETINGS HELD 2

<u>FINAL ACTION</u>	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
BILLS REPORTED FAVORABLE TO:			
CODES	2	0	2
JUDICIARY	0	0	0
WAYS AND MEANS	11	0	11
RULES	0	0	0
FLOOR	2	0	2
TOTAL	15	0	15
COMMITTEE ACTION			
HELD FOR CONSIDERATION	28	0	28
DEFEATED	0	0	0
ENACTING CLAUSE STRICKEN	6	0	6
REMAINING IN COMMITTEE	266	14	280
BILLS REFERENCE CHANGED TO: WAYS AND MEANS			
TOTAL	9	0	9

APPENDIX B

ALL BILLS PASSED BY THE ASSEMBLY IN 2020

Bill Number	Legislative Summary	Legislative Status
A.8300-A (Zebrowski)/ S.6459-A (Carlucci)	Authorizes the town of Clarkstown to reopen the provisions of an Optional 20-year retirement plan established for certain firefighters and police officers to permit Edward Fairclough, Kyle McKiernan, Corry Doyle, and Sean Weaver, members of the New York state police and fire retirement system (PFRS) who are employed as police officers in the town of Clarkstown, to apply and elect participation into such plan.	Chapter 290
A.8483-A (Tague)/ S.8216-A (Seward)	Directs the Village of Cobleskill, a participating employer of PFRS, to reopen the provisions of an Optional 20-year retirement plan established for certain firefighters and police officers to allow Christopher R. Sniffen and Cody N. Whittaker, who are in Tier VI of PFRS and employed as police officers in such village, to elect participation and receive full credit in the optional retirement plan.	Chapter 302
A.8970 (Pheffer Amato)/ S.6950 (Gounardes)	Implements technical amendments to Chapter 251 of the Laws of 2019 to authorize any individual who has filed a World Trade Center notice of participation under the Workers' Compensation law to be eligible to submit a written request for line of duty sick leave benefits. The law also grants the Civil Service Commission with the authority to review reimbursement claims submitted by public authorities and municipal corporations for payments of line of duty sick leave benefits.	Chapter 60
A.8971 (Rosenthal L)/ S.6942 (Montgomery)	Implements technical amendments to Chapter 741 of the Laws of 2019 to ensure that employees with status in one or more protected classes shall not be paid a wage less than employees with status within the same or different protected class or classes in the same title and same establishment.	Chapter 46
A.8972 (Ortiz)/ S.7170 (Brooks)	Implements technical amendments to Chapter 570 of the Laws of 2019 to permit individuals to deduct up to seven years of military service from their age for appointment or promotion into any position including but not limited to cities with a population of one million or more.	Chapter 72
A.8973 (Simotas)/ S.6935 (Benjamin)	Implements technical amendments to Chapter 743 of the Laws of 2019 to clarify that it shall not be an	Chapter 41

	employer violation to provide differing compensation to employees pursuant to a collective bargaining agreement.	
A.10316 (Lifton)/ S.8217 (Seward)	Authorizes the City of Cortland to reopen the provisions of an Optional 20-year retirement plan to permit Travis Marshall, a firefighter employed in such city and is a member in the New York state and local police and fire retirement system to apply and elect participation into such plan.	Chapter 264
A.10536 (Eichenstein)/ S.8714 (Felder)	Permits the beneficiary of Noach Dear, a Tier III member of the New York state employees' retirement system employed as a Judge at the NYS Unified Court System who died on April 19, 2020 due to COVID-19 related complications, to file a service retirement application with a date of retirement of April 18, 2020 and an option election form with a joint allowance full option on behalf of her deceased husband.	Chapter 379
A.10796 (Griffin)/ S.8742 (Kaminsky)	Authorizes the village of Malverne to reopen the provisions of an Optional 20-year retirement plan to permit Thomas Smith, a member of PFRS who is employed as a police officer in such village, to apply and elect participation in such plan.	Chapter 266
A.10804 (Bichotte)/ S.8753 (Persaud)	Allows the beneficiary of Johnny Lee Baynes, a Tier IV member of the New York state and local employees' retirement system who was employed as a Judge at the NYS Unified Court System, and died on March 26, 2020 due to COVID-19 related complications, to file a service retirement application with a date of retirement of March 25, 2020 and an option election form with a joint allowance full option on behalf of her deceased husband. Such allowance shall be reduced by any amounts paid as a result of Mr. Baynes' death.	Chapter 380