



## Division of the Budget

ANDREW M. CUOMO  
Governor

MARY BETH LABATE  
Director of the Budget

<b>BUDGET BULLETIN</b>	<b>D-1131</b>	<b>May 8, 2015</b>
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**TO: ALL DEPARTMENT AND AGENCY HEADS**

**FROM: Mary Beth Labate** *Mary Beth Labate*

**SUBJECT: Management / Confidential Salary Actions - 2% General Salary Increase, Effective April 1, 2015; Performance Advances; Longevity Payments**

Pursuant to Chapter 491 of the Laws of 2011, this bulletin provides guidelines for the payment of a 2% General Salary Increase to Management/Confidential (M/C) employees and other unrepresented employees in the Executive Branch, retroactive to April 1, 2015. This is the same increase recently paid to union-represented employees with collective bargaining agreements expiring March 31, 2016 and beyond.

Guidelines are also provided for payment of FY 2016 Performance Advances and Longevity Payments.

Agencies are expected to pay for these increases from existing resources through increased productivity. No additional resources will be provided.

**Attachment A** provides key dates associated with these payments.

A separate bulletin will be issued for the payment of the first M/C Parity increase authorized pursuant to Chapter 55 of the Laws of 2015.

### **2% General Salary Increase**

M/C employees will receive the 2% General Salary Increase for FY 2016, as follows:

- Employees who were on the payroll as of March 26, 2015 (Administration Payroll) and April 2, 2015 (Institution Payroll) will automatically receive payment (retroactive to the start of the fiscal year) on **June 17, 2015** (for employees on the Administration Payroll) and **June 25, 2015** (for employees on the Institution Payroll).
- Employees who are on a leave of absence without pay on March 26, 2015 (Administration Payroll) and April 2, 2015 (Institution Payroll) will receive payment at the time of their return to the payroll.

State agencies may recommend withholding of this increase from eligible employees, subject to the approval of the Director of the Budget, **based on a documented record of unsatisfactory job performance or other factors that an agency head deems relevant**, during the period April 1, 2014 to March 31, 2015. Instructions for recommending such withholdings are provided on **Page 3** of this bulletin.

### **FY 2016 Performance Advances and Longevity Payments**

Eligible M/C employees may receive a Performance Advance if they were on the payroll as of March 26, 2015 (for employees on the Administration Payroll) and April 2, 2015 (for employees on the Institutional Payroll). Eligible M/C employees may receive a Longevity Payment if they were on the payroll as of March 31, 2015. Eligible employees who are on a leave of absence without pay on these dates will receive payment at the time of their return to the payroll. Otherwise, actual payment dates vary depending on the characteristics of the positions (e.g., statutory salary-graded). Please see **Attachment A** for key dates associated with these payments.

**Withholding Recommendations.** State agencies may recommend withholding Performance Advance and Longevity Payments from eligible employees, subject to the approval of the Director of the Budget, **based on a documented record of unsatisfactory job performance or other factors that an agency head deems relevant**, during the period April 1, 2014 to March 31, 2015.

**Longevity Payments.** DOB approval is not required for Longevity Payments to eligible M/C employees (i.e., those employees at or below Grade 17). Such payments shall be made in the amount of \$1,250 to eligible employees with at least five, but less than ten, years of continuous service at or above the job rate and in the amount of \$2,500 to eligible employees with ten or more years of continuous service at the job rate. Such payments will be in addition to and will not be considered part of basic annual salary and shall be made by separate check.

**Performance Advances -- Statutory Salary-Graded and Grade-Equated Positions.** Advances will be paid automatically, without additional DOB review, to all eligible M/C employees, in positions with statutorily established Salary Ranges or in Non-Statutory (NS) positions with Salary Ranges that were Equated-to-Grade on April 1, 2015. Employees must have served in an advance-eligible position for 13 payroll periods prior to April 1, 2015 and have a salary within the salary range for their position.

**M/C NS Performance Advance Plans.** To facilitate the payment of Performance Advances to M/C employees who are not in statutory salary-graded or grade-equated positions, agencies must submit M/C NS Performance Advance Plans for DOB approval using **Attachment B (in Excel)**. Such plans must be e-mailed to your Budget Examiner by **COB June 23, 2015** (hard copy submissions are not required).

The plans must be completed accurately and in their entirety. Copies of DOB-approved plans are required by the Office of the State Comptroller (OSC) to provide the necessary authorization for payment. OSC will issue a Payroll Bulletin detailing further procedures for processing such payments. After being notified that the plan has been approved by DOB, agencies must process all necessary transactions associated with the approved plans.

**Agencies should not submit plans directly to OSC. Your Budget Examiner will contact you when the plan has been approved and transmitted to OSC.**

**Plan Requirements:**

- Include all NS positions that are not equated to a grade (those with Discretionary Salary Ranges, Flat Salaries or Not-to Exceed Amounts) in all Jurisdictional Classes, whether they are filled or vacant.
- For NS positions with Discretionary Salary Ranges, provide the range that was in effect on April 1, 2015 (inclusive of the April 1, 2015 2% General Salary Increase).
  - Salary Ranges for NS positions subject to DOB approval through the Budget Director's approval process. NS Salary Ranges are either Equated to a Statutory Salary Grade (e.g., Equated to Grade 18 -- \$49,889 to \$61,908) or Not Equated (e.g., Discretionary Salary Range of \$90,000 to \$100,000). Your plan should not include positions with Equated Grades that are recognized in PayServ.
  - NS employees in Flat-salaried positions (no salary range exists), or in positions with "Not-to-Exceed Amounts" (salary ceilings with no salary ranges) are not eligible to receive a Performance Advance.
- Also, provide the position's salary as of April 1, 2015, inclusive of the 2% General Salary Increase. Note, in the proper column, whether the employee is advance eligible (i.e., whether the employee worked in an advance eligible position for 13 Payroll Periods prior to April 1, 2015).
- Other than application of the April 1, 2015 2% General Salary Increase, these plans may not be used to make substantive changes to Salary Ranges or Salaries (i.e., Budget Director's Approval-type actions).

**Agency Withholding Recommendations**

Recommendations to withhold the 2% General Salary Increase, effective April; 1, 2015, and/or FY 2016 Performance Advances and Longevity Payments from individual employees **must be based on a documented record of unsatisfactory job performance or other factors that an agency head deems relevant** during the period April 1, 2014 to March 31, 2015. All recommendations are subject to the approval of the Director of the Budget.

Agencies must e-mail all withholdings to their Budget Examiner using **Attachment C (in Excel format) by COB May 22, 2015**. Signed (by appropriate agency manager) cover letters, with appropriate justification, must be attached to the e-mail in PDF format.

**Questions**

Please direct all questions to your Budget Examiner.

**Budget Bulletin D-1131: Attachment A**

**Key Dates for Management/Confidential Salary Actions:**

**April 1, 2015 2% General Salary Increase; FY 2016 Performance Advances and Longevities**

Action	Date
Agencies Submit <b>All</b> Withholding Recommendations to DOB by:	<b>5/22/2015</b>
Payment of April 1, 2015 2% General Salary Increase	<b>6/17/2015</b> (for employees on the Administration Payroll) <b>6/25/2015</b> (for employees on the Institution Payroll)
Payment of Performance Advances and Longevities for Statutory Positions and Non-Statutory Positions with PayServ Recognizable Grade Equations	<b>6/17/2015</b> (for employees on the Administration Payroll) <b>6/25/2015</b> (for employees on the Institution Payroll)
Agencies Submit M/C NS Performance Advance Plans to DOB by:	<b>6/23/2015</b>
Payment Dates for Non-Statutory Positions with Discretionary Salary Ranges	This is dependent upon agency submission of M/C NS Performance Advance Plans ( <b>due by 6/23/2015</b> ), DOB-LR approval, agency submission of necessary PayServ transactions upon DOB approval, and OSC processing of such plans.

FY 2016 M/C NS PERFORMANCE ADVANCE PLAN  
DUE TO DOB by 6/23/15

AGENCY NAME: \_\_\_\_\_  
 AGENCY CODE: \_\_\_\_\_  
 DATE SUBMITTED: \_\_\_\_\_

ITEM NUMBER	PAYROLL CYCLE (Admin./Instit.)	NYS EMPID	EMPLOYEE NAME (LAST, FIRST)	POSITION TITLE	JURISDICTIONAL CLASS	MARCH 31, 2015 SALARY IN EFFECT (Prior to 2%)	APRIL 1, 2015 SALARY IN EFFECT (Include 2%)	SALARY RANGE IN EFFECT -- 4/1/2015 (Include 2%)			SERVED AT LEAST 13 PAY PERIODS IN SFY 2014-15 (Y/N)	ADVANCE ELIGIBLE (Y/N)	PROPOSED ADVANCE (1/6th of SALARY RANGE)	PROPOSED NEW SALARY WITH ADVANCE	COMMENTS ON PERFORMANCE ADVANCE ELIGIBILITY
								HIRING RATE	JOB RATE	SALARY RANGE					
00001	Admin.	N0XXXXXXX	Employee A	Special Assistant	Exempt Class	\$103,800	\$105,876	\$105,876	\$136,762	\$30,886	Y	\$5,148	\$111,024	Employee's current salary is within the salary range established for the position, and the increases resulting from the advances would not result in the employee having a salary greater than the job rate established for the position.	
00002	Admin.	N0XXXXXXX	Employee B	Project Coordinator	Competitive Class	\$51,500	\$52,530	\$52,530	\$52,530	\$0	Y	0	\$52,530	The employee's position has a flat salary (no salary range). Positions without salary ranges are not eligible to receive performance advances.	
00003	Admin.	N0XXXXXXX	Employee C	Secretary	Exempt Class	\$56,650	\$57,783	\$55,008	\$68,712	\$13,704	Y	\$10,000 (ERROR)	\$67,783 (ERROR)	The requested advance of \$10,000 would exceed the standard advance amount of 1/6th of the employee's salary range. <b>Discretionary salary increases may not be effectuated via this plan;</b> such salary increases may only be approved via BDA.	
00004	Admin.	N0XXXXXXX	Employee D	Deputy Director	Exempt Class	\$108,150	\$110,313	\$102,816	\$130,560	\$27,744	Y	0	\$110,313	A withholding of the advance has been approved by the Budget Director because the employee received an unsatisfactory performance rating. Therefore, no advance is proposed.	
00005	Admin.	N0XXXXXXX	Employee E	Special Assistant	Exempt Class	\$72,549	\$74,000	\$75,000	\$75,000	NTE	Y	0	\$74,000	The employee's position is "Not-to-Exceed" (NTE: no salary range). Positions without salary ranges are not eligible to receive performance advances.	

ERROR: These entries must be corrected prior to submission of the plan to DOB.

NOTES:

- 1) This plan must include filled and vacant (as of 4/1/15) M/C NS Non-Equated Salary Range positions with flat salaries, salary ranges or NTE, regardless of performance advance eligibility. Positions that are Equated-to-Grade on April 1, 2015 do not need to appear on this list.
- 2) DOB approved withholdings of performance advances should be demonstrated in the mathematical presentation and explained in the Comments column.
- 3) Salaries and Ranges should include the impact of the April 1, 2015 2% general salary increase, but should NOT include the previously withheld general salary increases (3% & 4%) from FY 2010 and FY 2011.

BY: \_\_\_\_\_  
 Chief Budget Examiner  
 DATE: \_\_\_\_\_

**Recommended Withholding of the  
April 1, 2015 2% General Salary Increase and/or Performance Advances and/or Longevity Payments<sup>1</sup>  
DUE TO DOB by 5/22/15**

AGENCY NAME: \_\_\_\_\_  
 AGENCY CODE: \_\_\_\_\_  
 DATE SUBMITTED: \_\_\_\_\_

ITEM NUMBER	PAYROLL CYCLE (Admin/Instif.)	NYS EMPLID	EMPLOYEE NAME	POSITION TITLE	JURISDICTIONAL CLASS	POSITION TYPE (Graded, NS - Type of Salary Range)	SALARY RANGE IN EFFECT 4/1/2015 (Include 2% General Salary Increase)		April 1, 2015 GENERAL SALARY INCREASE		FY 2016 PERFORMANCE ADVANCE		FY 2016 LONGEVITY		TOTAL AMOUNT WITHHELD	COMMENTS
							HIRING RATE	JOB RATE	Withhold 4/1/2015 General Salary Increase (Y/N)	Amount to be Withheld	Withhold 4/1/2015 Performance Advance (Y/N)	Amount to be Withheld	Withhold 4/1/2015 Longevity Payment (Y/N)	Amount to be Withheld		
00001	Admin.	N0XXXXXXX	Example	Secretary 1	Competitive Class	Grade 11	\$35,682	\$44,945	No	\$0	Not Eligible	\$0	Yes	\$1,250	Unsatisfactory Performance Rating	
00002	Admin.	N0XXXXXXX	Example	Assistant Director	Competitive Class	M-5	\$105,235	\$132,957	No	\$0	Yes	\$3,000	Not Eligible	\$0	Partial Withhold of Performance Advance; Unsatisfactory Performance Rating. <sup>2</sup>	
00003	Admin.	N0XXXXXXX	Example	Assistant Counsel	Exempt Class	NS, Flat Salary	\$90,000	\$90,000	Yes	\$1,800	Not Eligible	\$0	Not Eligible	\$0	Full Withhold of General Salary Increase; Unsatisfactory Performance Rating.	

**NOTES**  
 1. This form should include all M/C employees (graded, equated to grade, non-equated, flat salaried positions) for whom withholds are recommended.  
 2. Partial withholds are permitted (e.g., withhold only fraction of performance advance).

Mary Beth Labate  
Director

BY \_\_\_\_\_

DATE \_\_\_\_\_