

State of Collaboration

Salary Determination Workshop



NYS COMPTROLLER

THOMAS P. DiNAPOLI

Salary Determination Workshop

NS to Grade



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Civil Service Employee's Association, Public Employees Federation & Management Confidential



NS Moving to a Graded Position

- It's not where you are going, but where you are coming from.
- The bargaining unit of the NS position determines which rules to follow.



Moving From CSEA/PEF NS Position

- Refer to Payroll Bulletin 835 – if NS position is in CSEA
- Refer to Payroll Bulletin 882 – if NS position is in PEF



Types of NS to Grade Situations

- Employee held a graded position before appointment to the NS position
- Employee held only an NS position, either annual or hourly (or both) before moving to the graded position



Determine Type of Appointment (Promotion, Demotion, Lateral)

Use the NS position in effect **immediately prior** to the move to the graded position to determine the type of appointment.



If the ‘immediately prior’ position is:

Annual NS Equated to Grade

- Compare the equated grade of the NS position to the NEW graded position to determine if the appointment is a promotion, demotion or lateral.



If the ‘immediately prior’ position is:

Annual NS Not Equated to Grade

- Assign the NS salary to the highest grade level using the Hiring Rate.
- Compare the assigned grade to the NEW graded position to determine if the appointment is a promotion, demotion or lateral.



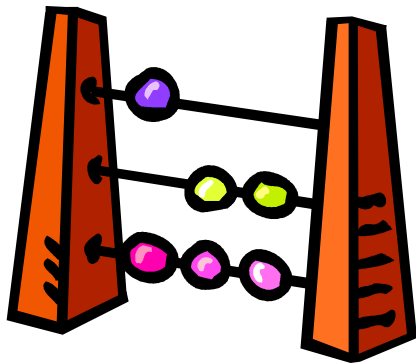
If the ‘immediately prior’ position is:

Hourly NS

- Convert the Hiring Rate of the graded position to an hourly rate by dividing by 2088.
 - Use the schedule associated with the NS position for this step
- Compare the resultant hourly rate to the employee’s CURRENT hourly rate to determine if the appointment is a promotion, demotion or lateral.



Calculation Method



Calculate New Salary

Based on the type of appointment and the 'immediately prior' position, calculate the new salary.



Type of Appointment = Lateral or Demotion

From an Annual NS Position:

- Reconstruct the salary beginning with the Hiring Rate of the graded position giving credit for all service where the salary (including hourly and annual) is at least equal to the Hiring Rate of the graded position.



Type of Appointment = Lateral or Demotion

- Upon reconstruction, the salary should be limited to the Job Rate of the graded position but may exceed the employee's last NS salary.
- If the employee is eligible, longevity payments should be included in the reconstruction.



Type of Appointment = Lateral or Demotion

- The Anniversary Date will be determined using the appointment date to the graded position adjusted by the amount of creditable service.
- The Anniversary Date will determine the employee's Performance Advance cycle and Increment Code.



Type of Appointment = Lateral or Demotion

From an Hourly NS Position:

- Use only those hours paid where the employee's hourly rate is at least equal to the Hiring Rate of the graded position.
- Do not include hours paid as overtime.
- Query to identify hours worked
 - Q91_IND_RGH_HIST_NS_GRADE



Type of Appointment = Lateral or Demotion

- Hourly employees who have not had hours reported during the last year prior to the appointment will be considered to have a break in service of one or more years whether or not the employee was actually terminated from the payroll. Credit for service prior to the break **will not** be counted.



Type of Appointment = Lateral or Demotion

- The number of creditable hours reported by the agency will be divided by the employee's required hours per day (7 ½ or 8) to determine the number of full work days to be used as creditable service.
- NS service in hourly and annual positions can be combined to determine the amount of creditable service.



Type of Appointment = Lateral or Demotion

- It is the appointing agency's responsibility to report all qualifying hours and the employee's required hours per day to be used in determining creditable service including hours worked in another agency.
- If the employee worked as an hourly in another agency, the appointing agency should send an email to OSC Payroll Earnings mailbox requesting the hours.



Type of Appointment = Lateral or Demotion

- The Anniversary Date will be determined using the appointment date to the graded position adjusted by the amount of creditable service.
- The Anniversary Date will determine the employee's Performance Advance cycle and Increment Code.
- If the employee is eligible, longevity payments should be included in the reconstruction.



Type of Appointment = Lateral or Demotion

- Once the adjusted anniversary date is established, reconstruct the salary beginning with the Hiring Rate of the graded position, giving credit for all service where the salary is at least equal to the Hiring Rate of the graded position.
- Upon reconstruction, the salary should be limited to the Job Rate of the graded position but may exceed the employee's last NS salary.



Type of Appointment = Promotion

From any NS Position:

- **Annual NS Equated to Grade**
 - Use the equated grade to determine the appropriate promotion percentage.
 - The employee may be eligible for a promotion recalculation.



Type of Appointment = Promotion

- **Annual NS Not Equated to Grade**
 - Use the assigned grade to determine the appropriate promotion percentage.



Type of Appointment = Promotion

- **Hourly NS**

- Convert the employee's hourly rate to an annual salary by multiplying by 2088.
- Assign this salary to the highest grade level compared to the Hiring Rate of the salary schedule associated with the NS position.
- Use the assigned grade to determine the appropriate promotion percentage.
- Apply the promotion percentage to the NS salary.



Type of Appointment = Promotion

- The Anniversary Date will be the effective date of the promotion to the new graded position and will determine the employee's Performance Advance cycle and Increment Code.



New Procedure Effective 10/1/2019 for Promotions from CSEA Hourly

Salary Reconstruction Prior to Promotion

- New rules per a side letter to the CSEA 2016-2021 Agreement dated 02/01/2018.
- Implementation pending instructions from GOER.
 - Until implemented, continue using the promotion method described above under *Type of Appointment = Promotion*.
- A payroll bulletin will be issued.



New Procedure Effective 10/1/2019 for Promotions from CSEA Hourly

Salary Reconstruction Prior to Promotion

- Before applying promotion percentage the salary of the assigned grade must first be reconstructed.
 - Determine the creditable work days using same procedures as a lateral (creditable hours converted to workdays)
 - Use the creditable workdays to establish the adjusted anniversary date and performance advance cycle
 - Reconstruct the salary based on the adjusted anniversary date



New Procedure Effective 10/1/2019 for Promotions from CSEA Hourly

Salary Reconstruction Prior to Promotion

- Apply the promotion percentage to the reconstructed salary
- Compare the results to the hiring rate of the graded position



Calculations Specific to Public Employees Federation



Longevity Lump Sum (LLS) Payment

- Type of Appointment = Promotion
 - The LLS portability will be factored in the promotion calculation.
- Type of Appointment = Lateral or Demotion
 - If the employee has the required years at Job Rate, the LLS will be paid [after six (6) pay periods.][the following April.]



Institution Teachers

Summer Session

- NS to Grade rules do not apply to appointments from a Summer Session position to a graded position.
- Summer Session hours cannot be used as creditable service.



Institution Teachers

- If the NS position is a teaching title, the factor is 1736; if the NS position is a non-teaching title, the factor is 2000.
 - Note: For a Rec Program Leader the factor is 2000
- Creditable service in an NS position will only be counted if it totals at least 150 days during each individual academic year.



Moving From M/C Position Per Payroll Bulletin 682

M/C Eligibility

- Employees must continuously occupy the same unallocated (NS) position
 - In the same title;
 - Within the same agency/appointing authority;
 - Within the same negotiating unit;



M/C Eligibility (Continued)

- At the same salary or equated salary grade level (excluding normal Performance Advances and general salary increase);
- In continuously Active paid status (Active, Paid Sick Leave, Workers' Comp Leave, Military or Military Stipend Leave);



M/C Eligibility (Continued)

- For a minimum of one (1) calendar year on a full-time basis, and
- With no reduction/change in percentage of time worked during the above-mentioned calendar year.



M/C Eligibility (Continued)

- Employees on approved VRWS are considered to be qualified as continuously occupying a position
- Termination or Resignation from an NS position and then reappointed to the same position on a later date constitutes a break in pay status and is not qualified for the NS calculation



Determine Eligibility: New or Old Rules?

“New” Rules - M/C Employee Meets Criteria Per Bulletin 682

- Determine if promotion, demotion or lateral
 - Promotion – same procedure as with other bargaining units
 - Demotion – Reconstruction or employee may hold last NS salary not to exceed Job Rate of the new graded position
 - Lateral – Reconstruction or employee may hold last NS salary not to exceed Job Rate of the new graded position



Determine Eligibility: New or Old Rules?

“Old” Rules – NS Service Does Not Meet Criteria
Per Bulletin 682

- Review the salary of the NS position:
 - Determine where the money is equal to or greater than the graded position
 - Reconstruct the salary giving Performance Advances and raises up to Job Rate of the grade moving into
 - Reconstructed salary may exceed the last NS salary



****IMPORTANT****

Always, Always, Always

Enter General Comments for all
NS to Grade calculations



TOOLS

Currently Available

- RGH Query – Q91_IND_RGH_HIST_NS_GRADE
(to determine the number of hours to be used for creditable workdays)
- NS to Grade Anniversary Date Calculator



NS to Grade Questions

Please refer to these bulletins

- Payroll Bulletin No. 682 -M/C NS to Grade bulletin
- Payroll Bulletin No. 835 - CSEA NS to Grade bulletin
- Payroll Bulletin No. 882 -PEF NS to Grade bulletin

before contacting the Earnings Unit.



Call for Assistance With

- Complex situations
- Employee's with extensive histories
- CSEA Longevity
- Any M/C Hourly NS to Grade



How to get with Salary Questions



- Send an email to Payrollearnings@osc.ny.gov



- Call a staff member from the Earnings Unit.



QUESTIONS?

