



**Division of
the Budget**

ANDREW M. CUOMO
Governor

ROBERT F. MUJICA JR.
Director of the Budget

SANDRA L. BEATTIE
First Deputy Director

CHARLES WILLIAMS
Deputy Director

BUDGET BULLETIN	D-1140	April 17, 2019
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TO: ALL DEPARTMENT AND AGENCY HEADS

FROM: Robert F. Mujica Jr.

**SUBJECT: Management/Confidential Salary Actions: 2% General Salary Increase,
Longevity Payments and Performance Advances**

This bulletin provides guidelines for the payment of a 2% General Salary Increase, Longevity Payments and Performance Advances, authorized pursuant to Part D of Chapter 24 of the Laws of 2019, to eligible Management/Confidential (M/C) employees and other unrepresented employees in the Executive Branch. Please see **Attachment A** for key dates associated with these payments.

Agency Withholding Recommendations

Please note that agency-recommended withholdings of the 2% General Salary Increase, Longevity Payments and Performance Advances 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, 2018 to March 31, 2019. 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 B** by **April 24, 2019**. Such recommendations must be supported by a signed cover letter from a senior agency manager containing appropriate justification (attached to the e-mail in PDF format).

2% General Salary Increase Effective April 1, 2019

M/C employees on the payroll as of March 28, 2019 (Institutional Payroll) and April 4, 2019 (Administration Payroll) are eligible to receive a 2% General Salary Increase.

Employees who were on a leave of absence without pay, or not yet on the payroll, on March 28, 2019 (Institutional Payroll) and April 4, 2019 (Administration Payroll) are eligible to receive payment to reflect a salary increase at the time of their return to the payroll or date of hire.

This payment is expected to be made on May 23, 2019 (Institutional Payroll) and May 29, 2019 (Administration Payroll), retroactive to March 28, 2019 and April 4, 2019, respectively.

Pending BDAs with requested effective dates on or after March 28, 2019 (Institutional Payroll) or April 4, 2019 (Administration Payroll) that are impacted by the April 1, 2019 General Salary Increase (GSI) must be withdrawn and resubmitted if the GSI has not been factored into the requested salary.

Any pending BDAs subsequently approved after April 1, 2019, will be assumed to have the correct salary, inclusive of any increases. Agencies should contact the Center for Recruitment and Public Service to withdraw a BDA, if necessary.

Longevity Payments

Eligible M/C employees (i.e., those employees at or below Grade 17) may receive a Longevity Payment if on the payroll as of March 31, 2019. Eligible M/C 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. Such payments will be made on May 23, 2019 (Institutional Payroll) and May 29, 2019 (Administration Payroll).

DOB approval is not required for Longevity Payments to eligible M/C employees. Effective April 1, 2019, such payments shall be made in the amount of \$1,500 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 \$3,000 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

Eligible M/C employees may receive a Performance Advance if on the payroll as of March 28, 2019 (Institutional Payroll) and April 4, 2019 (Administration Payroll). Eligible M/C 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. Actual payment dates vary depending on the characteristics of the positions.

Statutory (Graded) Positions and Non-Statutory 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, 2019. Employees must have served in an advance-eligible position for 13 payroll periods prior to April 1, 2019 and have a salary within the salary range for their position. Such payments are expected to be made effective May 23, 2019 (Institutional Payroll) and May 29, 2019 (Administrative Payroll), retroactive to March 28, 2019 and April 4, 2019, respectively.

All Other Non-Statutory Positions Not Equated to a Salary Grade. Performance Advance Plans are required for all other non-statutory positions not equated to a salary grade. The plan

process is automated for agencies that use NYSTEP. Agencies that do not use NYSTEP are required to submit plans using **Attachment C**.

Automated Plans for Agencies using NYSTEP

Agencies may begin generating plans in NYSTEP on **June 3, 2019** and are required to submit completed plans through NYSTEP to their Budget Examiner by **June 19, 2019**.

The submission process requires agencies to verify the pre-entered data, indicate whether the employees listed have served the requisite 13 payroll periods in an eligible position, and indicate if an individual is eligible and recommended for an advance. Agencies should reflect any DOB approved performance advance withholdings for individuals on the plans by indicating the person is ineligible for an advance and including a comment that states the advance was withheld. Please review plan information carefully and report any errors, questions or concerns to your Budget Examiner.

Information about initiating and submitting plans can be found in the NYSTEP/TPM User's Manual located on the Civil Service website, <https://www.cs.ny.gov/businesssuite/Publications-and-Forms/Manuals/>. In addition, a demonstration is available in the Statewide Learning Management System (SLMS) at <https://nyslearn.ny.gov/>. The SLMS Class Code for the demonstration is **DOB-NYSTEP-Perf-Plan**.

Process for Non-NYSTEP agencies

Agencies that do not use NYSTEP must submit M/C NS Performance Advance Plans for DOB approval using **Attachment C**. Such plans must be e-mailed to your Budget Examiner by **June 28, 2019**.

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. *In addition, agencies will not be able to initiate Compensation Adjustment GSI and NSA transactions in NYSTEP until their plan has been approved by DOB.*

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 filled 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 (there is no longer a requirement to list vacant positions on these plans).

- To be eligible for a performance advance, NS employees must have served in their position for 13 payroll periods prior to April 1, 2019 and have a salary within the salary range for their position. 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.
- Provide the range that was in effect on April 1, 2019 inclusive of the 2% General Salary Increase.
- Provide the position's salary as of April 1, 2019 prior to the performance advance, but inclusive of the 2% General Salary Increase.
- Other than application of the authorized general salary and performance advance increases, these plans may not be used to make substantive changes to Salary Ranges or Salaries (i.e., Budget Director's Approval-type actions).

Questions

Please direct all questions to your Budget Examiner.

Budget Bulletin D-1140: Attachment A

Key Dates for Management/Confidential Salary Actions:

April 1, 2019 2% General Salary Increase, FY 2020 Performance Advances, and Longevities

Action	Date
Agencies Submit AI Withholding Recommendations to DOB	April 24, 2019
Payment of April 1, 2019 2% General Salary Increase	May 23, 2019 (Institution Payroll) May 29, 2019 (Administration Payroll)
Payment of April 1, 2019 Longevities & Performance Advances for Statutory Positions and Non-Statutory Positions with PayServ Recognizable Grade Equations	May 23, 2019 (Institution Payroll) May 29, 2019 (Administration Payroll)
Agencies may start generating NS Performance Advance Plans in NYSTEP	June 3, 2019
Agencies Submit NYSTEP (or paper, if agency doesn't use NYSTEP) M/C NS Performance Advance Plans to DOB by:	June 19, 2019 (NYSTEP) June 28, 2019 (Paper)
Payment of M/C NS Performance Advance Plans	Following approval of each respective plan

Recommended Withholding of the
 April 1, 2019 2% General Salary Increase and/or Performance Advances, Longevities
 DUE TO DOB by April 24, 2019

AGENCY NAME: _____
 AGENCY CODE: _____
 DATE SUBMITTED: _____

ITEM NUMBER	PAYROLL CYCLE (Admin./Asst.)	MYS EMPID	EMPLOYEE NAME	POSITION TITLE	JURISDICTIONAL CLASS	POSITION TYPE (NS - Type of Salary Range)	SALARY PRIOR TO ANY INCREASE (Include 4/1/19 2% GSI)	SALARY RANGE IN EFFECT 4/1/2019 (Include 4/1/19 2% GSI)		April 1, 2019 2% GENERAL SALARY INCREASE	FY 2018 PERFORMANCE ADVANCE		FY 2018 LONGEVITY		TOTAL AMOUNT TO BE WITHHELD	COMMENTS
								HRS RATE	JOB RATE		Withhold 4/1/2019 Performance Advances (Yes/No)	Amount to be Withheld	Withhold Longevity (Year/No)	Amount to be Withheld		
00001	Admin.	N000000000	Example	Secretary 1	Competitive Class	Grade 11	\$51,122	\$41,398	\$62,144	No	Not Eligible	Not Eligible	Y	\$1,900	\$1,900	Withhold Full Longevity; Unsatisfactory Performance Rating
00002	Admin.	N000000000	Example	Assistant Director	Competitive Class	M-5	\$119,958	\$122,092	\$154,253	No	Yes ⁽¹⁾	Yes ⁽¹⁾	Not Eligible	\$5,369	\$5,369	Withhold of Performance Advance; Unsatisfactory Performance Rating ⁽²⁾
00003	Admin.	N000000000	Example	Assistant Counsel	Exempt Class	NS, Flat Salary	\$90,000	\$91,800	\$91,800	Yes	Not Eligible	Not Eligible	Not Eligible	\$0	\$0	Not Withhold of All Potential Increases; Unsatisfactory Performance Rating

NOTES
 1. This form should include all MJC employees (grades), equated to grade, non-equated, flat equated positions) for whom withhold is recommended.
 2. Permit withhold is permitted (e.g., withhold only fraction of performance advance).

Robert F. Mujica Jr.
 Budget Director

FY 2020 M/C NS PERFORMANCE ADVANCE PLAN FOR AGENCIES NOT IN NYSTEP
DUE TO DOB BY 6/23/2019

AGENCY NAME:

AGENCY CODE:

DATE SUBMITTED:

ITEM NUMBER	PAYROLL CYCLE (Admin./Instr.)	EMPLID	EMPLOYEE NAME (LAST, FIRST)	POSITION TITLE	JURISDICTIONAL CLASS	MARCH 31, 2019 SALARY IN EFFECT (Prior Salary Increase)	APRIL 1, 2019 SALARY IN EFFECT (Include 2% General Salary Increase effective 4/1/19)	SALARY RANGE and Increment Amount IN EFFECT - 4/1/2019 (Include All Salary Increases)				SERVED AT LEAST 12 MONTHS IN FY 2019 (Y/N)	ADVANCE ELIGIBLE (Y/N)	PROPOSED ADVANCE (up to 16th of Salary Range)	PROPOSED NEW SALARY WITH ADVANCE	COMMENTS ON PERFORMANCE ADVANCE ELIGIBILITY
								HIRING RATE	JOB RATE	SALARY RANGE	INCREMENT AMOUNT (16th Salary Range)					
00001	Admin.	NDXXXXXXXXXX	Employee A	Special Assistant	Exempt Class	\$113,480	\$115,759	\$115,750	\$143,516	\$33,766	\$5,828	Y	Y	\$5,828	\$121,378	The requested advance is within the salary range established for the position. The employee's current salary is greater than the job rate established for the position.
00002	Admin.	NDXXXXXXXXXX	Employee B	Project Coordinator	Competitive Class	\$88,303	\$57,429	\$57,429	\$57,429	\$0	\$0	Y	N	\$0	\$57,429	The employee's position has a flat salary (no salary range). Positions without salary ranges are not eligible to receive performance advances.
00003	Admin.	NDXXXXXXXXXX	Employee C	Secretary	Exempt Class	\$81,933	\$83,172	\$61,341	\$76,622	\$15,281	\$2,647	Y	Y, but not at the requested amount	\$10,000 (ERROR)	\$73,172 (ERROR)	The requested advance of \$10,000 would exceed the standard advance amount of 16th of the employee's salary range. Discretionary salary increases may not be articulated via this plan; such salary increases may only be approved via BSA.
00004	Admin.	NDXXXXXXXXXX	Employee D	Special Assistant	Exempt Class	\$87,567	\$88,318	\$91,800	\$114,240	\$22,440	\$3,740	Y	N	\$0	\$88,318	Employee's current salary is below the salary range and is not eligible for an advance.
00005	Admin.	NDXXXXXXXXXX	Employee E	Deputy Director	Exempt Class	\$118,236	\$120,301	\$112,104	\$142,736	\$30,332	\$5,055	Y	N, Performance Advance has been withheld (1)	\$0	\$120,301	A withholding of the advance has been approved by the Director because the employee received an unsatisfactory performance rating. Therefore, no advance is proposed.
00006	Admin.	NDXXXXXXXXXX	Employee F	Special Assistant	Exempt Class	\$79,315	\$80,901	\$66,700	N/A	N/A	N/A	Y	N/A	\$0	\$80,901	The employee's position is "Non-Exempt" (NTE); no salary range. Positions without salary ranges are not eligible to receive performance advances.

This plan must include filled (as of March 28 for employees on the institution payroll cycle and as of April 4 for employees on the Administration payroll cycle) 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 March 28 or April 4 or Vacant do not need to appear on this list.

NOTES:
(1) DOB approved withholdings of performance advances should be demonstrated in the mathematical presentation and explained in the Comments column.

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

By: _____
DATE: _____
Chief Budget Examiner