

PROGRAM BILL # 245

GOVERNOR'S PROGRAM BILL

2010

MEMORANDUM

AN ACT to amend the civil service law and the state finance law, in relation to the implementation of a furlough; and providing for the repeal of such provisions upon expiration thereof

Purpose:

This bill would require all unionized Executive Branch, non-essential officers and employees to take one furlough day between May 10 and May 14, 2010. This bill would have no impact on Managerial/Confidential employees or employees in the Legislature or the Judiciary.

Summary of Provisions:

This bill would amend Civil Service Law and the State Finance Law to subject all unionized non-essential officers and employees (annual and non-annual salaried) in the Executive Branch to one furlough day. Between May 10 and May 14, 2010 (date subject to agency discretion), non-essential officers and employees would be required to take one day off. This flexibility of deciding the day is given to allow the agency to structure the day off in the most efficient and effective manner.

Employees would not be allowed to charge their accruals to offset this salary reduction and agencies would not be able to authorize additional overtime in conjunction with the furlough days. Only employees who serve in a position responsible for delivery of essential services – defined by the Director of the Division of the Budget as critical to preserving public health and safety – and Managerial/Confidential employees would be excluded from this policy.

Currently, Section 134 of the Civil Service Law prescribes a workweek of not more than forty hours for State officers and employees. Section 200 of the State Finance Law describes the bi-weekly payment of State salaries.

Implementing a temporary furlough of unionized non-essential employees would realize an immediate cash savings and should not jeopardize public health and safety.

Statement in Support and Budgetary Implications:

Enactment of this bill is necessary to preserve cash flow required for the continuation of essential governmental services. Each furlough day is estimated to save the General Fund \$30 million (\$39 million All Funds) in SFY 2010-11.